OFFICIAL REPORT
AITHISG OIFIGEIL

# Meeting of the Parliament

**Thursday 14 November 2024**

Session 6

The Scottish Parliament
Pàrlamaid na h-Alba

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# Scottish Parliament

*Thursday 14 November 2024*

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

## General Question Time

### Prostate Cancer Testing

1. **Douglas Ross (Highlands and Islands) (Con):** To ask the Scottish Government what its response is to the calls from Sir Chris Hoy to change the advice on testing for prostate cancer, to encourage more younger men to be checked. (S6O-03965)

**The Cabinet Secretary for Health and Social Care (Neil Gray):** I thank Douglas Ross for raising what is an incredibly important issue, and I pay tribute to Sir Chris Hoy for his courage and leadership in sharing his journey with prostate cancer. My thoughts are with him, Sarra and the rest of his family.

All men over 50 can ask their general practitioner for a prostate-specific antigen test, once the benefits and risks have been explained. I welcome the review of the Scottish cancer referral guidelines, which include PSA testing. That will be published in spring 2025. I have also written to the United Kingdom National Screening Committee in support of its review of the case for a prostate cancer screening programme.

**Douglas Ross:** I associate myself with the cabinet secretary's remarks. The strength and bravery of Chris Hoy in being so open about his prostate cancer diagnosis have already led to more people coming forward to be tested and has made people more comfortable in discussing the issue.

In that spirit, I will speak for the first time about how prostate cancer has affected my family. A year ago, my dad was diagnosed. He had a PSA level of 168—for context, PSA levels of around four and below are considered normal. We therefore knew that we were dealing with something very serious. Last Christmas was one of great anxiety and worry for our family. However, a year on, thanks to the great support from Forres health centre, Mr Lam at the urology department of Aberdeen royal infirmary and the rest of the teams at the hospital, as well as outstanding support from everyone at Clan house in Aberdeen, where Dad recently had his radiotherapy, his PSA is now 0.12.

More men will, I hope, be diagnosed earlier because of Chris Hoy's efforts. Does the cabinet secretary agree that they can be assured of excellent care in our national health service and from the amazing charities that support people with cancer and their families, as my family can testify?

**Neil Gray:** I thank Douglas Ross for sharing a very personal family story, which will be felt and shared by many other families across Scotland. I also share in the tribute that he paid to our national health service colleagues and the community and voluntary sector organisations. I am very familiar with Clan house in Aberdeen, given my Orkney links, with which Mr Ross will be familiar.

Douglas Ross is absolutely right. The work that has been done and the leadership and courage that have been shown by Chris Hoy have already had benefits. This morning, I heard Nick Jones, a trustee of Prostate Cancer Research, speak to Emma Barnett on the "Today" programme about his personal journey. Campaigns such as Movember, in which I and Douglas Ross's colleague Miles Briggs are participating, are critically important in helping to remove stigma and encouraging people to come forward and talk about personal and uncomfortable areas of health.

My thoughts are absolutely with Mr Ross and his family, and with Sir Chris Hoy and his family as he shows his leadership so that more men come forward for tests.

### Circular Waste Management System

2. **Maurice Golden (North East Scotland) (Con):** To ask the Scottish Government what it anticipates the benefits to Scotland will be of a fully circular waste management system. (S6O-03966)

**The Acting Minister for Climate Action (Alasdair Allan):** A fully circular waste management system would keep valuable materials flowing in our economy, reduce reliance on virgin resources, reduce emissions and promote green jobs in repair, reuse and recycling. It is therefore welcome news that statistics from the Scottish Environment Protection Agency show that, in 2023, the amount of household waste generated and the carbon impact of Scotland's household waste were at their lowest level since records began in 2011. The Circular Economy (Scotland) Act 2024 and the draft circular economy and waste route map set out actions to develop a more circular economy in Scotland by 2030.

**Maurice Golden:** SEPA figures noted that the household recycling rate increased by 0.15 per cent last year. However, SEPA also stated that, since 2019, more than 146,000 tonnes of Scottish waste have been shipped to developing countries.

One destination was Turkey, which a BBC investigation found to have dumped and burned British waste. Will the minister confirm whether all waste that is sent abroad is fully traceable, in compliance with the waste duty of care, to ensure that that does not happen to Scottish waste?

**Alasdair Allan:** The member will be aware that the proportion of waste that we are talking about in that regard is small but, yes, there are safeguards that the Scottish Government seeks to apply in those unusual circumstances. It should be said that total household waste in Scotland is down by 26,000 tonnes a year, that landfill for biodegradable waste is being phased out and that the solutions that the member refers to are unusual rather than usual.

### River Annan (Replacement Crossing)

3. **Oliver Mundell (Dumfriesshire) (Con):** To ask the Scottish Government what support it is providing to local residents to take forward a replacement river crossing in Annan following storm damage in 2021, in light of the findings of the recently completed feasibility study. (S6O-03967)

**The Acting Minister for Climate Action (Alasdair Allan):** Although the footbridges are not the responsibility of Dumfries and Galloway Council or, indeed, the Scottish Government, the council provided £66,000 to support the recovery of the two bridges and a further £50,000 of capital funding to the Annan—A Tale of Two Bridges community group to deliver an options appraisal exercise. The Scottish Government reimbursed the council for 50 per cent of the total funding provided.

**Oliver Mundell:** Clearly, it is a huge undertaking for a community group to put in place a bridge at significant expense. Following the First Minister's visit and the Scottish Government's welcome funding, will the minister commit to convening a meeting of stakeholders, including the local authority, South of Scotland Enterprise and other potential funders, to drive the project forward?

**Alasdair Allan:** As the member recognises, the two bridges—I understand them to be the Cuthbertson memorial bridge and the Diamond Jubilee bridge—are not in the hands of the public sector. However, I am sure that officials at the Scottish Government end are only too willing to meet the communities concerned, as the member suggests, to find what solutions might exist.

I am conscious that the loss of the bridges has created problems for people who live to the west of the river. The Scottish Government has a bridge maintenance fund, which has contributed £243,000 to bridges in Dumfries and Galloway. I am sure that further conversations will be had.

### National Care Service (Scotland) Bill

4. **Jackie Baillie (Dumbarton) (Lab):** To ask the Scottish Government what further policy changes it plans to bring forward to address reported concerns regarding the National Care Service (Scotland) Bill. (S6O-03968)

**The Minister for Social Care, Mental Wellbeing and Sport (Maree Todd):** The Scottish Government remains committed to the plans for a national care service and to working with lived-experience and stakeholder partners to design and implement social care support improvement as quickly and as effectively as possible. I need to take some time to fully reflect those views in our approach in order to get this right for the people of Scotland. Yesterday, I wrote to the convener of the Health, Social Care and Sport Committee, setting out that I do not intend to start stage 2 of the bill on 26 November.

**Jackie Baillie:** Three years on and three health secretaries later, this is now the longest-running bill in the Parliament—directionless, unworkable and criticised by experts as policy making on the hoof. The Scottish National Party Government is kicking the can down the road, because it knows that the bill is destined to fail.

However, we can deliver the things that will make a real difference to social care right now. We have the power to deliver a right to respite care using the Carers (Scotland) Act 2016; fair pay and ethical commissioning using procurement reform; and Anne's law through the Social Care and Social Work Improvement Scotland (Requirements for Care Services) Regulations 2011. At a time when people's care packages are being cut, will the minister stop wasting money and time on a failed bill and make the changes that we all agree with right now?

**Maree Todd:** The member will be aware that we have not been waiting for a national care service to resolve the current issues. The Scottish Government is working right now to tackle the current issues that do not need primary legislation.

As everyone agrees, the social care system in Scotland needs urgent reform to improve people's lives and to ensure consistency of care across Scotland. We have worked constructively and intensively with stakeholders over the past two years, and I have been clear in my discussions with them that there is space for dialogue and agreement around the provisions in the bill. I have heard directly from hundreds of people, and the bill team has heard from thousands of people, who access social care across Scotland. They are being badly let down by our current system.

Thousands have told us that social care and community health need to change. Collectively, we all have a responsibility to act on those concerns and to make every effort to improve the lives of the communities that we serve.

**David Torrance (Kirkcaldy) (SNP):** A strong workforce is vital in the delivery of high-quality social care, which is why a key part of a national care service is the improvement of working conditions for carers. Alarmingly, over the past few weeks, we have loudly and clearly heard concerns from stakeholders such as the Coalition of Care and Support Providers in Scotland about the United Kingdom Labour Government's plans to increase employer's national insurance contributions, which the coalition says could be "catastrophic" for many voluntary sector care providers. Can the minister provide an update on the estimated impact that the UK Government's increases in national insurance contributions will have on the care sector in Scotland?

**Maree Todd:** I agree that a strong social care workforce is necessary, and I put on record my thanks to all social care workers for the fantastic job that they do. I absolutely agree with the member that the impact that the national insurance increase will have on our social care providers is very worrying. There are more than 1,000 care providers throughout Scotland, and it is not easy to estimate the impact that the increase will have on each of them individually. We are looking closely at the issue as a matter of urgency, and we are liaising with the sector, including with the Coalition of Care and Support Providers in Scotland.

### Gender Inequality (Data Collection)

5. **Pam Gosal (West Scotland) (Con):** To ask the Scottish Government what action it is taking to improve data collection on gender inequality. (S6O-03969)

**The Minister for Equalities (Kaukab Stewart):** The Scottish Government is committed to improving the collection and analysis of data on gender inequality. To build the strongest evidence base, we continue to advance quantitative, qualitative and lived-experience evidence collection. In the equality data improvement programme, 28 of the 45 actions relate to improvements in sex and gender evidence, demonstrating the breadth of action across Government. We recognise that there is more work to be done to improve the collection, analysis and use of data and evidence on gender inequality, and we are continuing to work with our stakeholders to do so.

**Pam Gosal:** Last week, at committee, I asked the minister how the decision to use gender instead of sex came about. Instead of answering my question, the minister asked her officials to respond. I have still not received an answer to my question. We also found out last week that, of the list of 24 genders produced by the Scottish Government, there were 14 categories that nobody has indicated they belong to. Why is the term "gender" used, instead of "sex", to collect data on inequalities between men and women?

**Kaukab Stewart:** I think that I said at the evidence session that I would get back to the member on that.

I want to address the reference to 24 genders; I have answered a question on that before. The Scottish Government recently updated its guidance to public bodies on collecting data on sex and gender to include a coding framework for free-text responses. The framework is there to help official statistics producers categorise people who identify as trans and who have completed an open-response question about their trans status.

The categories were developed based on responses to the question in the 2022 census. As I have said before, the framework should not be interpreted to mean that there are a particular number of genders. It should be used only as a guide to classify responses to the recommended trans status question in surveys.

### Inheritance Tax (Agricultural Property Relief)

6. **Meghan Gallacher (Central Scotland) (Con):** To ask the Scottish Government what discussions its ministers have had with their United Kingdom Government counterparts regarding the changes made to agricultural property relief on inheritance tax. (S6O-03970)

**The Minister for Agriculture and Connectivity (Jim Fairlie):** Disappointingly, we had no advance notice or engagement from the United Kingdom Government over those changes. I urge the UK Government to engage with us to ensure that its plans properly account for the distinct features of Scotland's agricultural sector, since family farms, tenant farms and crofting are all key parts of rural life in Scotland. Ultimately, the Scottish Government believes that inheritance tax powers should be devolved to the Scottish Parliament so that the tax can be designed for and tailored to the Scottish context, which the UK Government's proposals simply do not reflect. We want a tax system that supports, rather than hinders, orderly succession planning and the transfer of land to the next generation of custodians.

**Meghan Gallacher:** Last night, the Parliament sent a clear message to the Labour Government by backing a Scottish Conservative motion calling for the family farm tax to be scrapped. I congratulate my colleague Tim Eagle on his efforts in that regard.

Rather than having any sympathy with our farmers, especially those who are recovering from cancer, Labour's response has been to tell farmers to get their affairs in order. With the majority of the Scottish Parliament against the new tax, in his next meeting with his Labour counterparts, will the minister use his authority to demand that the family farm tax simply has to go?

**Jim Fairlie:** As the member pointed out, we have intergovernmental meetings with UK counterparts, and that issue will absolutely be raised. However, it is also worth pointing out that the Department for Environment, Food and Rural Affairs in Westminster has confirmed that it was not engaged during the policy's development. It is absolutely essential that the UK Government reverses the proposal and allows us to have a proper consultation to find out the effects of this damaging tax.

## Mountain Safety (Engagement)

7. **Liz Smith (Mid Scotland and Fife) (Con):** To ask the Scottish Government what engagement it has had with the hospitality and tourism sectors to promote safety on Scotland's mountains in winter 2024-25. (S6O-03971)

**The Minister for Social Care, Mental Wellbeing and Sport (Maree Todd):** Scotland has an enviable reputation for world-class hills and mountains, but we want to reduce the number of lives that are lost there each year. We work in partnership with stakeholders, including VisitScotland, to provide people with safe opportunities to enjoy the outdoors.

The Scottish Government provides £312,000 annually to Scottish Mountain Rescue and sportscotland, and it invests around £2 million per annum of Scottish Government and national lottery funding to ensure the safety of mountain users. The #ThinkWINTER campaign by Mountaineering Scotland and Scottish Mountain Rescue is supported by VisitScotland, which also provides advice on winter mountain safety on its website.

**Liz Smith:** That is helpful, but nonetheless the minister will be very aware of the conditions during storm Ashley, when 15 members of Lochaber mountain rescue were deployed on Ben Nevis in the most atrocious weather to rescue a number of people who, quite frankly, should not have been out in the mountains. She will also be aware of my colleague Edward Mountain's calls for a fresh safety message following the projection that 2024 could be one of our worst years for mountain safety.

I draw the minister's attention to what happens in other countries—I cite Switzerland and France, of which I have considerable experience—where hotels and tourist outlets make a point of putting information in people's rooms and in various lobbies to tell people exactly what is going to happen on the mountains, with sufficient access to webcams and specialist advice about what the weather will be. They are very helpful in making people aware of the circumstances that they might face. Could Scotland also do the same?

**Maree Todd:** I would be content to meet the member and hear directly from her about her ideas on how to improve mountain safety.

We have an incredible asset in our hills and mountains. My constituency is blessed with some incredible climbing opportunities, but we need to ensure that people enjoy them safely. We work with Police Scotland, the sporting community and Scottish Mountain Rescue, and I would be happy to engage with members across the chamber to ensure that we get those messages right.

**The Presiding Officer (Alison Johnstone):** That concludes general questions.

# First Minister's Question Time

12:00

### Ministerial Expenses

1. **Russell Findlay (West Scotland) (Con):** A year ago almost to the day, Michael Matheson stood in the chamber to deliver wholly unbelievable excuses for billing taxpayers for his £11,000 iPad bill. It seems that the Scottish National Party has learned nothing from that scandal.

Michael Matheson misused taxpayers' money to watch football on his iPad; Neil Gray did it to watch football in person. The SNP has substituted one shamed health and social care secretary for someone who is even less serious.

Neil Gray charged taxpayers for ministerial limos to watch his football team. What is it with SNP ministers taking taxpayers for a ride?

**The First Minister (John Swinney):** It has always been the case that ministers will attend sporting, cultural, societal and community events around the country. Indeed, I would expect ministers to do that, because they have to be in contact with various stakeholders around the country, so ministers will continue to engage on issues of importance with groupings around the country.

**Russell Findlay:** Those luxury cars are not free taxis to the football for SNP ministers. Neil Gray claims that he attended those games to discuss "essential ... government business"—[*Interruption*.] He tells us that they were about the "social impact" of investment—

**The Presiding Officer (Alison Johnstone):** Mr Findlay—just a second. Can I ensure that we can hear one another?

**Russell Findlay:** Neil Gray tells us that the "social impact" of investment in sport was on the agenda. That just so happened to be during a major cup tie for the team that he supports. In the real world, his excuses lack any credibility.

SNP ministers are having us on. Is John Swinney seriously telling us that vital Government business took place at those games?

**The First Minister:** As I said in my first answer, I expect ministers to engage with a variety of stakeholders in events and gatherings around the country, whether those are cultural, societal, social or sporting events. That has always been the case in every Administration in the United Kingdom, and I would expect my ministers to do exactly that.

**Russell Findlay:** John Swinney should put a stop to this nonsense and order the Cabinet Secretary for Health and Social Care to refund taxpayers. Neil Gray seems to be more interested in football freebies than in doing the job that he is paid for.

Scotland's national health service is in crisis, and social care is broken. For years, Scottish Conservatives have said that the SNP's national care service plans were a complete mess.

In our very first FMQs exchange, I urged John Swinney to scrap the national care service and to save taxpayers' money. I am very glad that he seems to have listened to some common sense for a change, but what has taken him so long?

**The First Minister:** On the question of the work rate of ministers, Neil Gray has undertaken 347 engagements since he became health secretary in February 2024. Thirty-four of those were hospital and care facility visits, and 17 were surgery visits and meetings with general practitioners. There were 43 health board meetings; 24 conferences, receptions and speaking events; 152 general meetings; 15 meetings about health service pay; 62 meetings with MSPs, members of Parliament or councillors, and media engagements; and five sporting events. That is five sporting events out of 347 engagements. I think that that rather demonstrates that the health secretary is focused on the job, as one might put it.

On the issue of the national care service, I have made it clear that the Government is listening. My Government is a listening Government—we are listening to the views of members of the public, and we listen to the fact that people from disabled people's organisations, carers and service users are urging us to implement a national care service because they are dissatisfied—as I am—with the variation in care, and the postcode lottery, around the country. That is what the national care service proposal is about, but the Government will take its time to ensure that we get the proposals right and will bring forward proposals that can command parliamentary support.

**Russell Findlay:** The SNP has already wasted £29 million on a national care service that has not cared for a single person. Those plans should be scrapped entirely and the investment should be put directly into front-line social care, where it is desperately needed.

SNP ministers have a reckless disregard for taxpayers' money. The Cabinet Secretary for Health and Social Care, Neil Gray, takes limos to the football, and John Swinney wastes cash on a national care service that everybody knows is not going to work. It should not just be delayed—it should be binned.

Why will John Swinney not put taxpayers' money into the front line, where families will actually feel the benefit?

**The First Minister:** That is precisely what this Government has done. We have increased pay for social care workers to make working in the social care sector more attractive, so that we can deliver more social care packages for vulnerable members in the community and they can stay longer in their own homes.

When we brought forward those proposals, the Conservatives voted against them. The Conservatives cannot come here and demand that I take action to improve the standards of the social care service, which depend on the recruitment of social care employees, and to boost the size of the social care workforce, but not be prepared to vote for the proposals. That is rank hypocrisy, and it is typical of the Conservatives.

## National Care Service

2. **Anas Sarwar (Glasgow) (Lab):** This morning, the social care minister formally slammed the brakes on the Scottish National Party's botched national care service plans. As I pointed out to the First Minister a month ago, those plans are opposed by care users, unions and experts and are nothing more than an expensive power grab that would do nothing to improve the lives of care users.

So far, around £30 million has been wasted due to SNP incompetence. That could have funded 1 million hours of care at home. That is shocking when so many Scots are in urgent need of support. Instead, we have had years of chaos, delay, incompetence and waste. Will John Swinney apologise to all those who have lost out on vital support and to those who are getting their care packages withdrawn right now?

**The First Minister (John Swinney):** I am not sure whether I misheard Anas Sarwar, but I think that he said that the national care service is opposed by care users. That is not the case; disabled people's organisations, carers and service users press the Government to take forward the national care service. It is really important that we reflect that. When the Cabinet was in Ayr just last week, we heard directly from members of the public who are care users, and they encouraged us—indeed, pleaded with us—to implement the national care service.

I accept that there is a lot of opposition to the national care service from a variety of institutional stakeholders, and I recognise the issues within Parliament. That is why the Government is taking time to engage substantively on the national care service and to put in place arrangements to tackle the issues that Mr Sarwar and I agree on, which are the unacceptable variation of care in different parts of the country, as well as the postcode lottery that exists in the treatment and support of vulnerable people in our society.

**Anas Sarwar:** The reality is that care users told the Health, Social Care and Sport Committee that they feel used by the Government because the national care service plan does not deliver what they want from the Government.

Our care system is fundamentally broken. More than 9,000 Scots are waiting for an assessment or a care-at-home package right now. The number of care homes in Scotland has plummeted by almost a fifth, and the Government's failure on delayed discharge has cost the Scottish taxpayer more than £1 billion.

As we speak, Scots' care packages are being cut by the SNP Government. While the Government has been fighting for the failed national care service plan, families have been fighting for basic reforms to support their loved ones, such as Anne's law—the right to visit family members in care homes—and the right to respite. Those could have been delivered by now, but, instead, the SNP deliberately tied those measures to the failed National Care Service (Scotland) Bill.

After years of chaos, waste and incompetence, will John Swinney finally ditch his discredited plan and, instead, immediately implement Anne's law and the right to respite?

**The First Minister:** The issues that Mr Sarwar is concerned about—including the availability of care packages—are exactly the issues that I am concerned about. That is why I have spent so much time since I became First Minister trying to tackle the issue of delayed discharge and ensure that we have the resources in place to support the delivery of social care in our communities. I am also concerned about the impact of the changes to employers' national insurance contributions in the United Kingdom Government's budget, because they will increase the costs of the delivery of care by care providers.

I cite to Mr Sarwar the comments of Donald Macaskill, the chief executive of Scottish Care, who said:

> "We are concerned that Scotland's many care organisations will struggle to pay the extra payments and may in turn end up going out of business."

None of us wants to see that. Therefore, we must ensure that we have in place a sustainable approach to investment in social care. The Government is doing that by improving pay rates and investing in social care, and it is a priority in the budget negotiations in which we are all involved.

I respectfully encourage and invite Mr Sarwar to work with the Scottish Government to ensure that the funding settlement from the United Kingdom Government is able to be deployed on 1 April to invest in social care, and I encourage the Labour Party to vote for the Scottish Government's

budget, which will make provision for that. Not doing so will mean that the Labour Party is turning its back on those in our country who depend on social care, which it has done once already with the employers' national insurance contribution changes.

**Anas Sarwar:** The First Minister knows that Government departments and the Scottish Government are working with the Treasury to look at how many of those changes can support the national health service and the social care sector, and the reality is that the new tax changes have delivered more than £750 million for health and social care this year and £1.72 billion for health and social care next year. The First Minister demanded £70 billion of additional spending but now opposes £40 billion of revenue-raising measures. It would make Liz Truss blush how economically illiterate the First Minister is.

The process to establish the national care service has been a shambles and a disgrace—three years, three health ministers, three First Ministers, and nothing to show for it. It is just more SNP incompetence and waste, which are holding Scotland back. From the housing emergency to the ferry fiasco, from the crisis in our NHS to the epidemic of violence and falling standards in our schools, Scots will be watching this Government and wondering why it cannot even get the basics right.

**The Presiding Officer:** Can we have a question, please, Mr Sarwar?

**Anas Sarwar:** John Swinney has wasted £1 million of taxpayers' money and he has broken promise after promise. Will he accept that this has been a shambles? Does he accept that it shows that his Government can deliver nothing more than failure, waste and incompetence?

**The First Minister:** The Labour Party's 2024 manifesto said that it was supportive of the creation of a national care service. If that is what support for creating a national care service looks like, I would hate to think what opposition to a national care service looks like.

Mr Sarwar raised the issue of employers' national insurance contributions. I have explained it to him often enough, so Mr Sarwar knows that the UK Government should have increased income tax. If it had increased income tax, as we have done here—if it had taken that honest decision—it would have avoided putting businesses in the position of going out of business because of an increase in employers' national insurance contributions. That will have an effect—[*Interruption.*]

**The Presiding Officer:** Let us hear the First Minister.

**The First Minister:** That will have an effect on care providers in our country.

Mr Sarwar will, week after week, as I take him through this, collide with the hard reality that what his UK Labour Government has done has increased the burdens on businesses and made it difficult for them to contribute to social care. For all Mr Sarwar's rhetoric, he has to get behind the Government's budget, because if he does not, he will be turning his back on the vulnerable in our society.

## Cabinet (Meetings)

3. **Alex Cole-Hamilton (Edinburgh Western) (LD):** To ask the First Minister when the Cabinet will next meet. (S6F-03526)

**The First Minister (John Swinney):** The Cabinet will next meet on Tuesday.

**Alex Cole-Hamilton:** We need to fix the care sector in our country, but the Scottish National Party has now wasted £30 million and four years on the wrong solution. I hope very much that the ministerial takeover of social care will now be allowed to wither on the vine.

Family carers are the backbone of support for thousands of Scots. Without their love and commitment, our health and social care service would simply collapse. However, just a third of them say that they have the support that they need. Thanks to Liberal Democrats, they now have the right to carers leave to better balance work and caring responsibilities. Thanks to Ed Davey, carers in England will now be allowed to earn more at work before they lose their carers allowance.

They deserve the same deal here in Scotland—the right to earn more to make life a bit easier without the fear of having that Government support taken away from them. As that crucial benefit will be fully devolved to Scotland this winter, will the First Minister lift the earnings limit and end the cliff edge that is forcing so many carers into poverty?

**The First Minister:** Mr Cole-Hamilton makes a number of reasonable and important points about the country's dependence on family carers and the support that they provide. The Government has taken a range of steps during the devolution of social security benefits to Parliament that have enhanced the provision that is available for carers, in particular in enhancements to carers allowance. I am glad that we have done that, and we are committed to taking that forward in the forthcoming budget.

I know and appreciate that Mr Cole-Hamilton has put that proposal on support for carers into the discussions that we are having on the forthcoming

budget. The Government will engage constructively on that point, and we look forward to further discussions with Mr Cole-Hamilton and his colleagues on that question.

### Smart Meters

4. **Evelyn Tweed (Stirling) (SNP):** To ask the First Minister what engagement the Scottish Government has had with the United Kingdom Government regarding reports from BBC "Panorama" that smart meters in Scotland are experiencing a disproportionate number of operational issues compared with elsewhere in the UK, due to differences in connection type used to send data to energy providers. (S6F-03534)

**The First Minister (John Swinney):** I am disappointed to hear that Scottish energy consumers are being disadvantaged in this way. Given that smart meter roll-out is a reserved matter, we regularly raise such issues affecting Scottish consumers with the UK Government. We will continue to urge it to take the necessary action to ensure that all households with smart meters in Scotland are provided with full network access. We are also working with our consumer advice and advocacy partners to ensure that they are equipped with the necessary knowledge and information to support consumers who are seeking help on managing or accessing smart meters.

**Evelyn Tweed:** In light of the UK Government's announcement that it is reviewing the roll-out of smart meters, how will the Scottish Government seek to engage in the review to ensure that Scottish consumers are protected?

**The First Minister:** We regularly engage with the UK Government at both ministerial and official level on that point. The Acting Minister for Climate Action, Alasdair Allan, recently met his UK counterpart to share outcomes from our Scottish Government energy consumers round table, which brought together a range of stakeholders from across the energy industry to discuss issues affecting Scottish consumers. We aim to hold that series of round tables regularly, and we will continue to feed back to the UK Government the need for further consumer protection against the key challenges that are faced, including smart meter connectivity.

**Liam McArthur (Orkney Islands) (LD):** The First Minister rightly addresses the need to improve the communications network, but there is already a disparity in the roll-out of smart meters, which has seen 65 per cent installation nationally against 20 per cent installation in places such as Orkney. Would the First Minister back a regional approach to the roll-out, with delivery through locally recruited suppliers, rather than the current supplier-led model that uses delivery through installers who are working for multiple suppliers?

**The First Minister:** That sounds like an entirely reasonable proposition. As Mr McArthur will appreciate from his extensive local knowledge, and particularly given the uniqueness of the islands' situations, many of the propositions and services that are delivered through local engagement are more effective in being deployed on a more comprehensive basis. I am very happy to ask Dr Allan to raise that perspective in his dialogue with the UK Government on that question.

### Private Consultants

5. **Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con):** To ask the First Minister what the Scottish Government's response is to reports that its spending on private consultants has almost doubled in the space of five years. (S6F-03538)

**The First Minister (John Swinney):** The Scottish Government undertakes procurement of consultants if in-house resources or specialist skills are unavailable within the organisation. The figure quoted by Rachael Hamilton from the material at the weekend is total spend on consultancy firms, which includes non-consultancy goods and services. Actual spend on consultants in 2022-23 was £8,570,806, not £42 million, and that spend is a decrease from the previous year and at its second-lowest level since 2018.

**Rachael Hamilton:** Spending on private consultants has been £160 million since 2018. If there is a way to waste taxpayers' money, the Scottish National Party will manage it. Public services are crumbling under its watch, and John Swinney's response has been to spend all that money on expensive private consultants, with absolutely nothing to show for it. Does the First Minister believe that that is a good use of taxpayers' money?

**The First Minister:** A little problem in Parliament is when members do not respond to the detail that I put on the record and read out their pre-scripted question, which has been debunked by what I have just put on the record. It is a bit of a problem with the dialogue in Parliament. [*Interruption*.]

**The Presiding Officer:** Let us hear the First Minister.

**The First Minister:** The level of expenditure on consultants, as I said in my original answer, fell in 2022-23 and is at its second-lowest level since 2018. The wider category of expenditure that Rachael Hamilton is talking about includes measures such as the provision of the Scottish household survey and the Scottish health survey, both of which are crucial in determining information that informs Government as well as

social policy development in our country. Crucially, they are used by academics. Other examples include the development of a case management system to help us deliver compensation to victims of sexual abuse via the redress scheme. I do not think that members of Parliament would object to the Government investing in such measures, which command all-party support.

I simply assure Rachael Hamilton of two things. First, the Government—indeed, any Government under my leadership—will always be careful about public money. That is why Ivan McKee, the Minister for Public Finance, has a mandate from me to challenge public expenditure at all times. Secondly, we will act to make sure that we maximise the resources that are available to members of the public to deliver public services. That is what people will get from a Swinney Government.

## Rent Controls

6. **Maggie Chapman (North East Scotland) (Green):** To ask the First Minister what the Scottish Government's response is to reported concerns that its proposed formula for calculating rent controls in the Housing (Scotland) Bill will require above-inflation rent rises for hundreds of thousands of renters, thus not tackling unaffordable rents. (S6F-03527)

**The First Minister (John Swinney):** The latest data shows that advertised average rents have increased in Scotland by 7.8 per cent in the 12 months to September 2024. It is in that context that we set out our plans for a rent cap of consumer prices index plus 1 per cent up to a maximum of 6 per cent to apply where rent control areas are in force. The maximum allowable increase of 6 per cent will ensure that more significant rent increases cannot go ahead, and basing the cap on CPI ensures that we allow for a reflection of the cost to landlords of offering a property for rent. The approach strikes a balance between increasing protections for tenants with appropriate safeguards in a way that supports continued investment in rented housing in Scotland.

**Maggie Chapman:** The Cost of Living (Tenant Protection) (Scotland) Act 2022 provided two vital protections for tenants at a time of health and economic crisis: the moratorium on evictions and a rent freeze. Why does the Government now believe that even the most extreme high rents should always keep going up faster than other prices? Why is the Government now seeking to remove the power for councils to implement their own local rent freezes during times of spiralling prices and rents, which would help them tackle homelessness?

**The First Minister:** That is not what the Government is doing. What the Government is doing is putting in place protection for tenants through rent controls, and a mechanism to enable that to be the case.

We cannot replicate the circumstances and arrangements that were in place during the Covid emergency when we are not living through a Covid emergency; we would never be able to sustain that either in law or with legal challenge. Instead, we have to put in place a measure that not only provides protection for tenants but enables investment. As we have explained to Parliament, the reason why we have resolved to propose a change to the contents of the bill at stage 2 is to ensure that we can put certainty into the market so that we can attract further private investment in the housing stock of Scotland to enable us to tackle the housing emergency that our country faces.

**Emma Roddick (Highlands and Islands) (SNP):** I was pleased to host a briefing yesterday evening with Future Economy Scotland, debunking some myths around rent controls and highlighting that 82 per cent of Scots back this Scottish National Party policy, which has the potential to have a positive impact on the economy as well as on tenants' finances. Will the First Minister outline how the proposed rent cap method balances vital protection for tenants with certainty and reliability for the housing sector as a whole?

**The First Minister:** I am very grateful to my colleague Emma Roddick for hosting that event with Future Economy Scotland, which has made such a contribution to the debate about rent controls in Scotland and has provided such high-quality information that has informed the debate. I suspect that some of that high-quality input has led the Local Government, Housing and Planning Committee, in its stage 1 report, which was published this morning, to support the principle of using rent controls to ensure that rents are affordable, making it easier for people to find a suitable home.

The Government has listened to tenants, landlords and those who have invested in rented homes, and has acted to deliver the clarity that they have been calling for. The approach that we have announced of limiting rent increase to CPI plus 1 per cent up to a maximum of 6 per cent where rent controls apply ensures protections for tenants from large rent increases and supports essential investment that maintains the quality and supply of homes for private rent. That is the type of pragmatism that I think the country is looking for.

**Meghan Gallacher (Central Scotland) (Con):** Homes for Scotland has warned that the SNP's proposed changes to housing legislation will increase the cost of a new home by £30,000

through changes to rent controls. Previous changes to the rent cap stalled £3.2 billion-worth of housing development. Reckless rent controls are not just driving away investment; they are harming our economy. With the SNP miles off from meeting its 110,000 affordable homes target, why is the Government failing to tackle the housing emergency, and why is the Parliament considering a housing bill that does not build a single home?

**The First Minister:** If Meghan Gallacher wants homes to be built, I suggest that she encourages her colleagues to vote for the Government's budget, because it is the budget that gets homes built. That is how—[*Interruption*.]

**The Presiding Officer:** Let us hear the First Minister.

**The First Minister:** That is how homes get built. There has to be public expenditure allocated to make sure that we can support the affordable housing programme. If members of Parliament are going to vote against the Government's budget, there will be no way that house building is undertaken in this country. What this Government is doing—[*Interruption*.]

**The Presiding Officer:** Members, can we ensure that, when a question has been put, we can hear the response?

**The First Minister:** I think that the problem that the Labour Party and the Conservatives have—they are both shouting at me today—is that they do not like the pragmatism that the Government is now deploying. [*Interruption*.] The pragmatism that the Government is deploying will see investment through public expenditure—if this crowd are prepared to vote for the Government's budget. If they are not, there will be no affordable housing programme. That is the reality that they all must face up to.

When it comes to the legislation that is before Parliament, the Labour Party has got to make up its mind. In committee, it has supported a bill that recommends rent controls. However, when the issue of rent controls came to the Parliament yesterday, the Labour Party voted against it. The Labour Party does not know whether it is coming or going.

**Anas Sarwar (Glasgow) (Lab):** You are going.

**The Presiding Officer:** Excuse me, Mr Sarwar.

We move to constituency and general supplementary questions.

### Support for Farming Sector

**Emma Harper (South Scotland) (SNP):** The Labour Party has shown that it has no understanding of the unique needs of Scottish agriculture and no interest in trying to understand those needs. The removal of ring-fenced funding is a severe blow to Scotland's farming sector and comes on the back of the loss of multi-annual funding, which was foisted on it by the Tories. Labour's decision shows that it has little to no interest in farming, food security or the prosperity of rural Scotland and its economy. Will the First Minister outline his Government's support for rural Scotland amid the latest Westminster turmoil?

**The First Minister (John Swinney):** The implications for the farming sector of the post-Brexit arrangements are deeply damaging. Prior to Brexit, farmers in this country had seven years of financial certainty. That has been removed and, at present, we have only one year of financial certainty about the support that will be available.

The Scottish Government will try to provide as much certainty as possible, and we will set out provisions in the budget on 4 December. We will also take forward the agreement of the Parliament yesterday to challenge the United Kingdom Government about the changes to inheritance tax, which will be devastating for family farms in Scotland and will severely undermine their sustainability.

Yesterday, at the AgriScot event at the Ingliston showground, I made it absolutely clear that the Government will honour its commitment to return to the rural affairs portfolio the £46 million that it had to use to deal with short-term financial pressures in the past two financial years.

### Bus Drivers (Abuse)

**Sue Webber (Lothian) (Con):** Unite the union has found that 84 per cent of bus drivers have experienced abuse in the past 12 months, with drivers frequently being beaten, spat on or threatened by teenagers. A growing number of young people feel that such shocking behaviour is acceptable. There must be stronger measures in place to protect our bus drivers. What action is the First Minister taking to protect drivers and to clamp down on the under-22s who abuse their free bus pass by committing antisocial behaviour?

**The First Minister (John Swinney):** I have every sympathy with the point that Sue Webber has put to me. Any shape or form of violent or aggressive behaviour in our society is completely and utterly unacceptable. When such behaviour is deployed towards bus drivers who are delivering a public service in our communities, it is wholly unacceptable, just as it was unacceptable for emergency workers to be attacked in the Niddrie area of Edinburgh, as they were around bonfire night. I am wholly supportive of the point that Sue Webber put to me.

I will explore the issue that Sue Webber raised with me about young people who might abuse the use of their under-22 bus pass. I know from speaking to young people how valued that bus pass is by the overwhelming majority of young people who use it properly, never cause any bother and are an absolute joy to be on a bus with. However, there is a minority, and I will explore the point that Sue Webber put to me to determine whether any action could be taken. Obviously, if there is any form of criminal conduct, that will be a matter for the police to address, and I am sure that Sue Webber will agree that we would expect the police to do so.

### Bus Drivers (Taxation and Safety)

**Claire Baker (Mid Scotland and Fife) (Lab):** I refer members to my entry in the register of members' interests and to my membership of Unite the union.

Sue Webber mentioned Unite's survey. I note that Unite has repeatedly called for stronger actions, and it is calling for the Scottish Government to convene a safety summit. Will the First Minister commit to that?

In relation to the First Minister's earlier statement on raising income tax, is he really saying that bus drivers and other workers in Scotland should pay higher taxes in a way that would reduce the Scottish Government's budget? Perhaps he wants to clarify that point.

**The First Minister (John Swinney):** I am happy to explain my position on tax to the Labour Party: I believe that those with the broadest shoulders should pay more through taxation. That is what this Government has legislated for. The Labour Party now seems to support a reduction in taxation in Scotland that would cut public expenditure by £1.5 billion, which would be wholly and completely reckless for our public services.

Claire Baker's question was one of two halves, and I am completely in agreement with her on the issue of support for bus drivers, who deliver an essential service. Measures such as the free bus pass should not be in any way abused in relation to the experience of bus drivers. As I said to Sue Webber, I will explore those issues. The Cabinet Secretary for Transport will be happy to engage with Claire Baker and others on addressing the safety issues. We will follow up on that in the light of First Minister's question time.

### Falkirk Growth Deal

**Michael Matheson (Falkirk West) (SNP):** The First Minister will be aware that, later this afternoon, the Falkirk growth deal will be signed by the Scottish and United Kingdom Governments. The First Minister will recognise that the Falkirk Council district is facing significant economic challenges as a result of the decision to end refining in Grangemouth. Therefore, it is critical that the Scottish and UK Governments provide as much economic support as possible to Falkirk Council and the wider district so that those challenges can be met.

Will the First Minister outline how the growth deal will meet the economic challenges that the district is facing and whether the Scottish Government will work with Falkirk Council to identify some projects that could be expedited in order to make progress with them quickly in the next couple of years?

**The First Minister (John Swinney):** I am very pleased that the Deputy First Minister, along with partners, will sign the Falkirk and Grangemouth growth deal this afternoon. Through that, we have committed £50 million of support to the region to deliver fair, green economic growth now and in the years to come. I pay tribute to my colleague Michael Matheson for his efforts in articulating the interests of the people of Falkirk and Grangemouth in the composition of that deal.

Through that work, we will explore the use of new technologies at Grangemouth. Mr Matheson will be familiar with the fact that ministers have engaged, through joint working with the Grangemouth future industry board, to identify such projects and to take them forward through the project willow exercise, which is identifying further uses for the Grangemouth refinery.

I have had further dialogue with Unite the union about how the refinery's lifespan may be expanded, and I intend to persist in trying to do that to provide more opportunities for us to manage the transition effectively.

In addition, there will be £4 million of investment in the skills transition centre at Forth Valley College to ensure that we have the facilities that are required in order to deliver the necessary training, and £12 million will go towards the greener Grangemouth programme, which will be overseen by the community and will deliver projects to improve the town.

### Policing (Dumfries and Galloway)

**Oliver Mundell (Dumfriesshire) (Con):** Yesterday afternoon, Police Scotland informed community organisations across Dumfries and Galloway that, following a review of its resources, it will withdraw policing support and reduce its presence at a number of community and local events, such as the riding of the marches, galas and volunteer-run festivals. Those events, which the police have supported for years, are now in jeopardy.

Police Scotland has stated that it "continues to evolve nationally" and that its risk assessment model means that such events are no longer considered a policing priority. Does the First Minister put that down to insufficient resources nationally or repeated cuts to rural areas under a centralised model, or simply to a view that community policing no longer matters?

**The First Minister (John Swinney):** I will make two points in response to Mr Mundell. The first is that he asked me about a number of detailed matters on which it would be inappropriate for me to answer, because those are operational decisions for the chief constable to take.

My second point is that the Government has substantially increased resources for the police service on a constant basis to ensure that we have effective policing models in the country. I know from my engagement with the chief constable that she believes fundamentally in the importance of community policing and is delivering that.

### Diabetes Technology

**Foysol Choudhury (Lothian) (Lab):** Today is world diabetes day. In October, I hosted a round-table diabetes technology event, at which I heard at first hand about the difference that technology can make to the quality of life of people with type 1 diabetes. However, even with the new funding, waiting lists are too long. Lothian alone is forecast to have 1,200 adults waiting for a closed-loop system by 2025. England and Wales have five-year plans to get that technology to those who need it. Where is the Scottish Government's long-term plan?

**The First Minister (John Swinney):** Those technologies are being rolled out and implemented, and I know from my constituency case load the difference that those technologies make. Obviously, that is a priority for Government in relation to the investment that we take forward. I assure Mr Choudhury of the importance that the Government attaches to tackling waiting times so that people can have the support that they require at the earliest possible opportunity.

Of course, we can deploy resources after 1 April only if there is parliamentary agreement on the budget, so I invite Mr Choudhury to encourage his colleagues to support the Government on the budget that we will bring forward in December.

### Career Choices

**Bill Kidd (Glasgow Anniesland) (SNP):** I am sure that the First Minister will, like me, welcome the hundreds of activities that are taking place across Scotland as part of this Scottish careers week. Those events are a great opportunity to showcase the work by partners to help people make positive education and career choices that will help to shape their futures. I believe that members can even try out some augmented reality tools that will be on show at a Skills Development Scotland reception taking place in Parliament today after First Minister's questions.

Will the First Minister therefore join me in welcoming the commitment not only from the young people who have weathered the challenges of the past few years by remaining focused on their career goals but from the many careers and teaching professionals whose dedicated support is invaluable to all those looking to make the right choices for their futures?

**The First Minister (John Swinney):** I am happy to associate myself with Mr Kidd's remarks about the young people who have engaged substantively in career development. I support them in their efforts and I welcome the arrangements that are in place in Parliament to allow members to engage with that issue.

The Government is working in a focused way to ensure that we maximise the level of positive destinations for young people leaving our school system. Those are at very high levels just now, and that is assisted by the advice that is available through the careers system. The Government will continue to support that work.

### Housing Adaptations (Funding)

**Finlay Carson (Galloway and West Dumfries) (Con):** Wheelchair-bound Brian Gibson has been trapped in hospital in Stranraer for three months and is one of many unfortunate victims of delayed discharge across Scotland.

Brian cannot go home and nowhere can be found for him to live. His landlord, Wheatley housing association, has said that it does not have the money to carry out the required adaptations to his home. Wheatley applied for £3 million from a fund that is normally confirmed in June, but got word only in October that, after months of delay, it will receive only £669,000 from the Government after receiving £945,000 the previous year.

Social landlords and housing associations have suffered a 25 per cent cut in the aid and adaptation budget this year. Will the First Minister investigate Mr Gibson's case and review the unacceptable and damaging cuts to that hugely important fund, which are leaving people stuck in hospital or struggling in their own homes, before the situation becomes even more intolerable for people such as Brian?

**The First Minister (John Swinney):** If Mr Carson drops me the details of his constituent's situation, I will be happy to look into that and see what we can do to assist him. Mr Carson raises a serious and significant issue, because one way of

tackling delayed discharge is by doing exactly what he invites me to do, which is to provide more support for property adaptations so that people can sustainably return to their homes.

I am aware that there are inadequacies in the adaptations budget because the Government has had to take a lot of difficult decisions to deal with the pressures of inflation and public sector pay this year. I assure Mr Carson that the issue of housing adaptations is a significant priority and is the subject of discussion between the Cabinet Secretary for Social Justice, the Cabinet Secretary for Finance and Local Government and me as we finalise the Government's budget. That is another reason why Mr Carson should think about supporting the Government's budget when the time comes.

### Work Capability Assessment

**Rona Mackay (Strathkelvin and Bearsden) (SNP):** During more than a decade of Tory austerity, the United Kingdom Government imposed cruel and punitive welfare reforms and there are further plans to demonise disabled people and those with long-term illnesses through changes to the work capability assessment.

What dialogue has the Scottish Government had with Labour about dropping those cruel Tory welfare plans, which appear still to be on the cards?

**The First Minister (John Swinney):** The Scottish Government does not support the changes that are being made to the work capability assessment. We will take forward dialogue and engagement with the UK Government to advance the concerns that disabled people's organisations have put to us and that Rona Mackay has powerfully articulated in Parliament today and we will act to ensure that we provide the necessary support for those who face such challenges.

### NHS Grampian (Ambulance Waiting Times)

**Tess White (North East Scotland) (Con):** I have repeatedly raised NHS Grampian's ambulance-stacking crisis in the chamber, and I have been assured by the SNP Government that action is being taken to address it. However, this week, the chief executive of the Scottish Ambulance Service warned that there has been "little meaningful progress" towards reducing long waits for ambulances outside Aberdeen royal infirmary's accident and emergency department. I say to the First Minister that enough is enough. Lives are at stake, especially as winter approaches. What urgent action is the Scottish Government going to take with NHS Grampian to fix this mess?

**The First Minister (John Swinney):** Let me assure Tess White that the Government is very focused on addressing one of the issues that contributes to the problem that she raises with me, which is the extent of delayed discharges in our hospital system. That essentially creates congestion in hospitals. It means that patients cannot be moved from A and E into other, more suitable hospital accommodation, and there is then congestion at A and E, which results in some of the long waits for ambulances that Tess White has raised with me. The Government is absolutely focused on reducing delayed discharge as a significant contribution to addressing that issue.

**The Presiding Officer:** That concludes First Minister's question time.

12:46

*Meeting suspended.*

12:48

*On resuming—*

# Day of the Imprisoned Writer 2024

**The Deputy Presiding Officer (Liam McArthur):** The next item of business is a members' business debate on motion S6M-14698, in the name of Ruth Maguire, on the day of the imprisoned writer 2024. The debate will be concluded without any question being put. I call Jackie Dunbar to open the debate.

*Motion debated,*

That the Parliament recognises 15 November 2024 as the Day of the Imprisoned Writer, a day when people across the world, including in the Cunninghame South constituency, stand in solidarity with writers who have been persecuted, exiled, imprisoned and killed for exercising their right to free expression; notes with grave concern what it sees as the growing threats to free expression in a world increasingly marked by conflict and war, where writers, it considers, are often the first targets of repression; recognises what it considers to be the alarming rise of authoritarian regimes that use censorship, imprisonment and violence to silence dissenting voices, with a particular focus on the plight of female writers, who, it understands, face compounded risks of persecution; emphasises the reported growing number of female writers who are being imprisoned for, it believes, courageously campaigning for equal rights, freedom from discrimination, and access to education and healthcare; acknowledges what it sees as the critical role that writers play in exposing the truths of war, authoritarianism and social injustice; condemns the widespread use of imprisonment, torture and extrajudicial killings to intimidate and eliminate writers, as documented by organisations such as PEN International, Amnesty International, the Committee to Protect Journalists, ARTICLE 19, and Reporters Without Borders; notes the calls for governments worldwide to uphold their duty to protect the right to free expression for all, to ensure justice for writers who have been murdered, persecuted and imprisoned, and to address what it sees as the global climate of impunity that undermines trust in justice systems and emboldens further attacks; further notes the support for the ongoing efforts to secure protection for persecuted and imprisoned writers, and honours and commemorates those writers who have lost their lives or freedom for exercising their right to freedom of expression.

12:48

**Jackie Dunbar (Aberdeen Donside) (SNP):** I am honoured to have been asked by Ruth Maguire to lead her members' business debate today, as she is unable to be here. The following are Ruth's words and not mine, but I totally associate myself with them.

Freedom of expression is not just a right. It is the foundation of a fair and open society. I am grateful to colleagues across the chamber who attended the event last night and are here today, standing in solidarity with those who are punished for exercising their right to free speech. On 15 November each year, PEN International and PEN centres around the world mark the day of the imprisoned writer and stand in solidarity with at-risk and imprisoned writers around the globe. It is a moment to call for all imprisoned writers to be released and all at-risk writers to be protected.

Globally, too many writers are in prison—journalists, novelists, poets, essayists, translators, publishers, editors, playwrights, cartoonists, bloggers and social media writers. Writers are threatened, attacked or murdered for their work. The call to stand up for freedom of expression is now more desperate than ever. Too many are silenced simply for speaking out—their voices are being suppressed in an effort to control truth and limit freedom. I am sure that colleagues will agree that freedom of expression and debate is essential to a healthy democracy. However, as authoritarianism broadens its arms globally, it is vital that we call on Governments worldwide to ensure that individuals can express themselves without fear of retribution.

The Reporters Without Borders annual world press freedom index, which measures the state of press freedom in 180 countries, records that, worldwide, 578 journalists are currently detained, and 49 have been killed since January this year. That is a worrying trend of suppression and silencing across the globe.

This year, Scottish PEN is highlighting the case of Eman Alhaj Ali, a 22-year-old Gaza-based journalist, writer and translator from Al-Maghazi refugee camp. Her byline appears in many online publications, including Al Jazeera news. Eman has endured six wars, been displaced at least seven times, and lost her home, her university and countless loved ones. Even now, with her safety and that of her family at risk, Eman bravely continues to provide disturbing updates on the situation in Palestine. Her unwavering determination to continue writing and to highlight to the world the horrific scenes in Gaza serves as a reminder to us all of the importance of truth and of a free press.

Tragically, Eman's story is not unique. There has been a significant rise in the number of female writers who are subjected to suppression, imprisonment and increased violence. Although, globally, the average proportion of writers in detention who are women is around 15 per cent, approximately a third of jailed writers in Russia and Israel are female.

We all know the effect on human lives of the on-going Israeli incursion into Palestine, but writers and journalists are becoming increasingly targeted by military forces. More than 130 journalists have been killed since the start of the conflict—and online campaigns are targeting individual

journalists, making Israel one of the top 10 countries of concern for writers in 2024, alongside China, Iran and Russia. That is shameful for the lawmakers of Israel, and a stark reminder of the urgent need to safeguard freedom of expression and ensure that those who are responsible for suppression are held accountable.

Writers everywhere inform the public. They speak out for the marginalised, interrogate power, challenge censorship and speak the words that others need to hear. When they are censored, imprisoned, attacked or murdered, the world loses vital voices that strengthen democracy everywhere. On the day of the imprisoned writer, we all need to read the words that others have tried to silence, and show that censorship or imprisonment cannot silence the voices of writers.

**The Deputy Presiding Officer:** We move to the open debate.

12:53

**Tess White (North East Scotland) (Con):** I thank Ruth Maguire for securing parliamentary time today for such an important topic.

Margaret Atwood said:

"A word after a word after a word is power".

Everyone should be free to read and write, but women and girls in Afghanistan face what Human Rights Watch describes as

"the world's most serious women's rights crisis".

What the Taliban is doing to women is spine chilling. As one Afghan woman said, the Taliban

"want us to die while we're alive."

It really is a real-life "The Handmaid's Tale". However, women will not be silenced. The 21 female writers in Afghanistan who authored "My Dear Kabul" after the capital fell showed tremendous courage. The organisation Untold Narrative supported those courageous female writers and others to share their stories beyond the walls of their home and the borders of their war-torn country. That bravery shows the power of the pen, and the importance of freedom of expression.

Since I was elected as an MSP, back in 2021, freedom of speech has loomed large over the political landscape. Legislation such as the controversial Hate Crime and Public Order (Scotland) Act 2021 has facilitated discussion and debate over the balance of rights and the important question of who decides—who actually decides.

In December 2022, I attempted to attend the screening of the documentary "Adult Human Female" at the University of Edinburgh. I was shocked at the vitriol and aggression from the protesters who succeeded in preventing the screening from taking place on multiple occasions. Freedom of speech was censored in the very environment where it should be sacrosanct.

We have seen gender-critical female writers in Scotland such as Magi Gibson and Jenny Lindsay ostracised by publishers and Scotland's cultural community for criticising gender identity ideology. In her latest book, "Hounded", published by Polity, Jenny Lindsay has written about the human cost of speaking out and the cultural authoritarianism that she is experiencing and has experienced in Scotland. She said:

"the harms women face for speaking out are both disproportionate and anathema to the project of social, liberal democracy."

Jenny is right. What is happening represents a slippery slope towards censorship and repression, and it is happening in Scotland. I thank Scottish PEN for issuing a robust defence of Jenny, calling out the culture of fear that has pervaded online communities and has prevented healthy criticism and debate.

It is often writers who are unwilling to surrender to moral cowardice, but they are also the ones who bear the human cost of refusing to stay silent. That cost might involve the loss of income, credibility, professional opportunity and their peers—or, as Ruth Maguire's motion notes, it can mean persecution, imprisonment and death. We must speak out and we must stand against what is happening, and, ahead of the day of the imprisoned writer, we must remember all those writers who have lost their freedom and who have lost their lives for speaking freely.

12:57

**Richard Leonard (Central Scotland) (Lab):** I thank Ruth Maguire for lodging this important motion and Jackie Dunbar for leading off today's debate.

The motion is a call for us to show our solidarity, to be international in our outlook, to stand up for the principle of freedom of expression as a fundamental freedom and a fundamental principle, to champion the right to be able to challenge power and the distribution of that power, to challenge orthodoxy, to have the courage to do the right thing, to promote alternatives and to at least contemplate that another world is possible. So, to those Governments across the world that are persecuting and imprisoning journalists and bloggers, playwrights and poets, academics and public intellectuals, we say that, although you can imprison a human being, you can never prevent the birth of an idea; that you cannot crush the human spirit.

I am struck by some of the powerful cases on the PEN website of imprisoned writers, such as Mahvash Sabet, a poet and teacher who is currently serving a 10-year prison sentence in Iran, and the Kurdish journalist Nedim Türfent, who languished in a Turkish jail for six years and has said:

"I want you to know that your letters, which have rendered iron curtains meaningless and ineffective, have filled my two-step-long cell with resistance, resolve and hope."

We think of the intimidation of journalists around the world and of the killing of journalists in Gaza, Lebanon and the West Bank. The International Federation of Journalists has reported that at least 130 journalists and media workers have been killed in Gaza alone in the past year. We know that Al Jazeera's office in Ramallah was stormed in September by Israeli troops, who confiscated equipment, disrupted live broadcasts, ordered a shutdown and boarded up the entrance.

We also recall the case of Julian Assange, who was targeted for exposing US military atrocities in Iraq in what Amnesty International described as

"nothing short of a full-scale assault on the right to freedom of expression."

Assange spent seven years in exile and five years in prison—not in Russia, not in Saudi Arabia, but under lock and key right here in this country.

Today, I think of the shrine in Valletta to Daphne Caruana Galizia, which I visited in 2020. The campaign for justice for Daphne continues.

Those are all reminders of why tomorrow's day of the imprisoned writer is so important.

I will say a few words, in conclusion, about a thinker and intellectual of courage from half a century ago, Rudolf Bahro. In the mid-1970s, living in East Germany, he wrote down ideas that had been fermenting in his mind since the Prague spring of 1968. That resulted in the publication of "Die Alternative"—or "The Alternative in Eastern Europe"—in 1977 in West Germany, which led to his interrogation, arrest and imprisonment in East Germany. In the end, he served two years of an eight-year sentence in Bautzen prison, but Bahro was no typical dissident. He recognised and embraced the socialist tradition, was well schooled in Marx and wrote of the alternative to actual, existing socialism. While I cannot agree with everything that he wrote, he was challenging and stimulating, and later helped to form the German Green party before famously leaving it, claiming that we had to take a "longer run-up" to reach the post-industrial utopia that he stood for. He died in 1997 at the age of 62.

This debate is about solidarity and hope. It is about the alternative. To all writers in prison right across the world, our message from this Parliament today is that you are not forgotten. Your ideas will not be buried. Your spirit shines on. Solidarity!

13:02

**Clare Haughey (Rutherglen) (SNP):** I thank my colleague Ruth Maguire, whose motion brings this important issue to Parliament for debate today, and Jackie Dunbar for opening the debate. I welcome the opportunity to mark the day of the imprisoned writer, which is organised every year by the organisation PEN International. Since the day's introduction, PEN has marked the date by calling for the release of imprisoned writers, advocating for better protection for journalists and fighting for justice for writers who have lost their liberty or their life. Across the world, writers, readers and free speech advocates are coming together to recognise those who are jailed for their work and to call for their release. Since its inception, 100 years ago, PEN International has worked tirelessly to draw attention to violations of writers' rights and to support those who have been repressed and their families. The organisation believes that there are more incarcerated writers in the world today than at any time since world war two.

Every year, countless writers are harassed, persecuted, detained, or even killed for practising their profession. Others continue to work in the face of threats, intimidation or intrusive surveillance from state authorities. In a world marred by conflict and repression, where the threat of misinformation and disinformation is rife, it is more important than ever to appreciate and value the work of writers, who make extreme personal sacrifices to preserve and report the truth.

Last month, I joined several of my colleagues, including Ruth Maguire, who secured this debate, in becoming a godparent of political prisoners in Belarus. My godchild, Zhanna Volkava, is currently serving three years in prison for charges including insulting the President. My colleagues and I signed up to the project with the shared hope that it would bring further international attention to the human rights situation and the suppression of freedom of expression in Belarus, and that it would raise awareness of and support for other political prisoners, many of whom are journalists and writers.

The Belarusian chapter of PEN International operates from a base in Poland, after it was outlawed by the Belarusian Government in 2021, and it continues to monitor and support writers in the country who have faced persecution and imprisonment. I would like to take a moment to recognise just a few of those writers by name.

Ihar Karnei is a journalist, essayist and author of texts about cultural and historical heritage in Belarus. In July last year, Ihar was arrested at home and held in a pre-trial detention centre. This March, he was sentenced to three years' imprisonment for working with a so-called extremist formation. That formation was the Belarusian Association of Journalists, which is widely and internationally recognised as a human rights organisation.

Katsiaryna Andreeva is a journalist and co-author of a documentary book that was banned by Belarusian authorities. In 2020, she was detained after reporting on a memorial for the artist Raman Bandarenka, who is widely believed to have been killed by security forces. While in detention in 2022, she was sentenced to eight years' imprisonment on charges of state treason, which Amnesty International has called bogus. Her husband, journalist and co-author of the banned book, Ihar Ilyash, was arrested on 22 October last year. Last week, it became known that he is currently being held in a pre-trial detention centre on unknown charges, and there are deep concerns for his safety and wellbeing.

Ihar, Katsiaryna and Ihar have been imprisoned for exercising rights that many of us take for granted: to speak our mind, to attend peaceful demonstrations, to write and publish, and to speak truth to power. PEN Belarus continues to advocate for them and their families, and for all imprisoned writers and other political prisoners in Belarus, as other PEN chapters do for others across the world.

I welcome the opportunity to commend PEN's work, as well as the work of other organisations that call for the protection of all writers who are at risk or under threat, and to celebrate the power and the courage of the written word across the world.

13:07

**Maggie Chapman (North East Scotland) (Green):** I thank Ruth Maguire for her important motion and Jackie Dunbar for ensuring that the debate could take place today.

In Stockholm, in five days, the Edelstam prize for exceptional courage in the defence of human rights will be received by Betlehem Isaak, on behalf of her father, Dawit. Dawit, a novelist, playwright and journalist, has been in prison in Eritrea since 2001, without charge, without trial and without access to legal advice or to his family. He is exceptional, but his situation is not—not in Eritrea and not in the world.

PEN International believes that more writers are incarcerated now than perhaps at any time since the second world war, as Clare Haughey has already outlined. Some of their names may be familiar to us, such as Alaa Abd El-Fattah in Egypt, author of "You Have Not Yet Been Defeated", and Narges Mohammadi in Iran, who won last year's Nobel peace prize. Others are less famous. Many are almost unknown.

Women, especially, are less likely to be recorded, less likely to have access to networks of communication and more likely to be silenced by isolation and violence. As of May this year, 91 women journalists were known to be imprisoned. Many others are threatened with the same if they continue to write and refuse to be complicit in their own silence. They are women who speak about the patriarchy, violence and the oppression of others.

Narges Mohammadi's work "White Torture" tells of her fellow women prisoners and their years in solitary confinement. In Brazil, Schirlei Alves was sentenced to a year's incarceration under defamation laws for reporting on a rape trial. Sophia Huang Xueqin, founder of the Chinese Me Too movement, was arrested in 2021 and sentenced to five years in prison. Violence, fast and slow, oppression, apartheid and genocide are realities that cry out for expression—for humans to bear witness.

Six months ago, PEN International commemorated world press freedom day by urging safety and access for journalists in Gaza. That call has not been heeded. As of this Monday, 71 journalists were reported to have been arrested since last October in Gaza, the west bank and Jerusalem.

I wish that I had time to tell all their stories, but one must suffice for now. Rula Hassanein is a journalist and editor who lives in Bethlehem with her husband and baby daughter, Elia. Elia and her twin brother, Youssef, were born two months prematurely. Youssef died three hours later; Elia survived, but with a weak immune system.

In March this year, when Elia was solely reliant on her mother's milk, Rula was arrested and taken to prison. After frequent postponements of hearings, the military court ordered her release in July, but the prosecution appealed, and so she remains incarcerated, with her health—she has a chronic kidney condition—growing worse. As far as we know, and as far as we can find out, she is still there.

Writers are imprisoned, writers are silenced and writers are killed, including at least 137 journalists and media workers in Gaza, the west bank, Israel and Lebanon since last October. Some were killed indiscriminately; others were deliberately chosen. As the organisation Article 19 points out,

"Journalists are civilians. Targeting them is a war crime."

All those absences, deaths, disappearances and detentions are grief-filled losses for families, friends and communities, but they are losses, too, for us all. We need truth telling and storytelling to find our way forward. We need the work of writers calling the powerful to account and calling new worlds into being, to feed and grow our own solidarity and imagination and our own vision of a better future.

Dawit Isaak's personal motto is, "If you have the opportunity to write, do it." The least that we can do is take our opportunities to speak.

13:12

**The Cabinet Secretary for Constitution, External Affairs and Culture (Angus Robertson):** For the record, I should perhaps observe that I am a journalist by profession and a published author.

I thank Ruth Maguire for bringing the debate to the chamber, and I thank Jackie Dunbar and all members for their contributions. I join them in supporting the day of the imprisoned writer. It is essential that we continue to stand in solidarity with imprisoned writers around the world and add our voices to calls for freedom and justice.

Threats, surveillance, attacks, arbitrary arrest, detention and, in the gravest cases, enforced disappearance or killings are too often the cost of reporting the truth. The protection of journalists and writers should be a global priority for safeguarding freedom of expression. The right to freedom of thought and expression underpins all democracy and is founded on human rights and the rule of law. However, those rights are increasingly being challenged. Reporters Without Borders has recorded, this year alone, 577 journalists or media workers being detained or disappeared, with an additional 49 losing their lives. Of those, 117 are women, of whom 11 have been killed or have disappeared.

The United Nations special rapporteur on the promotion and protection of the right to freedom of opinion and expression noted in her report, "Journalists in exile", which was published this year:

> "In recent years, political repression has become the predominant factor forcing thousands of journalists to leave their countries ... Many have fled their home country to save their lives or to escape detention and imprisonment on trumped up charges."

Over the past year, an unprecedented number of journalists have been killed while reporting on conflicts. They have made the ultimate sacrifice in their pursuit of reporting the truth, and this day is a day to remember each and every one of them. Their stories serve as a sobering reminder of the price that far too many people pay for standing up for basic democratic values.

I am sure that we, as a Parliament, all agree that those who are imprisoned should be released without delay, and that the murders and forced disappearances should be investigated fully so that those who are responsible are held accountable. Scotland's long-standing commitment to human rights and freedom of expression is crucial in our pledge to support journalists and writers worldwide in their struggle for fair, open and democratic societies.

The number of imprisoned writers that I referred to earlier reminds us that, even though freedom of expression is a fundamental human right and is central to our ability to function both as individuals and as members of society, it cannot be taken for granted.

Many journalists act as human rights defenders—for example, when they report on human rights abuses and bear witness to acts that they have seen. They face major risks as a result of their work, and many of the fellows and alumni of the Scottish human rights defender fellowship have experienced those risks for themselves.

Our two current fellows stated:

> "Journalists, and human rights defenders reporting or activating campaigns on issues such as corruption, human rights abuses, and systemic injustices are routinely targeted, which has bred fear and self-censorship."

Through the delivery of our fellowship, we will continue to provide a place of protection and safety in Scotland, creating the conditions for human rights defenders to carry out their work effectively on their return to their home country.

As we mark the day of the imprisoned writer, we must remember that journalists and writers continue to be killed, injured and imprisoned around the world, especially where there is conflict but also at the hands of brutal dictators. The shocking murder of the courageous journalist Anna Politkovskaya in Moscow in 2006 was an early warning of the dangers that are faced by independent-minded journalists who operate in Putin's Russia—dangers that have manifested themselves in Chechnya, Syria, now in Ukraine and, of course, in Belarus, too.

Journalists are the eyes of the world on conflicts wherever they occur. The fact that 137 journalists and media workers have died while covering the middle east conflict since October 2023 is a stain on the international community's conscience. We must acknowledge our duty to stand with those who are brave enough to raise their voices; to do everything in our power to maintain freedom of expression throughout the world; and to call for justice for victims, no matter where they are.

13:15

*Meeting suspended.*

14:00

*On resuming—*

# Portfolio Question Time

## Education and Skills

**The Deputy Presiding Officer (Annabelle Ewing):** Good afternoon. The first item of business this afternoon is portfolio question time, and the portfolio is education and skills.

**Stephen Kerr (Central Scotland) (Con):** Your microphone is not on.

**The Deputy Presiding Officer:** Thank you, Mr Kerr. It is on, but I will speak louder. The portfolio this afternoon is education and skills. I remind members that questions 1 and 2 are grouped together, so I shall take any supplementaries on those questions after both have been answered.

### University Tuition Fees

1. **Emma Roddick (Highlands and Islands) (SNP):** To ask the Scottish Government whether it remains committed to free university tuition, in light of the United Kingdom Government's decision to raise tuition fees for universities in England. (S6O-03957)

**The Minister for Higher and Further Education; and Minister for Veterans (Graeme Dey):** It has been a guiding principle of the Scottish Government that higher education in Scotland should be based on the ability to learn and not on the ability to pay. I confirm that the Scottish Government remains resolutely committed to free tuition for Scotland-domiciled students.

**Emma Roddick:** I thank the minister for that clear answer. The UK Labour Party promised to reduce tuition fees if Keir Starmer won the election, but, instead, fees have risen, so it is clear that the Scottish National Party is the only party that has got into government and then stuck by its beliefs on free tuition. What impact does free tuition have on Scottish students' debt levels compared with those in the rest of the UK?

**Graeme Dey:** Our policy on free tuition means that Scottish students have the lowest levels of student debt across the UK. Eligible students who study in Scotland do not incur additional loan debt from tuition fees of more than £27,750 over three years, as they would if they were to study in England.

The average student loan debt for Scottish borrowers is £16,680, which is about a third of the debt that is racked up by their English peers. Debt levels in England are likely to rise further as a result of the 3.1 per cent tuition fee increase from the 2025-26 academic year.

### University Tuition Fees

2. **Kenneth Gibson (Cunninghame North) (SNP):** To ask the Scottish Government what impact free university tuition has had on young people deciding to stay in Scotland to study for a degree. (S6O-03958)

**The Minister for Higher and Further Education; and Minister for Veterans (Graeme Dey):** Record numbers of Scots are attending university. The latest statistics show that more than 32,000 Scottish students started full-time first degrees in Scotland in the 2022-23 academic year. That represents a 27 per cent increase since 2006-07, before the policy on free tuition was introduced.

The Government has committed to widening access to education. Since the establishment of the commission on widening access, there has been a 34 per cent increase in the number of Scottish students from deprived areas entering full-time first-degree courses. Universities and Colleges Admissions Service data shows that record numbers of young Scots secured places at university in the current 2024 UCAS cycle.

**Kenneth Gibson:** As part of our pre-budget scrutiny, in August, the Finance and Public Administration Committee met about 50 students and postgraduate students at the University of Dundee. We asked them what the key issues were in their decision to remain in Scotland after graduating. The number 1 reason was employment opportunities. The second reason was that they had received free tuition, and some clearly felt an obligation to give back. Does the minister agree that retaining young people in Scotland is yet another important reason to ensure that we retain free university tuition here?

**Graeme Dey:** I absolutely agree. We recognise the valuable contribution that Scottish graduates make to society. Free tuition supports Scottish students to go to university or college and to gain the skills that they need to drive Scotland's potential in key sectors of the economy. Statistics that were released in June by the Higher Education Statistics Agency show that the proportion of Scottish university full-time first-degree graduates who move into work or further study sits at 90.4 per cent. However, there is more for us to do to improve understanding among students of all the careers opportunities that their degrees open up for them.

**Pam Duncan-Glancy (Glasgow) (Lab):** The minister is right to point out the impact that good university education can have, but I will ask him about the impact of the Government's choice to

cut £1.8 million from mental health services in universities. In his answer to my written question, he said that that was in order to

"move to a mainstreamed approach".—[*Written Answers*, 27 September 2024; S6W-29856.]

What impact does he think that that will have on the increasing number of people studying in Scotland who are presenting with mental health conditions?

**Graeme Dey:** As ever, Pam Duncan-Glancy comes at this from the perspective that the Government faces no financial challenges and that we can simply fund everything. Unfortunately, that is not the case. I draw her attention to the fact that we provided mental health funding across universities and colleges for a three-year period, and we then extended it for a further year to allow the transition to mainstreaming. I absolutely accept the challenges that our universities and colleges face in that regard, but I hope that she will accept the budgetary challenges that the Government faces.

### Pupil Behaviour (Teacher Survey)

3. **Alex Rowley:** To ask the Scottish Government what discussions it has had with Fife Council following the publication of an Educational Institute of Scotland survey showing that two thirds of surveyed teachers in Fife were considering leaving teaching as a result of disruptive, challenging or violent pupils. (S6O-03959)

**The Cabinet Secretary for Education and Skills (Jenny Gilruth):** Our schools should be safe learning environments for all. Violence and abusive behaviour towards staff are unacceptable.

The member will be aware that the specific response to those findings is primarily a matter for Fife Council. However, my officials have raised the survey data with Fife Council directly, and I am advised that the council has been working constructively with the EIS locally to address the concerns.

The Government is committed to providing direction at a national level, too. In August, we published our national action plan on relationships and behaviour in schools, to which the EIS contributed. Yesterday, we launched updated guidance called "Respect for All".

**Alex Rowley:** This week, I met EIS Fife and Unison Fife, which raised serious concerns about the lack of response and action. They highlighted the level of additional support needs in Fife that are not being addressed, and they said that more pupil support assistants and additional support teachers, as well as improved pupil support services, are needed. In many primary schools across Fife, class sizes are far too large. When will the cabinet secretary move beyond plans and guidance and start to look at what resources are needed to address the issues that trade unions are rightly highlighting?

**Jenny Gilruth:** I thank Mr Rowley for raising a really important point. He knows that, before I was elected in 2016, I was an employee of Fife Council, as a teacher, so I recognise some of the challenges.

I have details of the action that the local authority has committed to, which my officials have shared with me, and I would be more than happy to share that information with Mr Rowley. If he would like me to meet him and the EIS locally, I would be more than happy to engage with them on those issues.

Mr Rowley talked about resourcing challenges. It is worth putting on the record that the Government is spending record levels on additional support needs in this financial year and that we spent £926 million in the previous financial year alone. That has allowed local authorities, including Fife Council, to increase the number of pupil support assistants by 725 in the past year, and it is a key reason why the Government is so committed to protecting and maintaining teacher numbers. I must observe that, in the past year, Fife Council's teacher numbers have reduced, despite that additionality coming from the Scottish Government.

We have to work with local authorities on improvements to Scottish education and on all the issues that Mr Rowley has raised, but I recognise that there are joint responsibilities in that regard. With the budget approaching, I am sure that Mr Rowley will be making some of those points in his negotiations with his party's leadership. I would be more than happy to meet him to discuss what those improvements might be, recognising the need for the protection of education budgets. That has been the Government's approach over many years.

### Education (Additional Support Needs)

4. **Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP):** To ask the Scottish Government whether it will provide an update on the progress being made to improve the educational experiences of children and young people with additional support needs in school settings. (S6O-03960)

**The Cabinet Secretary for Education and Skills (Jenny Gilruth):** Scotland's approach to supporting children and young people with their learning has inclusion at its heart. That is why, last week, I published the third additional support for learning progress report. It sets out the progress that was made between November 2022 and June

2024 towards delivery of the actions that were set out in the ASL action plan, and it was developed in partnership with the Convention of Scottish Local Authorities and the ASL project board. To complement the progress report, an updated ASL action plan was also published, outlining the steps that we are taking to meet the recommendations that are set out in the ASL review.

**Elena Whitham:** I know that the cabinet secretary appreciates that there has been an increase in the number of pupils who are recognised as having neurodivergent needs but who do not yet have a diagnosis. She also appreciates that effective relationships between parents, carers and schools are paramount in ensuring that there are no unnecessary pressures on families or associated issues that act as barriers to learning. Does the cabinet secretary agree that the use of team around the child meetings can be essential in identifying much-needed supports while a diagnosis is being sought?

**Jenny Gilruth:** I absolutely agree. Maintaining positive relationships between parents, carers and schools and taking a multi-agency approach are critical in ensuring positive outcomes for our children and young people, particularly those with additional support needs.

Under the ASL framework, a formal diagnosis or identification is not required for a child or a young person to receive appropriate support with their learning. However, while any diagnosis of additional support needs is being considered, our getting it right for every child policy promotes a holistic and rights-based approach, which is hugely important. The member mentioned the team around the child approach, which I know has been proven to work in providing additionality and joining up services. Particularly following the pandemic, we need to be mindful of the role of other services in providing support to our children and young people, who are not necessarily always in an educational space.

**Miles Briggs (Lothian) (Con):** Despite the fact that twice as many pupils now need support, the number of ASN teachers has decreased by 12 per cent. In the capital, there are 166 ASN teachers, which gives a pupil to teacher ratio of 145 pupils per ASN teacher. What is the cabinet secretary's expectation of the ASL review in relation to the ASN pupil to teacher ratio in Scottish schools?

**Jenny Gilruth:** I do not think that the ASL update mentions the pupil to teacher ratio in that specific detail. However, across these islands, Scotland has the lowest pupil to teacher ratio, at 13 to 2. As I said in my response to Mr Rowley, we have increased the number of pupil support assistants by 725 in the past year alone as a result of additionality from the Scottish Government.

Miles Briggs raises an important point about the role of specialists. I am mindful of that issue and of how we can better facilitate support for schools, not just from specialist teachers but from other professionals, such as educational psychologists and speech and language therapists.

In relation to upcoming budget negotiations, I am sure that parties around the Parliament will be considering such issues, and I would be more than happy to sit down with Mr Briggs if he has proposals to that end.

## Special Schools (Funding)

5. **Martin Whitfield (South Scotland) (Lab):** To ask the Scottish Government, in light of reports that approximately 1,200 applications for places in special schools were refused, whether it will increase funding and resources to ensure that all children requiring specialised support can access appropriate education without placing any additional pressure on families. (S6O-03961)

**The Cabinet Secretary for Education and Skills (Jenny Gilruth):** The Scottish Government investment in additional support needs has reached a record high of £926 million in 2022-23, helping to address growing demand in that area. In the past year alone, that additionality has supported the employment of an extra 725 pupil support assistants in local authorities across the country. It is for local authorities to determine the most appropriate educational provision for children and young people with additional support needs.

**Martin Whitfield:** Through its freedom of information inquiries, *The Scotsman* ascertained that 1,200 applications were rejected, including those of 200 children who were turned away from Glasgow City Council due to a lack of resource. That comes as the number of special schools has sharply fallen from 190 in 2006 down to just 107 last year. The Education, Children and Young People Committee recently made its position clear, highlighting the urgent need for improved teacher training and better investment in specialist staff. Does the Scottish National Party Government acknowledge those failures?

**Jenny Gilruth:** The member follows a similar line of questioning to that of Mr Briggs in his supplementary question, so I have given some of my response to his question in that regard.

However, I want to touch on teacher training. One of the issues that the committee raised with me was the predominance of support for initial teacher education and how we can be certain that all trainee teachers are getting the level of support that they need in relation to additional support needs. My response to that in the ASL action plan update was to commit to us surveying and working with initial teacher education institutions to

consider the provision of support for our teachers in that initial year, which will look slightly different depending on whether they are undertaking the postgraduate degree or the four-year bachelor of education degree. It is important that we look at teacher training and ensure that there is consistency across the piece.

These young people are part of our system—they are not an add-on any more. In the schools that I visit now, sometimes more than 50 per cent of the pupil population has an additional support need. Part of the change that I should identify has been the shift in the way in which we measure additional support needs. That change in 2010 has meant that we have had an increase in the numbers. It was the right thing to do, but we should reflect that we need to look again at how we resource and provide support.

I have put on the record today a number of the—

**The Deputy Presiding Officer:** Cabinet secretary, I need to bring your response to a close, because I need to call the next MSP to ask their question. Clare Haughey has a supplementary.

**Clare Haughey (Rutherglen) (SNP):** Will the cabinet secretary set out what support the Scottish Government has already put in place for ASL?

**Jenny Gilruth:** A range of actions have been carried out to date. I can highlight that we have established the success looks different awards to co-create and collaborate with children and young people and their families. Work has also begun to establish parent groups with local authorities of those who have children with additional support needs to achieve that objective.

Professional learning opportunities for our teaching and support staff continue to be a priority. Although we know that there is more than one approach to addressing the issue of staff training, we remain committed to exploring options regarding initial teacher education, as well as taking further steps to improve the support that is available for teachers in other areas.

## Teacher Employment

6. **Stephen Kerr (Central Scotland) (Con):** To ask the Scottish Government what information it holds on how many of last year's newly qualified teachers have a permanent contract to teach in a Scottish school. (S6O-03962)

**The Cabinet Secretary for Education and Skills (Jenny Gilruth):** In Scotland, we have the most teachers per pupil in the United Kingdom and 876 newly qualified teachers moved into permanent contracts last year. That includes full-time and part-time permanent contracts.

As the member will know, teacher employment is a matter for local authorities as employers. However, this Government values our teachers, and we are doing everything possible to help maximise the number of teaching jobs that are available, including permanent posts. As part of that, we are providing £145.5 million to local authorities to protect teacher numbers. We also invest in a policy of free tuition, we fully fund the postgraduate qualification and we pay for the first year of probation.

Although we cannot direct teachers where to work, it is important to note that teacher vacancies arise across Scotland throughout the academic year.

**Stephen Kerr:** I hope that the cabinet secretary has a firm focus on the issue, because the reality is that four out of five post-probation teachers do not have a permanent contract and that a third of newly qualified teachers are leaving the profession. That is nothing short of a shocking waste of talent and a dismal failure of workforce planning. Make no mistake—that is down to the cabinet secretary. There is no point in protecting the number of teachers if teachers do not have permanent jobs. Will she insist that the £145.5 million of additional funding that she is withholding is used to create permanent jobs?

**Jenny Gilruth:** The member raises a pertinent point, and I assure him that I am certainly very focused on it at the current time. He will know that I have taken action not to pay out that money, as has happened in previous years, when we have seen local authorities be in receipt of funding and cut teacher numbers at the same time. I do not think that that is a sustainable position for any Government to defend.

On recruitment and retention, I am focused on three key challenges. The first relates to our primary teachers. We know that a number of primary teachers are currently unable to secure permanent posts, which is the issue that the member rightly raises. I want to find some quick solutions to try to deliver on some of the member's aspirations. We are looking at some innovative approaches. For example, we are encouraging primary teachers to gain an additional qualification to become an additional support needs specialist, if they would like to or would consider that option. That has the additional benefit of supporting the growing number of children with ASN, as we have heard this afternoon.

The second relates to secondary level, where there are challenges in training and recruiting enough teachers, particularly in certain hard-to-fill subjects.

I am conscious of time, Presiding Officer. I would like to give the member a substantive

answer, so it might be opportune for me to write to him directly to give him a fulsome update on the three challenges that I am focused on, which relate to primary teachers and issues around permanency, secondary teachers and the gaps in subject areas, and rural and remote areas, where we are having challenges in terms of—

**The Deputy Presiding Officer:** Thank you, cabinet secretary.

**Jenny Gilruth:** I will write to the member.

**The Deputy Presiding Officer:** I have a number of members wishing to ask supplementary questions, and we need to move to those, to ensure that members get their opportunities.

**Willie Rennie (North East Fife) (LD):** I know of newly qualified teachers who can spend seven years without a permanent contract. There is intermittent employment and there are short-term contracts. That is not acceptable. Why is the Government continuing to train new teachers when it cannot and will not deliver on its promise of 3,500 extra teachers?

**Jenny Gilruth:** Mr Rennie raised that issue in the debate that we had not two weeks ago, I think, and he will recall that I played back to him the experience of one of his constituents who had been on short-term contracts in Fife Council for a number of years. I do not think that that is an optimal situation, and it is not one that I would support. Some of the challenge relates to where the employment of teachers rests, and that is the responsibility of local authorities.

I have spoken to the additionality that the Scottish Government provides to support trainee teachers. The Government meets the huge expense of tuition fees. We also fully fund the postgraduate year and the probation year. A lot of funding comes from central Government to support teachers into employment.

The challenge comes when local authority employment practices vary up and down the country. It is imperative that we work with the Convention of Scottish Local Authorities to arrive at a situation—I see Willie Rennie shaking his head at me, but that is the current reality. We need to work with COSLA to ensure that there is parity across the country in how our initial teachers enter the workforce. At the current time, there is a variety of approaches to initial teacher employment, and that needs to change in the future, particularly because of the additionality that the Government is providing.

**The Deputy Presiding Officer:** I call Bill Kidd, who has a supplementary question.

**Bill Kidd (Glasgow Anniesland) (SNP):** Thank you, Presiding Officer, but the excellent answer that has just been given covers my question. [*Laughter.*]

**The Deputy Presiding Officer:** Thank you, Mr Kidd. We move to the next question.

### Teacher Numbers and Need (Monitoring)

7. **Colin Beattie (Midlothian North and Musselburgh) (SNP):** To ask the Scottish Government how it collaborates with local authorities to monitor teacher numbers and staffing needs across council areas. (S6O-03963)

**The Cabinet Secretary for Education and Skills (Jenny Gilruth):** The Scottish Government undertakes an annual collection of data from local authorities on teacher numbers and characteristics, which is published as part of the summary statistics for schools in Scotland. That information is used to monitor teacher numbers nationally and by local authority area and to inform teacher workforce planning, which sets initial intake targets for programmes for initial teacher education through the work of the teacher workforce planning advisory group. The Scottish Government uses that data as the basis for discussions with local authorities on teacher numbers and need.

**Colin Beattie:** Scotland's local authorities clearly have a vital role to play in this area. Will the cabinet secretary set out what actions the Scottish Government is taking to improve the recruitment and retention of teachers in Scotland?

**Jenny Gilruth:** Colin Beattie is absolutely right. Our local authorities have a key role to play, which is the point that I was making to Willie Rennie in my previous answer.

The strategic board for teacher education, which is made up of a range of key education stakeholders, is looking in detail at issues around the recruitment and retention of teachers in Scotland. That includes geographical and subject-specific issues, as well as how we can increase diversity within the profession and improve support for early-career teachers who need it. The board is considering how we can encourage more people into teaching, especially in subjects that we know are particularly challenging to fill, such as computing science and modern languages.

The board is progressing innovative work to support teacher education and development throughout their careers, which, in the longer term, has the potential to increase teacher recruitment and retention.

### Living Costs Support (Part-time Disabled Students)

8. **Katy Clark (West Scotland) (Lab):** To ask the Scottish Government what consideration has

been given to improving the living costs support available to part-time disabled students. (S6O-03964)

**The Minister for Higher and Further Education; and Minister for Veterans (Graeme Dey):** The Scottish Government has made a commitment to undertake a review of student support for part-time and distance-learning students. All issues impacting on part-time students will be given careful consideration as part of that review. As an initial step, we have opened up living costs support to disabled students who are studying full-time distance learning courses and who are unable to study campus-based courses because of their disability.

**Katy Clark:** As the minister knows, full-time disabled students get living costs support, but many disabled students study part time. For example, the Open University says that 28 per cent of its disabled students study part time, and part-time students do not get the same levels of support. Does the minister agree that, for reasons of equality and fairness, there is a strong case for part-time disabled students getting parity and increased access to living costs?

**Graeme Dey:** Although part-time students cannot receive living costs via bursaries or loans, they can access the disabled students allowance via the Students Awards Agency Scotland if they study to at least 50 per cent intensity of full-time equivalent courses. That extends to those studying via distance learning up to and including course credits leading to a degree.

We will always be asked to go further, and we aspire to do the best that we can by our students within the constraints of affordability. The review that I referenced will explore all asks and all options, while recognising the financial challenge, which will almost certainly mean that an incremental approach will be necessary.

**Karen Adam (Banffshire and Buchan Coast) (SNP):** We should be endeavouring to improve the supports that are available to disabled students throughout their time in higher education. What steps is the Scottish Government already taking to ensure that students with additional support needs are encouraged to remain in education without compromising access to critical financial support?

**Graeme Dey:** The Government is committed to ensuring that all students with a disability, a long-term medical condition or additional support needs are able to access higher education and are fully supported throughout their studies. As an initial step, as I indicated earlier, we have opened up living cost support to disabled students who are studying full-time distance learning courses and who are unable to study campus-based courses because of their disability.

The Equality Act 2010 places a specific duty on colleges and universities to make reasonable adjustments to ensure that disabled students can access education and any related services.

**The Deputy Presiding Officer:** That concludes portfolio question time. If members who wish to move to the front bench do so quickly, that will enable us to move straight on to the next item of business.

# Ministerial Events

**The Deputy Presiding Officer (Annabelle Ewing):** The next item of business is a statement by Neil Gray on ministerial events. The cabinet secretary will take questions at the end of his statement, so there should be no interventions or interruptions.

14:25

**The Cabinet Secretary for Health and Social Care (Neil Gray):** I am providing this statement to Parliament on ministerial events and engagements in response to a request from other parties.

Members will be aware of media reports in recent days noting that I attended sporting events in my capacity as a minister. All the information contained in those reports is derived from the Scottish Government's proactive publication of the ministerial engagements. In other words, those engagements are known about because we routinely and systematically publish details of all ministerial engagements. That is, of course, in line with the Scottish ministerial code.

For as long as there have been ministers, here in Scotland and in the rest of the UK, they have attended a range of engagements and events in their official capacity, as is right. Attendance is one part of Government business that allows ministers to engage and build relationships with key stakeholders and to help to promote Scotland as a place to visit and to work and invest in.

I am sure that members will recognise that sport and major sporting events are one such critical sector, as they bring significant economic benefits to Scotland and act as a key driver in improving the health and wellbeing of our nation. Sport also provides a significant platform to engage domestically and internationally on a range of different issues.

As the cabinet secretary for health, I have attended a number of sporting events in order to demonstrate my support, and the Scottish Government's support, to the governing bodies of sport, competitors and officials. I will come on to speak in further detail about my attendance at sporting events and football matches, and to set out for the Parliament the detail of those engagements and my engagement in line with the Scottish ministerial code.

Before I do so, I want to make one thing very clear: the role of ministers in attending events is clearly long established. It is undertaken by ministers here and in every other Administration in the United Kingdom. Indeed, I expect that ministers across the UK will attend events this week, including sporting events, as official engagements. That is right. I point that out to make it crystal clear that attendance at such events is legitimate. What would not be legitimate would be to use that role as a way to pursue non-ministerial interests, including as a fan.

It is a matter of regret to me that, by attending four Aberdeen games, I have given the impression of acting more as a fan and less as a minister. I did, of course, attend other football games—games of the Scotland men's team—and other sporting events, but when it comes to domestic football, I should have ensured that I went to see teams other than Aberdeen. It was not planned that way, but I should not have allowed that situation to develop. I should have made sure that I attended a wider range of games and not just Aberdeen games, and I apologise for my error.

It is a well-established and recognised rule, as is set out in the Scottish ministerial code, that ministers should not accept any gifts, hospitality or services from anyone that would, or might reasonably appear to, place them under any obligation to people or organisations. That is, as the code also sets out, primarily a matter of judgment for ministers, who are personally responsible for deciding how to act and how to conduct themselves in light of the code, and for justifying their actions and conduct to Parliament and to the public.

It was on that basis that I was happy to accept Opposition parties' calls for a statement on these matters today and to take the opportunity to set out clearly the full facts of my attendance at sporting events, which was in line not only with my ministerial responsibilities but with the obligations incumbent on me, as set out in the ministerial code.

I will focus my remarks on those engagements that have been reported on in the media, but would be happy to provide further information on any of the sporting events that I have attended in my ministerial role.

I attended the Viaplay cup semi-final at Hampden park on 4 November 2023 at the invitation of the Scottish Professional Football League. While there, I had discussions with key stakeholders on the work done by the SPFL trust to support community wellbeing across Scotland. I also heard how sports chaplaincy services support top-level athletes in Scotland, and I held discussions on the significant contribution that football can make to the wellbeing economy.

I attended the Viaplay cup final at Hampden park on 17 December 2023 as a guest of the SPFL. I engaged in discussions with key stakeholders relating to the issue of pyrotechnics at football matches, planning for the European championships in Germany and potential

opportunities for business engagement. I again discussed how football can continue to support community wellbeing through both participation in sport and engagement with those in the surrounding communities, particularly around the festive holidays.

I attended the Scottish cup semi-final at Hampden park on 20 April 2024 at the invitation of the Scottish Football Association. I had a detailed discussion about investment in the sport, particularly at grass-roots level, and about the impact that football clubs can have as anchor organisations delivering a wide range of social benefits for their local communities.

I attended a football match at Pittodrie in Aberdeen on 15 May 2024 as a guest of the Aberdeen Football Community Trust. That was part of a wider programme of engagements in Aberdeen that day to coincide with mental health awareness week. Those engagements included the announcement of new funding for the changing room extra time programme; a mental health round-table meeting; a meeting with the charity Scottish Action for Mental Health; a round-table meeting with the SPFL trust; and a visit to St Machar academy.

As I have noted, each of those engagements provided key opportunities to speak with and hear from key stakeholders. A number of substantive discussions were held, for example about our on-going work to increase investment in grass-roots sport, the wider social benefits that clubs can bring to local communities and how sporting events can attract business investment.

For completeness, I inform members that, in addition to those Aberdeen games, I also attended the Scotland v Norway match at Hampden in November 2023, the World Athletics indoor championships in Glasgow, also in March 2023, the Open golf championship at Troon in July 2024 and the Scotland v Portugal game at Hampden last month.

Although not all events that ministers attend involve minuted meetings, summary notes are available and set out the topics covered during discussions at the majority of the engagements that have been reported on. Those notes align with obligations 4.23 and 4.24 of the ministerial code and ensure that discussions relating to Government business are appropriately recorded.

Ministers use Government transport when attending events in a ministerial capacity. In planning travel, all ministers adhere to a set of guiding principles that are set out in the ministerial code and cover propriety, the efficient use of resources, cost consciousness and security. All travel arrangements for ministers are made in line with corporate travel policy and Government car service guidance.

On occasion, and depending on the nature of an official ministerial visit, guests—including family members—are allowed to attend, but that is generally at no cost to the taxpayer. For completeness, I was joined by a family member or guest at six football games, including Scotland games. They travelled with me, but did not do so at any additional cost to the taxpayer.

I hope that the detail that I have provided assures colleagues that all my engagements are always official ministerial business. Ministers across these islands—whether they are from the Scottish National Party or Labour or, previously, Conservative ministers in London—are right to attend sporting events as ministers. It is crucial that we engage with and support sport and that we are seen to do so. That said, I am a football fan and I follow Aberdeen, but I should not have allowed the impression to be given that that played any role in my engagements, and I am sorry for my error.

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

**Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con):** Neil Gray used Government limos to watch his favourite football team, and those trips were all billed to the taxpayer. However, he seems to be saying that he was not wrong to charge taxpayers—he was just wrong to go only to Aberdeen games. He has today apologised for giving “the impression of acting more as a fan and less as a minister.” However, he has not just given that impression—that is exactly what he did. He was not even the sport minister when he went to some of the games. This is pathetic. The excuses are an embarrassment. He is treating the public as fools. This scandal demands a ministerial code investigation, because it looks like Neil Gray has misused taxpayers’ money for his own benefit.

Will Neil Gray agree to refer himself to the independent adviser so that this can be fully investigated? He took family members and guests to the games in limos that were paid for by the taxpayer. Does that not confirm beyond all doubt that the meetings were not Government business but a jolly to watch the football? Taxpayers have been duped and they must be refunded in full. Does Neil Gray agree that he must repay the public for all the trips in full?

**Neil Gray:** No. These were legitimate uses of ministerial resources. It is not unusual—in fact, it is explicitly covered in the code—that, on occasion, family members may accompany ministers to ministerial events. That has happened previously and I expect that it will continue to happen.

On Rachael Hamilton's suggestion about the ministerial code, that is a matter for the First Minister to consider.

I reflect on the points that Rachael Hamilton makes—of course I do—about the appropriateness of the situation. I set out in my statement the apology that I have made for giving the impression of acting more as a fan than as a minister. I will continue to give consideration to the points that she makes as I consider the way in which I conduct my business going forward.

**Neil Bibby (West Scotland) (Lab):** I thank the cabinet secretary for advance sight of his statement. Ministers and shadow ministers have always attended sports events to support our national teams and to meet governing bodies. The attendance of ministers, where appropriate, should be supported by the Government. That is not in question. The key question is whether the correct protocols and rules were followed. Engagements to discuss Government business should be attended by a civil servant and be fully minuted.

Neil Gray has today apologised for his error, and he said that he is happy to provide further information. The Aberdeen v Livingston match at Pittodrie in particular has raised eyebrows. Can the cabinet secretary confirm that all the engagements were by official invitation? Will he publish details of who he met on each occasion and the minutes showing what issues were discussed for all, and not just the majority, of the matches? Will he confirm whether a civil servant was in attendance at each of them?

**Neil Gray:** I thank Neil Bibby for his questions and for outlining the principle of ministers past, present and future attending sporting events, cultural events and business events, as ministers and MSPs will do.

There was proactive release of the events in question and there is a summary note of those engagements. I will need to double check, but I believe that officials attended all the events with me and there will be a note available on what was discussed, as I set out in my statement.

**Rona Mackay (Strathkelvin and Bearsden) (SNP):** The Scottish Government's commitment to transparency is clear, given its proactive publication of a wide range of information that relates to ministerial car journeys, events, costs and more. Meanwhile, UK and Welsh Government transparency publications are more limited in the information that they provide, and they appear to be available less frequently. Does the cabinet secretary agree that the UK Government, and other Governments across the UK, should be striving to match the high standards of transparency that have been set by the Scottish Government? [*Interruption*.]

**The Deputy Presiding Officer:** Before I ask the cabinet secretary to reply, I will say that I have put up with a bit of noise but I am not putting up with it any longer. When it comes to courtesy and respect, we know from the rules that one person has the floor and others do not.

**Neil Gray:** I thank Rona Mackay for her question. I have set out the rules and the transparency about Scottish ministers' engagements and the publication of information about those. I understand why Rona Mackay raised the issue of ministers in other Governments. However, I am here predominantly to speak about issues that concern my own conduct, so I will let it rest at that.

**Craig Hoy (South Scotland) (Con):** Neil Gray cheered on Aberdeen from the comfort of VIP seats, and he repeatedly expected the Scottish taxpayer to pay to get him there and back. The minister has now admitted that he did not travel alone to those football matches. As he climbed into his ministerial limousine, showing off to his family and friends, did Neil Gray not realise for just one minute that he was abusing his position and taking the taxpayer for a ride? Before he loses what is left of his credibility, will he commit to paying the money back and to asking the First Minister, who is sitting next to him, to allow a full investigation into the scandal?

**Neil Gray:** It is not unusual for ministers and other MSPs to attend sporting events, business events or awards ceremonies, and to be accompanied by guests. There is provision in the code for that and for family members to accompany ministers in ministerial transport. I reflect, of course, on the question that Craig Hoy has put to me about proportionality, and will do so as I go forward, but the principle of Government ministers and Opposition MSPs attending some of those events with guests is well established. I will rest on that point.

**Emma Harper (South Scotland) (SNP):** Opposition members appear to suggest that Government ministers should not, in an official capacity, attend events that relate to their ministerial portfolio responsibilities. Would ending that practice be beneficial or detrimental to the work of the Scottish Government?

**Neil Gray:** Attending events allows ministers to undertake vital engagement with key partners who contribute to a multitude of governmental outcomes such as tackling child poverty,

improving health and wellbeing, reducing crime, improving educational attainment and increasing social inclusion. Without forming such relationships, we would be unable to work with partners such as the football authorities to tackle some of our most difficult societal challenges—such as racism, sectarianism, homophobia, disorder and the misuse of pyrotechnics. Only with genuine partnership and frequent engagement can we hope to make progress on those issues.

**Paul Sweeney (Glasgow) (Lab):** Clearly, the cabinet secretary was not keen on joining the queues at Mount Florida train station after those fixtures, which are infamously long due to the totally inadequate train service to Glasgow Central. What efforts is the Scottish Government making to improve public transport links to the national stadium for those who do not have the benefit of a chauffeured ministerial car?

**Neil Gray:** I am very well aware of the queues at Mount Florida, which I have experienced as Paul Sweeney has. I would be more than happy to take up with him a discussion on travel arrangements for major events such as sporting events at Hampden.

**Emma Roddick (Highlands and Islands) (SNP):** Can the cabinet secretary confirm that the Scottish Government will approve the use of Government cars only for what is official business?

**Neil Gray:** Yes. Civil servants rightly will not, and are simply not permitted to, organise Government cars for anything other than Government business.

**Patrick Harvie (Glasgow) (Green):** Most of the cabinet secretary's statement talked about which football matches he attended, rather than how he got there. To be clear: if he had attended all those matches and travelled by bus, I would not have the slightest problem with it, and I do not think that most people would, either. Is not the real issue that a great many ministers treat chauffeur-driven cars as the default expectation? My experience is that you can get about without relying on them, except in exceptional circumstances. There needs to be a Government car service, but will the Government review it to ensure that ministers always choose the most sustainable and affordable option?

**Neil Gray:** Patrick Harvie is absolutely right that ministerial cars need to be used for appropriate business. I respect the position that Patrick Harvie comes at the issue from. It is a rarity that I will be in a Government car and not conducting Government business as part of the journey in the car—I am having meetings with officials and others and making phone calls.

The well-established principle of the need for Government cars is there, but I respect the point that Patrick Harvie makes in relation to the position that he has taken in the past as a minister.

**Liam McArthur (Orkney Islands) (LD):** I acknowledge that the cabinet secretary has offered an apology, which suggests that he recognises that this does not look good. As he says, it is crucial that ministers are able to engage with a wide variety of stakeholders in a wide variety of ways. It is also important that public perceptions of impartiality are not found to have been let down, as they have been in this case.

This might be more of a question for the First Minister, who is sat next to the cabinet secretary, but does the cabinet secretary believe that there is perhaps a need for more detailed guidance about ministerial attendance at events to help prevent any appearance of inappropriateness or bias?

**Neil Gray:** As I said in my statement, I will of course reflect on the events that I attend. I will not stop attending sporting events, cultural events, business engagements, awards dinners—the types of things that Liam McArthur mentioned.

The ministerial code is a matter for the First Minister, and I know that he is reflecting on that.

**Clare Haughey (Rutherglen) (SNP):** Can the cabinet secretary outline to Parliament the criteria for the use of the Government car service by ministers and cabinet secretaries?

**Neil Gray:** Yes. The criteria for the use of the Government car service are well established. I have already set out in response to Emma Roddick that the use of Government cars will be sanctioned by civil servants only for participation in Government business.

**Annie Wells (Glasgow) (Con):** My question is a request for a point of clarity in relation to the cabinet secretary's statement. During the statement, he said that he attended six games with a family member. However, the written copy of the statement says five. Was it six or five? Did the cabinet secretary find one in the past hour, or was it just a typo?

**Neil Gray:** For completeness, there were six games. That was due to me looking back again at the record and the proactive release.

**Fulton MacGregor (Coatbridge and Chryston) (SNP):** It seems that some Opposition members are suggesting that Government ministers should not be attending events in an official capacity. [*Interruption*.] I said "some Opposition members".

Can the cabinet secretary advise whether any of the Opposition parties have come forward with

proposals about how and why that should be limited? Most of the questions today have not provided that, with the exception of the question from Liam McArthur.

**Neil Gray:** It is clear, because I have been at some engagements at which Opposition members have been present, that there is a recognition across the chamber of the importance of supporting sporting, cultural and other events that are critical to the fabric of our society. Clearly, I am not here to talk about others; I am here to reflect on my own decision making, for which I have offered an apology.

I will continue to reflect on ensuring that, in the light of the question from Liam McArthur in particular, I am conscious of how the decisions that are taken appear, both in this place and to the public.

**Stephen Kerr (Central Scotland) (Con):** Just for the avoidance of any doubt, no one is calling on ministers not to attend events such as the events that we are describing. However, this is a mess entirely of Neil Gray's making.

It says clearly in the Scottish ministerial code:

"Ministers must be satisfied that their travel arrangements could be defended in public".

That is the problem here; the travel arrangements that we are discussing are not sustainable. The statement that has been given is so full of further questions that, sadly, the cabinet secretary has not done himself any service here.

I ask again, for clarity: how many officials accompanied the cabinet secretary to the meetings that he says he had, and which we believe he had? If a member of the public submitted a freedom of information request to his office, would there be contemporaneous notes and minutes of the meetings that he says he was attending at the football grounds?

**Neil Gray:** It is entirely appropriate for ministers to use ministerial resources to attend ministerial events. As I have already set out, that is only possible, and will only be sanctioned by civil servants, when that is demonstrable. In all these cases, that is clear.

What I have reflected on, and what I apologise for, is the appearance that I have been acting more as a fan, by not getting the balance right between attending Aberdeen games and attending other games. There are and will be summaries of the discussions that have taken place, which is in accordance with the ministerial code. The ministerial code does not require minutes of meetings in that type of format, but those summaries will be available for all the engagements that I have been participating in.

**Douglas Lumsden (North East Scotland) (Con):** What other Government business does the cabinet secretary routinely take family and friends to? When he was taking part in the meetings at the football grounds, did the family and friends also take part in those meetings—or where did they go?

**Neil Gray:** It is normal and customary: I have attended many events where other MSPs have guests with them. That is normal for events such as these—for sporting events, business events, awards ceremonies and cultural events. It is also in order for guests to travel in ministerial transport on occasion, as has happened in the past and as will continue. It is clear in the ministerial code that, when those occasions happen and when guests are with us, we must ensure that it is clear who is and who is not part of the ministerial party. That has always been clear.

# UK-EU Trade and Co-operation Agreement

**The Deputy Presiding Officer (Annabelle Ewing):** The next item of business is a debate on motion S6M-15093, in the name of Clare Adamson, on behalf of the Constitution, Europe, External Affairs and Culture Committee, on the United Kingdom-European Union trade and co-operation agreement.

I invite those members who wish to speak in the debate to press their request-to-speak buttons and I advise members that, as we have a substantial amount of time in hand, I can be generous with speeches and there will also be plenty of time for interventions.

With that, I call Clare Adamson, on behalf of the Constitution, Europe, External Affairs and Culture Committee, to speak to and move the motion.

14:55

**Clare Adamson (Motherwell and Wishaw) (SNP):** I am delighted to open the debate as convener of the Constitution, Europe, External Affairs and Culture Committee. I begin by thanking all the committee members, who have approached our work in such a collegiate and informative manner. I thank the clerks who organised all our evidence sessions, and I thank everyone who submitted written evidence, appeared at committee or met us during the inquiry.

We considered how trade in goods between the European Union and the United Kingdom is currently working and, importantly, where there are opportunities to improve the trading relationship. That comes in advance of the forthcoming mandatory review of the implementation of the UK-EU trade and co-operation agreement, which is due in 2026.

The agreement governs the UK's relationship with the EU post-Brexit and sets out the terms of trade with the EU, which is the UK's largest trading partner. Trade with the EU and the agreement that governs it is of central importance to the Scottish economy. Let us not forget that the EU accounts for a significant proportion of the export value of our key Scottish produce, from 60 per cent of Scottish salmon exports to 95 per cent of red meat, including Scottish beef, lamb and pork. That is why it is crucial that we understand how better to facilitate trade with our European neighbours. It is also why the committee was pleased to undertake the first parliamentary inquiry in the UK on the impact of the post-Brexit trade agreement on business and trade.

I thank again those who gave evidence, particularly the individual trade bodies, as well as civil society and think tanks, which were all consulted.

We visited two Scottish businesses that are trading with the EU—the haggis and black pudding producer, Macsween of Edinburgh, and the confectionery firm Aldomak. We learned more about the barriers to trade that have arisen post-Brexit and how they might be addressed.

As we discussed the operation of the TCA with academics, businesses and parliamentarians on a visit to Belfast and Dublin, we got rich evidence that helped our inquiry and contributed to our report. The evidence was overwhelmingly that Scottish businesses were experiencing a significant challenge in exporting goods to the EU under the terms of the TCA, with there being considerable non-tariff barriers to trade. Under the TCA, there are zero tariffs and zero quotas on trade in goods between the UK and the EU, but there is no agreement on non-tariff barriers and the TCA does not provide for common regulatory standards for goods.

The National Farmers Union of Scotland said that trade is now

"tariff free and quota free, but it is certainly not friction free."—[*Official Report*, *Constitution, Europe, External Affairs and Culture Committee*, 7 March 2024; c 2.]

As the UK is no longer required to observe EU rules, the respective regulations in the UK and the EU might diverge further over time. That means that customs and regulatory checks are imposed at the EU border, with all imports to the EU market required to meet all EU regulatory standards. However, border checks on goods entering the UK from the EU are still being phased in, following delays post-Brexit. That disparity has created an uneven playing field for UK businesses. We found that non-tariff barriers, including the requirements for full customs and regulatory checks, have placed considerable administrative resource and cost pressures on Scottish businesses, particularly our small and medium-sized enterprises—so crucial to the Scottish economy—as they have no capacity to absorb that additional cost.

The additional burden is not only in complying with customs and regulatory requirements, but in monitoring UK-EU divergence to ensure compliance of goods with changing EU regulations. Increasing regulatory divergence between the UK and the EU presents challenges for businesses in seeking to comply with changing EU regulations. If such divergence intensifies, it will be a barrier to future trade.

The Agricultural Industries Confederation Scotland has said that:

"divergence in regulatory standards between"

the UK

"and the EU ... is causing difficulties for members to trade goods."

I should have said "GB" there, in fact, as Northern Ireland is not constrained by the terms of the TCA.

We heard from UK in a Changing Europe that there has been a

"slow drip"

of divergence

"that will create new regulatory barriers".—[*Official Report, Constitution, Europe, External Affairs and Culture Committee,* 14 March 2024; c 19.]

Those non-tariff barriers to trade have harmed exports, with many businesses withdrawing from the EU market as a result.

The challenges have been particularly acute for our agri-food producers, which are required to meet the EU's sanitary and phytosanitary measures. There are additional requirements for veterinary inspections, and there is increased risk as a result of the time-sensitive nature of products if goods are delayed during border checks. We heard from Quality Meat Scotland of an incident last year in which £250,000 of Scottish produce was written off as a result of delays with SPS checks at the French border. We also heard from Innovate Foods, which had stopped exporting to the EU since it had goods held up at the border and written off. As I mentioned, that has an impact in particular on the sole traders, sole exporters and smaller businesses—there is a disproportionate impact on our smaller operators.

Let us be clear: all those challenges are a consequence not only of leaving the EU, but of the type of Brexit that the TCA was intended to deliver. In the committee's view:

"There is now therefore a need for the UK Government to negotiate improvements to the trading relationship to better facilitate UK-EU trade."

The Labour Government has told us that it wants to "reset" relations with the EU and "tear down" barriers to trade. However, the committee is still waiting for a full response from the UK Government and a meeting with the UK Minister for the Constitution and European Union Relations.

The committee has recently returned from Brussels, where we presented the findings of our report to members of the European Parliament, as well as to the European Commission and the European Council. It was clear that, while the general view from Brussels is that it is open to offers and to negotiation of the TCA, and there is a willingness to consider proposals from the UK Government on how to improve the UK-EU trading relationship further, it is not keen on an opening up of the TCA in full and major renegotiation in this area.

**Stephen Kerr (Central Scotland) (Con):** Would the convener agree that the general message was that they want to get their hands on British fish, and that fish would be at the centre of any of their asks in return for any adjustments to the TCA?

**Clare Adamson:** Mr Kerr will know that the areas for negotiation are always around the areas of interest to both the UK and Europe, and that those discussions will have to take place.

The proposals from the UK Government have yet to emerge, following the general election, but on the EU side, there are clear red lines. Removing or limiting the impact of non-tariff barriers will require greater regulatory alignment with the EU. We heard that message loud and clear in Brussels.

The committee's report also considered key areas of possible alignment in which the UK Government could seek to negotiate supplementary agreements or adjustments; the deputy convener will touch on more of those areas in his closing speech. The core recommendation in our report is that

"the UK Government should seek"

an SPS

"agreement with the EU",

as that would

"significantly reduce border checks and the administrative burden on exports of agri-foods"

and reduce

"barriers to trade for many Scottish businesses."

That is the position of the Scottish Government and a manifesto commitment of the new UK Government. It was central to the calls that we heard from most of the stakeholders and businesses with whom we discussed those issues.

As I have said, the EU is willing to consider those proposals, but the UK has yet to implement the TCA requirements in full, and border checks have not been established on the UK side of the border. That might bring more pressure within the EU, as the same challenges that face British and Scottish exporters might be experienced in relation to goods that come into the UK.

We have recently started to take evidence on the second phase of our inquiry, focusing on trade in services and the mobility of people following Brexit, and we will report in due course.

I welcome this debate and the proposed reset in UK-EU relations.

I move,

That the Parliament notes the conclusions and recommendations contained in the Constitution, Europe,

External Affairs and Culture Committee's 2nd Report, 2024 (Session 6), *UK-EU Trade and Cooperation Agreement: Barriers to trade in goods and opportunities to improve the UK-EU trading relationship* (SP Paper 639).

15:05

**The Cabinet Secretary for Constitution, External Affairs and Culture (Angus Robertson):** I thank the convener and members of the committee for their on-going work on examining the effects of the trade and co-operation agreement in Scotland.

In debates on the impact of Brexit, we should never forget that people in Scotland voted overwhelmingly to remain within the European Union. We should also remember that the TCA is a hard Brexit. It removed Scotland from the EU—and its huge European single market and customs union—and brought an end to freedom of movement, which was so important for our country. It did not need to be that way.

**Stephen Kerr:** Will the cabinet secretary give way on that point?

**Angus Robertson:** I will make some progress before I give way to Mr Kerr.

The Scottish Government shares the committee's conclusions that that hard Brexit has caused—and is causing—significant difficulties for many Scottish businesses and traders.

The Office for Budget Responsibility reported in its assessment of the UK budget that

"Weak growth in imports and exports over the medium term partly reflect the continuing impact of Brexit, which we expect to reduce the overall trade intensity of the UK economy by 15 per cent in the long term".

Indeed, the UK Government now states that 60 per cent of the harmful economic impact of Brexit has yet to materialise.

**Stephen Kerr:** The cabinet secretary is quite wrong to describe the agreement as a hard Brexit. During the Brexit debates, everybody was well informed that a hard Brexit would have meant our leaving with no agreement at all and operating on World Trade Organization terms with the European Union. That is not what we have. We have tariff-free, quota-free trade and an unprecedented free trade agreement.

**Angus Robertson:** I am sorry that Mr Kerr is trying to rewrite history. Those who supported Brexit gave all kinds of impressions that there were ways that the United Kingdom could continue to trade within the single European market, and the record is absolutely clear on that.

There are varying estimates of the damage of Brexit in relation to gross domestic product, lost economic growth and forgone tax revenue that would have been available to fund public services. The National Institute of Economic and Social Research estimates a 2.5 per cent hit to gross domestic product due to Brexit in 2023, which will increase to 5.7 per cent by 2035. As was debated here last week, consumers have been hit by higher food prices, which adds to the cost of living crisis.

It is clear that rejoining the European Union is the best future, not just for Scotland but for the United Kingdom as a whole. In the meantime, colleagues and I applaud the committee's efforts to identify how the European Union-UK trading relationship could be improved. Those improvements are now urgent. As I and others made clear in providing evidence to the committee, the extent of non-tariff barriers to trade in goods has been a significantly harmful consequence of Brexit.

The committee's report directly addresses the Scottish Government on three specific issues. I will touch on those points here and now. First, the report raises concerns regarding the border arrangements between the UK and Europe. Scottish ministers agreed to endorse the UK's border target operating model in order that checks take place to protect our people, businesses and environment from possible biosecurity risks. That endorsement was contingent on the previous UK Government addressing a set of outstanding issues. Regrettably, that did not happen, and critical elements of the UK border model are still unfinished. The system is not yet live for inbound goods from the Irish Republic and Northern Ireland. The model's interactions with the Windsor framework are still to be determined. Anti-avoidance schemes to deter illicit trade—and the underpinning legislation—remain in development.

It is such on-going uncertainty that is so damaging for business. Scottish ministers are ready to work collaboratively with the UK Government to deter illicit trade and to protect our biosecurity. We will continue to stress that minimising the burden on business and providing as much operating clarity as possible are paramount.

Secondly, the committee's report notes that the regulatory requirements for businesses trading with the European Union have become significantly more complicated as a third country because of additional non-tariff barriers such as logistics, SPS controls, labelling and other regulatory requirements.

We will continue to work with Scottish Enterprise so that it can provide on-going support and advice through company-specific approaches, as well as a range of export digital tools, webinars and workshops to help companies to identify the right markets and latest export opportunities.

**Willie Rennie (North East Fife) (LD):** Will the cabinet secretary give way?

**Angus Robertson:** I will just get to my third point and then I will be happy to give way to Willie Rennie.

Thirdly, the committee noted issues around regulatory alignment arising from Brexit, and it has long expressed its concerns about the operation of the United Kingdom Internal Market Act 2020. Indeed, that piece of legislation, alongside the previous Government's stop-start approach to imposing new border controls, its capricious approach to regulatory standards and checks and the passing of the Retained EU Law (Revocation and Reform) Act 2023 all caused further significant uncertainty.

**Willie Rennie:** Around the time of Brexit, we had many debates in Parliament about the Scottish Parliament and the Scottish Government having keeping-pace powers. How many times have those powers been utilised?

**Angus Robertson:** The issue of Scotland remaining as aligned as possible with the European Union has been explored and worked on at length in partnership with the committee. There is a range of ways in which we are able to do so, and we are best able to do so not by using the powers that Willie Rennie outlines but by finding other ways. I am happy to share the reports with him. I do not know whether he is putting in a bid to become a member of the committee. He would be very welcome there, and I am sure that he would learn, as other colleagues in the chamber would, about the efforts that are being made. I think that there is agreement between the committee and the Government that the reporting mechanism on the issue is working well, but I would be happy to discuss it further with Willie Rennie.

The Scottish Government has consistently called for alignment with European Union law, including so-called dynamic alignment, and in devolved areas, we are seeking to remain aligned wherever meaningful and appropriate. Perhaps unsurprisingly, maintaining regulatory alignment with the world's largest single market is now seen as increasingly relevant to economic growth by the UK Government as well as the Scottish Government.

That brings me to the important part of the committee's report about what opportunities exist to improve trade relations with the European Union. We know that many Scottish food industries are suffering due to lower exports to the European Union. For example, fruit and vegetable exports between 2019 and 2023 fell by a whopping 45 per cent.

When it comes to imports, research by the London School of Economics and Political Science's centre for economic performance suggests that UK households have paid £7 billion to cover the cost of post-Brexit trade barriers on food from the EU, pushing up average household food costs by £250 since December 2019.

What can be done to improve the UK-EU trading relationship? We urgently want the UK Government to deliver on its declared aim to reset its relations with the rest of Europe. We welcome the statement in early October in which Keir Starmer and Ursula von der Leyen jointly declared their wish to strengthen the UK-EU relationship. However, we need to see concrete progress.

I will highlight four areas where the situation needs to improve for trading goods. First, as we discussed last week, we urgently need a comprehensive SPS agreement—an agriculture, food and drink agreement—between the UK and the EU that includes animals, plants and related products, food and drink, veterinary medicines and wider agricultural goods and products, as well as pet travel.

Secondly, we seek a mutual recognition agreement on conformity assessments, so that businesses do not have to comply with two different systems of safety assessment.

Thirdly, we want consistency in customs processes between the UK and the EU for smoother trade flows. It is simply not sustainable that, as the Scottish Chambers of Commerce stated, more than 40 per cent of firms that export under the Brexit deal say that they

"face difficulties adapting to its rules on buying and selling goods",

nor is it acceptable that 60 per cent say that trade with the EU has got "more difficult" in the past year alone.

Fourthly, we would like to see talks move forward on linking the UK and EU emissions trading schemes. That could help to avoid the negative impacts of the EU carbon border adjustment mechanism, which will have significant consequences for goods being traded across the UK-EU border.

Of course, the best trading relationship would be European Union membership. However, improvements can still take place, particularly if the new UK Government is more realistic about what would be required to unlock such improvements. I believe that much of that agenda will find support in the chamber, and I look forward to hearing colleagues' views during the rest of the debate.

15:15

**Stephen Kerr (Central Scotland) (Con):** This is my first committee debate as a member of the Constitution, Europe, External Affairs and Culture Committee. It is only fair to be clear that I am not speaking for my party on this subject, but I welcome the opportunity to share my thoughts.

Although I was not part of the committee during the evidence gathering, I think that the report is thorough, balanced and fair. I record my thanks to the convener, the committee members at the time, and the clerks.

Whatever members think of Brexit, it is done, and it is not going to be undone. We are not going back. I do not disguise that I am glad that we are out of the European Union, and I would vote leave again. I represented Stirling during the Brexit Parliament, and I voted for Brexit countless times during that Parliament.

**Keith Brown (Clackmannanshire and Dunblane) (SNP):** Would the member not consider, given all that he has heard and what the report says, that Brexit is not done? People are paying for it day in, day out and week in, week out. Businesses are losing money, we are losing trade and exports are being lost. Brexit is far from done. Can he not see that from the report?

**Stephen Kerr:** We have a new relationship with the European Union, so Brexit is absolutely done.

Let us be clear that leaving the European Union was always going to be disruptive. It was always going to change our relationship with the single market. However, the transition could and should have been smoother. The terms of departure and the new relationship should have been negotiated together and not sequentially, because all that that did was make a complex issue even more complex. Of course, the European Union has no interest in making it easy for a member state to leave, and the EU did everything in its power to make it as difficult as possible for the UK to leave.

I turn to the trade and co-operation agreement. It was then, and it still is, an unprecedented agreement for the EU to strike with any third country. It is not the hard Brexit that the cabinet secretary was describing. He has to remember that I sat in the UK Parliament for two and a half years and heard Scottish National Party MPs witter on about a hard Brexit. That would have meant that we left the EU on WTO terms—we have not. We left with an unprecedented agreement.

**Martin Whitfield (South Scotland) (Lab):** The member struggles with the concept of a hard Brexit. Would he accept that it was a Conservative Brexit deal?

**Stephen Kerr:** The agreement was indeed put through Parliament by a Conservative Government after a general election in which, sadly, I lost my seat, but we ended up with a big majority of more than 80—in all, 365 Conservative MPs. Yes, Brexit was done. That was the point of the December 2019 election.

We left with a free trade agreement with many pluses. However, like all negotiations, the agreement was a compromise, and some aspects of it could and should be improved. The committee report effectively outlines how the TCA can be improved to support Scottish businesses, and I support that pragmatism.

Border checks for goods entering the UK from the EU should be implemented without further delay, as is required by the TCA. Allowing EU imports free access to our domestic market while British producers face EU import checks creates, as the report says, “an uneven playing field” and offers us no basis for further negotiation. We cannot negotiate improvements to the TCA without leverage. We have to have something that the other side wants, other than our fish.

There has been much-needed improvement in the working relationship between the UK and the EU since Rishi Sunak’s Windsor framework agreement. I, for one, welcome Britain’s return to Horizon, which is evidence of the improving nature of the relationship post-Brexit. However, when it comes to the TCA review, we must be realistic. The EU is a protectionist bloc. It is tightly focused on shielding big corporate and producer interests. It is not in the business of encouraging competition from imports but is institutionally biased towards producers and certainly not in favour of consumer interests. Therefore, let members be in no doubt that any changes to the TCA will come at a high price, with the EU demanding access to British waters and the return to free movement.

We should not sacrifice British sovereignty, British waters or British fisheries. Should anyone expect the public to be in a mood to be in favour of open borders and uncontrolled immigration, I politely suggest that they have not been paying attention to recent elections, not only here but throughout the western democracies.

I am optimistic about Britain’s place in world trade. Since leaving the EU, we have gone up the global league table of leading export nations. We are now fourth in the world, having just overtaken France and the Netherlands. Meanwhile, the EU’s share of global trade has continued to decline. In 1992, it was 28.8 per cent; now, it is 17.5 per cent. The decline continues.

**George Adam (Paisley) (SNP):** To quote a former US presidential strategist, “It’s the economy, stupid!” Since Mr Kerr is in a positive

mood, what does he think about the report's finding that the SMEs in Scotland are struggling to get to the major market that they freely had access to not so long ago?

**The Deputy Presiding Officer (Liam McArthur):** I will give you the time back for the intervention, Mr Kerr.

**Stephen Kerr:** I have been clear that I would like the agreement to be amended so that it is easier and smoother to trade with the EU. However, the cards are in the hands of the EU, not the UK. Yes, we want to improve trade with the EU, but it is a declining market. We certainly should not be locking ourselves into EU regulations. I am against lockstep aligning with the EU; I support pragmatic divergence, which, in my view, is happening too slowly. We must be more dynamic and build on the achievements of the previous Conservative Government by striking more bilateral trade agreements. If one believes in free trade, how can one possibly be against more of it?

There are exciting and emerging opportunities for British businesses all around the world. In December, Britain will join the trans-Pacific partnership—an agreement that will put the UK alongside the world's fastest-growing and most dynamic economies.

The real prize came back to the table last week. Joe Biden did not want to do trade deals with anyone, but the one thing we know for certain about President-elect Trump is that he loves to do deals. Donald Trump loves Britain, especially Scotland. His business has invested hundreds of millions of pounds in Scotland and created hundreds of jobs. A trade deal in an advanced stage of readiness was being negotiated when President Trump left office; now, with President Trump's return, we should be working every muscle to get back to the negotiating table to do a free trade deal with our biggest single global partner, the United States.

A trade deal with the United States would be the biggest prize of all. I have no doubt that a Conservative Government would be doing that, but I have my doubts about whether Labour will take that on—Labour's recent budget shows that, as the SNP in Scotland does, it has an anti-business and anti-entrepreneur agenda, whether it is through a vendetta against small family farmers or an increase of the tax on jobs.

Yet, I remain optimistic. We can and must make the TCA work better, as is well highlighted in the report, but there is a real opportunity in using the benefits that Brexit can bring in freeing our economy and doing trade deals around the world to support our entrepreneurs, create better jobs and give workers higher wages in every single part of our United Kingdom.

**The Deputy Presiding Officer:** I advise members that there is a bit of time in hand, so you will get the time back for any interventions that you take. I can be fairly generous in the speaking times. I call Neil Bibby, who has a generous six minutes.

15:24

**Neil Bibby (West Scotland) (Lab):** I welcome the opportunity to speak in the debate on behalf of Scottish Labour. I, too, welcome the publication of the Constitution, Europe, External Affairs and Culture Committee's important report on the UK-EU trade and co-operation agreement, which is due to be reviewed by 2026. I join the committee convener, the cabinet secretary and Stephen Kerr in thanking the clerks and those stakeholders who gave evidence to the inquiry.

The committee report makes clear and identifies many areas in which non-tariff barriers from Boris Johnson's trade and co-operation agreement have caused significant problems and led to costs for Scottish businesses post-Brexit. We have already heard differing views from Mr Kerr on the context of that agreement. He also accused other parties of being anti-business, so let us hear what Scottish businesses have said about Mr Johnson's agreement. The committee heard extensive evidence, including testimony from the Scottish Association of Meat Wholesalers, which told the committee about the additional time and cost burden of having to produce export health certificates for individual products.

Quality Meat Scotland told us about the physical inspections that result in significant delays to shipments, which reduce the value of fresh products on arrival. Macsween told the committee that, on one occasion, regulation changes as its products arrived at the border meant a four-month delay and £5,000 in extra costs. We also heard similar evidence on delays from Seafood Scotland and Salmon Scotland. The freshness of their products is key.

**Stephen Kerr:** I am interested to hear, given what is in the report—which I agree with—whether the UK Labour Government will introduce the much-needed import checks on EU products entering the United Kingdom.

**Neil Bibby:** I will come on to Labour's position. However, the Labour Government is committed to upholding our international agreements that we sign up to.

If that was not enough and did not illustrate the point, the committee also heard from Innovative Food Ltd, which referenced its goods, including

chilli cheese nuggets, which were held up at the border for six weeks, meaning that the products melted and were lost. As a fan and consumer of chilli cheese nuggets, I have to say that any loss of such products is to be deeply regretted.

I jest, Presiding Officer, but, in all seriousness, the supplier lost considerable sums of money and has not tried to ship to Europe since that incident. Those are serious issues and many small businesses in Scotland have not even tried to export to the EU.

From increased paperwork for our exporters to the rising cost of importing goods, the challenges are evident. The needs of our farmers, fishers and small businesses are not being met under the agreement as it stands. I welcome that the committee, on a cross-party basis, the new UK Labour Government and the Scottish Government all recognise that.

For me, one of the most important aspects of the report is, as the cabinet secretary said, that it points to ways forward. It is also clear that we must work together to try to resolve those issues for the benefit of Scottish businesses, consumers and, indeed, for those across the whole of the UK—and I believe that we can.

The first step to achieving potential solutions to those issues has to be resetting our relationship with the European Union. Part of that must be to recognise the significant job that has to be done to repair damage to our international relationships that were brought about by 14 years of isolationism under the previous UK Conservative Government. The new UK Labour Government, which was elected just four months ago, is already at work repairing our international relationships, having scrapped the Rwanda scheme, and is working to reset the relationship that we have with the European Union, as well as resetting the relationship that it has with the devolved Governments.

Although a formal review of the trade and co-operation agreement is on the horizon, the new Government is not waiting before acting. I know that some members are keen to know what that reset in relations means. It can be seen by the immediate action to rebuild our global reputation through credible and respectful diplomacy.

As we have already heard, the commitment was underlined by the meeting on 2 October between Prime Minister Keir Starmer and EU President Ursula von der Leyen, when they agreed to strengthen co-operation in key areas such as the economy, energy, security and resilience. Just this week, the Prime Minister was again in Europe, attending the armistice day service in France, with President Macron. He is the first British Prime Minister to do so since Winston Churchill.

The reset is well under way. Do not just take my word for it: the new era of constructive engagement in an attempt to build new positive relations has been welcomed by leaders in capitals across Europe. The committee also heard that from everyone whom we met on our recent visit to Brussels. It represents a fresh, practical commitment to work together in the best interests of both the UK and the EU and sets the stage for more comprehensive agreements in the future.

**George Adam:** Neil Bibby mentioned the committee's trip to Brussels, but I am sure that he is aware that, despite everything that he said about the reset of the relationship, no one in Brussels really knows what the UK Government wants. In fact, one of them—David McAllister—went as far as to quote the Spice Girls, saying,

"tell me what you want, what you really, really want."

What does the Labour Party want, Mr Bibby? Tell us now what the Labour Party wants.

**Neil Bibby:** I will tell George Adam now, but we also told him in July, through our manifesto. We said that we

"will work to improve the UK's trade and investment relationship with the EU, by tearing down unnecessary barriers to trade. We will seek to negotiate a veterinary agreement to prevent unnecessary border checks and help tackle the cost of food",

and it continues.

The question of what we do now is important and has to be our focus, with the pragmatic and forward-looking approach that Scotland needs. That practical approach should include, as the committee heard, advice and support for Scottish businesses from the Scottish Government to help them to be informed and to navigate the current situation. I welcome what the cabinet secretary said in that regard, because there is more that can be done.

Fundamentally, as the committee recognises, we must make trade with the EU more smooth and efficient. As the committee recognises, we should seek a veterinary agreement with the EU—

**Keith Brown:** Will Neil Bibby give way?

**Neil Bibby:** I have already taken two interventions. I am sorry, but I would like to make some progress.

As I said, we should seek a veterinary agreement with the EU to significantly reduce border checks and the administrative burden on exports of agrifoods to the EU. I am pleased that the new UK Labour Government is committed to doing so in order to make it easier for Scottish businesses to export.

The reduction in costs from a reduction in unnecessary trade barriers is not just a potential

benefit to businesses; it can be beneficial to consumers with the cost of living.

**Stephen Kerr:** Will Neil Bibby take an intervention?

**Neil Bibby:** I will give way at that point.

**Stephen Kerr:** I am sorry that Neil Bibby did not take Keith Brown's intervention, but I am happy that he has taken mine.

This is all well and good, but we have very little with which to negotiate with the European Union unless we begin to implement the TCA, as is detailed in the committee report. Will a Labour Government introduce checks at the border on EU produce entering the UK—yes or no?

**Neil Bibby:** We have said that we will uphold the international agreements that we have signed up to. A negotiation will take place and a number of issues will need to be discussed. We have said that we want to reduce unnecessary border checks to help businesses and consumers and that we want to work to reset the relationship with our European neighbours.

**Angus Robertson:** Will Neil Bibby give way on that point?

**Neil Bibby:** I will give way to Mr Robertson.

**Angus Robertson:** I am seeking to be helpful in the spirit of our cross-party agreement.

Does Mr Bibby agree that it is estimated that the price of the veterinary agreement is a 90 per cent reduction in the necessity for border checks, which would be hugely welcome not only for exporters from Scotland and the rest of the UK but for importers from the European Union?

**Neil Bibby:** I absolutely accept that—it would be significantly beneficial. That is why the new UK Labour Government is committed to seeking the veterinary agreement. It would be beneficial to consumers and businesses in the UK as well as in the EU. We certainly want to see progress in that area.

These are still early days. Not only is the UK Government new in office; so, too, are members of the European Parliament and the EU commissioners who are taking up their posts. Fourteen years of our relationship with the European Union being undermined cannot be undone overnight.

The report is timely and welcome. However, it is clear that the UK Government is moving quickly in the right direction to reset relationships with the European Union and the devolved Governments. That is to be welcomed, for our businesses, our citizens and the country as a whole.

**The Deputy Presiding Officer:** I invite members who still intend to speak to ensure that they have pressed their request-to-speak buttons.

15:34

**Patrick Harvie (Glasgow) (Green):** I thank Clare Adamson and the rest of the committee for welcoming me back. I rejoined the committee at the turn of the parliamentary year, so I missed the bulk of the work that went into the first part of the inquiry, which led to the report that we are debating today. I want to acknowledge the work that went into that process and to thank the other members of the committee, the witnesses and the clerks for the work that they did.

I do not take credit for any of the work that went on before I rejoined the committee, but I have to say that, on rejoining it and beginning to catch up with the work that it had done in that period, I was struck by the level of agreement that has clearly been achieved in a report on what could otherwise have been quite contentious political territory. It is striking not only that there was consensus among the politicians on the committee, but that the broad sweep of evidence that the committee took showed a very strong level of consensus on the scale of the harm that Brexit has done and on the fact that the trade and co-operation agreement, although it is necessary, does not, in fact, solve or wish away that harm. Indeed, in some ways, it entrenches it.

Whether we are focused on Scotland or the UK, the country now faces significant non-tariff barriers, as several members have mentioned. I think that Neil Bibby mentioned chilli cheese bites; I am sure that the same issue applies to edible produce. The impacts that those non-tariff barriers have do not affect only products; they affect people's lives—their jobs, their livelihoods and their wellbeing.

The lack of regulatory alignment also undermines human wellbeing. When we talk about regulatory alignment, we are not talking simply about red tape in the abstract. We are talking about rules that have been carefully and painstakingly developed over many years in order to protect human health, wellbeing and our safety.

**Stephen Kerr:** Will Patrick Harvie give way?

**Patrick Harvie:** I will.

**The Deputy Presiding Officer:** I encourage Mr Kerr, who is likely to make interventions throughout the debate, to press the intervention button when he wants to make an intervention.

**Stephen Kerr:** I am grateful to Patrick Harvie for giving way. He talks about regulations, but does he accept that many of those regulations

have been put together to protect the business interests of big corporates in the European Union?

**Patrick Harvie:** What I believe today is what I believed and set out when we were debating Brexit as a concept, before the appalling referendum that dragged us out of the EU without the consent of the people of Scotland. Regardless of where on the spectrum we stand—whether we believe in a free market and deregulation or whether we believe in strong regulation and a well-regulated social market economy—having a larger market with a common set of rules is an immense benefit to the country. If we were part of a wide EU with many more members that had a deregulation, free market obsession, I would oppose that economic model, but I would not seek to remove people's rights and freedoms by taking us out of the EU; I would seek to change the economic arguments.

We have been left with a trade and co-operation agreement that, as I said, entrenches some of the harms of Brexit rather than solving them. There is a need for a new, closer relationship. It is understandable that Neil Bibby was challenged a wee bit on the detail of what Labour intends to achieve, but I welcome the fact that a UK Government that seeks a better, stronger relationship is now in place. I still do not know what that relationship will be, and I do not think that it is a condemnation to say that the UK Government has probably not figured out the detail of where it will be able to take that, but I welcome the opportunity.

The review of the TCA, in itself, will not achieve a new, closer relationship, as it will be a narrow, technical process. At the same time, there is the potential for renegotiation of a veterinary agreement and a sanitary and phytosanitary agreement. That is all well and good. They offer the opportunity for specific improvements and closer alignment on regulation—in my view, the closer the alignment, the better—and they require the question of freedom of movement to be addressed.

Some of what committee members heard during our visit to Brussels amused me a wee bit. On a number of occasions, EU officials or institutional voices would tell us that they were, of course, willing to discuss what the UK wanted but that we would have to accept every dot and comma of EU law and would have to apply all those laws without having any part in shaping them. We also heard a UK voice telling us that the European Union would, of course, give us what we ask for because, in the end, it would be in its interests to do so. There was a slightly funny and false position in some of the opening negotiating stances, but I do not think we should take that stage in the argument very seriously.

However, both sides discussed the value of mobility. We should recognise the value of human mobility because, in any market where capital is free to move but people are not free to do so, the only result is exploitation: the owners and controllers of capital will be able to force wages down to the level that they choose, rather than allowing people to be free to seek the economic opportunities that they wish, on their own terms. I believe that having an economy in which human freedom matters more than the freedom of capital means that people must be freer than money. It is important to have the opportunity to address the issue of mobility.

The EU does seem willing to give some flexibility in how that is framed, for example by talking about the "youth experience" because they think that it might be less threatening for the UK to discuss that than to talk purely about "youth mobility". I will make the case for youth mobility, but if we can achieve any improvement to the youth experience that will be so much the better. However, that will not achieve or restore everything that has been lost because, in my view, the establishment of the principle of freedom of movement was one of the most astonishing political achievements of the post second world war era.

For generations, the young people of Europe knew that their fate might be to be rounded up by their own Government, marched across fields and ditches and made to slaughter each other in the interests of those Governments. After the second world war, we began building a set of relationships and institutions that allowed young people to choose for themselves whether they wanted to travel to another European country to work, study or make a life—or just for pleasure. That astonishing principle of freedom of movement is one of the most extraordinary political achievements since the second world war and it is tragic that that right and freedom has been ripped away from the young people of the current generation. It can and should be restored to them and, according to the most recent poll of polls on Brexit, 56 per cent of people in the UK think that that right should be restored, because that is the number of people who support rejoining Europe, with 44 per cent saying that we should stay out.

I will address some other points in my closing speech, but will finish now by noting that the UK Government says that it wants a reset. It must be put under pressure, including from Scotland, to define what a reset means. We must recognise that the European Union is not yet ready to use the language of "reset" and that it wants to know what the UK Government has in mind. We all have a right to know what the UK Government has in mind and I hope that it is the maximum alignment with Europe that we can possibly achieve.

15:43

**Willie Rennie (North East Fife) (LD):** I am so grateful to Clare Adamson and the committee for bringing this debate to the chamber. My heart skipped a beat when we were given the opportunity to debate Europe again, because, for years, this Government has deprived us of that. The Government was fixated on debating Europe almost every single day during the Brexit process but we have been deprived of that since then, so I am delighted that we are debating this motion. I say that with all sincerity, because I am strongly pro-European, probably to a fault, and deeply regret the Brexit process. Liberal Democrats were among the leading campaigners trying to stop Brexit, but we did not succeed.

**Stephen Kerr:** Will the member accept an intervention?

**Willie Rennie:** Yes, I will take an intervention.

**The Deputy Presiding Officer:** Stephen Kerr is still not pressing his intervention button.

**Stephen Kerr:** Willie Rennie makes a good point, but he must remember that the Liberal Democrats were the party that first suggested we should have an in/out referendum on the European Union. We had that referendum and we voted to leave. That is the reality, is it not?

**Willie Rennie:** I am not sure that we want to go back into the ugly period of parties proposing various types of competing referendums and saying how different they were from one other. Nevertheless, Mr Kerr has a point, because we wanted people to have a say in certain circumstances. We did not want the campaign that the Conservatives put forward or the outcome that we saw. We recognise that that is what people voted for, but we deeply regret it, because the damage has been incredibly deep, as I am sure Mr Kerr, in his quiet moments—if they exist—would acknowledge.

I have the example in my constituency of a small business that used to trade small volumes of its product to Europe, sometimes on a trial basis with new customers. That is now stone dead. Given the expertise that is required, there is no point in it going through the whole process of understanding all the regulatory changes and the costs that are involved for a small product when it may not result in a bigger volume of trade, so it does not do that any more. That is deeply regrettable for a company that is particularly valuable for my constituency. We have also seen the impact on the agrifood sector, which has been severe.

We need to take people with us. We campaigned for years to try to reverse Brexit, but we did not succeed. We now have a four-stage process of repair, building confidence, deepening the relationship and, ultimately, going for single market membership. However, that has to be done pragmatically. I think that our debate today and the committee's report will help in that regard.

**Martin Whitfield:** With regard to the process that Willie Rennie articulated, does he agree that it has to follow in that sequence? We first need to start building relationships with individuals and at Government and parliamentary levels. Moving ahead of that at this point would be a foolish thing to do. We saw the result of that approach during the Brexit negotiations that we witnessed only a few years ago.

**Willie Rennie:** Mr Whitfield has a valid point. That is why I am pleased about the tone or the vibe that the Labour Government has set in proposing a reset, because that will start to seep through to the European institutions so that they understand that there is a willingness on this side of the Channel to reset the relationship. To be fair to Rishi Sunak, I think that the Windsor agreement was a step in the right direction, particularly as regards trying to settle the arrangements in Northern Ireland. The signal that he and Ursula von der Leyen gave about the Horizon arrangements between research institutes and universities was also a step in the right direction.

Both Governments—latterly, after the deep damage was caused—have recognised that the political will needs to be in place for all the things that we have talked about today to be implemented effectively. The veterinary agreement must be first on the list. There is a commitment from the Labour Government to make that happen. It is probably the single most valuable thing that we can do to make a big difference and build confidence with our European partners so that we can take other measures as well.

An awful lot of this involves detailed practical work that most of us would probably not understand, but it is really important that we set the political framework for it to work effectively. For example, we need the rules of origin arrangements to make sure that products and parts of products that come from other parts of the world do not clog up the whole system and that we have mutual recognition, particularly in relation to regulations on the registration, evaluation, authorisation and restriction of chemicals, or REACH. We need to have an understanding on both sides. To be honest, the UK REACH is broadly similar to the EU REACH, so I am not sure why we have different ones. We could have something that is very similar and understood by everyone.

Stephen Kerr talked about having much more progressive changes to the regulations to seek opportunities in the rest of the world. The reality is

that an awful lot of changes happen almost every day and we have no contemplation of what they are or what they mean. We have not been able to keep on top of even the passive changes between Europe and the UK, and that is a problem. Before we get to making progressive changes, we need to understand what is happening now. That makes it much more difficult to have an understanding of divergence and how we can prevent it. Another example is emissions trading and linking the two things together. Again, there will be a pragmatic and sensible way of making that happen.

I am a bit more sceptical about whether the Government is in a position to be able to offer practical advice to individual businesses about the way in which they can understand the European Union, but we should try to make that happen. However, as I said, if the changes that are progressing are happening almost every day, that will be difficult.

Finally, I notice that the minister was incapable of answering my question about keeping pace. At one time, it was the big solution from Michael Russell: we were to have keeping pace measures whereby Scotland could stay in alignment with the European Union, so that, when the glorious day came for independence, there would be a smooth transition from one to the other. According to what the minister said, that seems to have been completely abandoned, and he is now going for an alternative process.

**Clare Adamson:** Will Willie Rennie take an intervention?

**Willie Rennie:** Let me just finish my point.

All the work that we did at that point seems to have come to not very much. I would be interested in hearing from the convener on whether she can enlighten me that I am wrong.

**Clare Adamson:** I ask Willie Rennie to reflect on the fact that the Welsh Government, which did not seek independence at that time, had exactly the same keeping pace powers that were established here. That was all about pragmatism on the way forward. It was about not independence but pragmatism.

**Willie Rennie:** The idea that the Welsh Government is as incompetent as the Scottish Government does not fill me with great confidence.

The most important issue is that we have had political opportunism from the SNP—which has been desperate to show that it is more pro-European than everybody else—but, in reality, that comes to nothing.

I will finish with a point on Erasmus. We were promised an Erasmus scheme like that of the Welsh, and we do not have it. It was promised endlessly by the minister but is now not happening. That is a big let-down for young people in this country and is why they are a bit sceptical of the Government.

**The Deputy Presiding Officer:** We move to the open debate. I call George Adam to speak for a generous six minutes.

15:51

**George Adam (Paisley) (SNP):** I thank the other committee members and the clerks for all the work that they have done to get us to this stage with the report. Obviously, we will come to the service industry side of the report in the future.

For a debate like this one, a member spends a lot of time working out what to say on such a diverse subject, how to say it within their allocated time and where the best place is to start. Obviously, a preamble like that is not a good place to start, but the trip to Brussels was a good start for us, because, when the committee went there, we managed to see the European Commission and speak to various individuals. All spoke with a united voice in asking us what the UK wanted. There was also a lot of love for Scotland—Stephen Kerr would be shocked to hear the love for Scotland in the European Union.

Those people were very pragmatic. When I intervened on Neil Bibby, I made the remark about the Spice Girls song that was mentioned. They want to know what is happening. I am not asking the UK Government to show its hand in negotiations beforehand, but, when the door is half open, the opportunity must be taken to go in and start the conversation.

One of the reasons why the European Union does not like Labour's idea of a reset is that—to be fair to the Conservatives, which is not something that people hear me say often—it regarded Rishi Sunak's Windsor framework as a step in the right direction. However, relationships could not have got any worse because, from Boris Johnson, there was absolutely no idea of any sort. It was a stalemate. There was no way forward.

**Stephen Kerr:** Will George Adam take an intervention on that point?

**George Adam:** Yes—no problem.

**Stephen Kerr:** I should have pushed my button.

George Adam made a fair point about the relationship. There is no doubt that, during the Brexit process, relationships got to rock bottom. Does he not agree, though, that the events of spring 2022 on Ukraine's eastern border somewhat changed the dynamic of the relationship? As a European family of nations, we realised that, regardless of which bloc we might sit

in, we need one another. When something as sacred as the principle of freedom is at stake, as it is in Ukraine, our countries have come together, and the relationship has been touched by that in a positive way.

**The Deputy Presiding Officer:** Mr Adam, I will give you the time back.

**George Adam:** The valid point is that, during our discussions with those in Brussels, that was brought up quite a lot. When there is a war on the borders of Europe, there is talk about how we—as Europeans, I say to Mr Kerr—defend not just trade and freedom of movement but what we believe in with regard to how we want Europe to go forward. European countries want to talk more about that, and Scotland and the UK should have our doors open to having those discussions with them, as the situation affects every one of us and we must make progress on it—although, following the outcome of the American presidential campaign, who knows what will happen, now that Mr Putin's good friend is in the White House?

I would like to take some credit for the committee's excellent report, but, although it features my shiny face, I was, unfortunately, only a member of the committee for the very last part of the inquiry. However, I look forward to talking about the service industry part of the report. In one of the first evidence-taking sessions that we held on that part of the inquiry, the Faculty of Advocates told us that many of its members are registering in and moving to Dublin, because Ireland is an English-speaking country from which they can still get access to the EU. Scotland is losing the ability to be part of the provision of that service.

**Martin Whitfield:** The question of professional recognition of doctors, teachers and medical professionals has haunted us since Brexit, and it is one of the areas that needs to be looked at. It will be interesting to see whether the follow-on work of the committee deals with that specific aspect.

**George Adam:** Now that Mr Whitfield has said that, I will make sure that I ask questions about that when the relevant people come to the committee.

One of the important aspects of the report is that the UK-EU trade and co-operation agreement has created significant challenges for Scottish businesses that want to export to the EU, primarily due to non-tariff barriers, which include customs formalities, regulatory checks and rules of origin requirements. Agrifood producers face particular challenges in that respect. However, my colleagues on the committee and I have concerns about the fact that the situation has affected Scottish small and medium-sized enterprises disproportionately. As we all know, Scotland has a long-standing tradition of having small family businesses, and there is a higher proportion of SMEs in Scotland than there is in the rest of the UK. All those businesses play a vital part in our economy, and they have been let down by a hard Brexit that the vast majority of Scotland did not want.

If we look at Scottish SMEs in more detail, we can see the key sectors that they are in: tourism; food and drink; technology; and the service industry. It was obvious that those sectors would be affected by Brexit, so it is no wonder that most of Scotland voted to remain in the EU. Everyone benefited from being part of the EU and from Scotland trading as an equal member. Now, however, businesses have to get bogged down in the administration around exporting their produce to Europe—what some Tories called red tape in the old days. Many SMEs, particularly companies in Renfrewshire that were supplying produce to the EU, are having difficulty doing that because it is not worth their time to go through all those hoops. That is something that we have lost. Those SMEs have been the backbone of our economy and shall remain so, but the UK Government's Brexit policies have made life harder for every one of them.

On 23 June 2016, people in Scotland voted to remain in the European Union, by a margin of 24 per cent. Every local authority area in Scotland voted for that. However, despite that democratic expression, the UK Government went for a hard Brexit—a hard Brexit that has harmed our economy and caused all manner of problems for individuals and businesses. The problem that we have is that the UK Government has blatantly gone down that route instead of trying to find a way to negotiate and work with colleagues in Europe.

As I said, our SMEs are the backbone of our economy, but who is going to be looking out for them? Who is going to be talking them up? It will not be the Conservatives, because they forgot about doing so a long time ago—the ideology of Brexit is more what they are interested in. Who is going to talk about small family businesses in Scotland that want to move forward? It has to be people like us who put their voice forward. Who is talking to the European Union? When we had our discussions in Brussels, we mentioned that, proportionally, we had more SMEs than anywhere else in the United Kingdom. Those we were talking to were surprised by that. However, that never came from a UK delegation, and it would never come from a UK delegation.

Scotland's economy is needlessly suffering billions of pounds of damage due to Westminster's decision to take Scotland out of Europe. Brexit is costing the UK economy about £100 billion every

year. That is a loss of investment that should be going towards our public services. Labour members, like the Tories before them, do not want to address the elephant in the room when it comes to the single biggest issue that is damaging our economy. By ignoring Brexit, however, they are guilty of ignoring the needs of businesses across our country.

The SNP is resolute in its belief that Scotland's interests are served through EU membership, and we will continue to campaign for Scotland to rejoin the EU single market as an independent, free nation.

16:01

**Martin Whitfield (South Scotland) (Lab):** It is always a pleasure to follow George Adam. I agreed with almost all his speech—bar the last paragraph.

As other members have done, I extend my thanks to the Constitution, Europe, External Affairs and Culture Committee for what I think is an excellent report. Indeed, it falls into a series of reports dealing with such matters, which committees can look at more usefully. The committee's remit obviously lends itself, in essence, to the relationship between ourselves and Europe through the UK Government, and I welcome much that has been said in the report, which lays out the reality of the impacts of the trade and co-operation agreement that was negotiated by the previous Conservative UK Government.

We had an interesting discussion about what we should call that Brexit—a "hard Brexit" or a "Conservative Brexit", for instance. Sadly, the Brexit deal is the reality, and it has affected us ever since it was entered into. Members have been right to point out that the breakdown in the relationships between individuals and institutions across Europe and the United Kingdom occurred because of the approach that was taken for other reasons—which I might understand but certainly do not agree with. To recover or come back from that position is, to be honest, very difficult.

Work is already taking place, with groups from the committee travelling to Europe, which is essential—it is a very important part of the role of committees in the right inquiries—and work by the UK Government is taking place. Work is also taking place through myriad conversations between SMEs and people across Europe in an attempt to build a relationship, at which point discussions can start to take place.

There is, of course, an opportunity in 2026. By fair play, good luck or whatever, the option exists in 2026 to make a change and an improvement. The committee has highlighted that there is so much more that the UK and Scottish Governments can do to support businesses, so that they can better manage and navigate the complexity of the current trading environment. That work—the preliminary work and the discussions that will take place running up to 2026—is so important.

**Keith Brown:** I return to the point that I was trying to make to Neil Bibby. We heard from Stephen Kerr that Brexit was done, but, somewhat awkwardly, he had to admit that the leg that required border controls for coming into this country had not been implemented. Those two things do not sit side by side. I am not asking for the Labour Government's view, but what is Martin Whitfield's view about when those measures should be introduced?

**Martin Whitfield:** The member highlights one of the great tragedies of this situation, which is the lack of detailed work on the minutiae that needed to happen following the Brexit decisions back in 2019. We find ourselves in a position in which we lack the individuals to put in place at various places, and we lack the regulations, the skills, the notifications and the information for businesses. The border checks were supposed to start rolling out throughout 2024, but, in effect, nothing has happened because the detailed work was not done previously. I could pick a date, but I would be picking it out of the air, because I am not in the circle where the discussions about the minutiae need to take place. If those discussions do not happen, we will have chaos where we have had false starts until now.

As has been mentioned a number of times, with the change in the UK Government, we are now seeing positive moves towards a veterinary agreement. One always has fears about talking about low-hanging fruit, but the significance of arriving at a veterinary agreement would be particularly considerable for businesses in Scotland.

I note that, in her opening speech, the convener talked about the committee's invitation to the UK Government. I understand that the Minister for the Constitution and European Union Relations, Nick Thomas–Symonds, has indicated an intention to have discussions with the committee, and I am sure that the committee welcomes that, as I do. We have seen a sea change in the relationship between the two Governments in that each respects the other. By simply achieving that, we are opening doors to discussions in which the Scottish Government should rightly have an input and the UK Government can set out its position.

I realise that time is tight, but I want to discuss Mr Kerr's pragmatic approach to the future as well as his optimism about democratic elections in various parts of the world, particularly the United States. I gently remind him of what happened the

last time that we were in this position with tariff wars, particularly with regard to the whisky industry. At that time, he and I worked to reduce the damage, and it was a challenge.

**Stephen Kerr:** I have enormous regard and respect for Martin Whitfield, and he knows that, but does he agree with Peter Mandelson's comments, which were reported yesterday, that the position that the UK needs to take in relation to the United States and the EU is to seek the best of both worlds and that that will require the UK Government and its diplomatic missions to be nimble?

**Martin Whitfield:** I am grateful for that intervention. Labour wants to build and lead a developing global trade that puts people, our communities and our SMEs first. The results of the harsh language that we heard during the Brexit referendum showed the foolishness of taking such an approach.

In the short time that I have left, I want to mention something in the report. I was fascinated by the paragraphs that deal with the role of the parliamentary partnership assembly. I hope that, in its subsequent reports, the committee can return to that issue. We are talking about not only a body that scrutinises but the expertise that needs to feed into all these discussions. In essence, that comes down to the lived experience and professionalism of various groups and stakeholders at various levels, including SMEs, the Scottish Government, the Scottish Parliament and beyond.

I am grateful for your indulgence, Presiding Officer.

16:08

**Kevin Stewart (Aberdeen Central) (SNP):** I welcome this debate. I spent some time as a substitute on the Constitution, Europe, External Affairs and Culture Committee and was there for some of the sessions that looked at the UK-EU trade and co-operation agreement. I will come back later in my speech to some of the things that I heard there.

Since that time, and since the publication of the committee's report, the world has changed yet again. The election of Donald Trump has fundamentally changed the international world on which the UK's relationship with the EU is built. The Brexiteers laboured under the belief that the UK could be a bridge between the US and the EU, but we all know that, under Trump, it is his way or the highway. Trump's threats of 20 per cent tariffs on all overseas imports will decimate global trade. With the UK being one of the most trade-reliant places in the world, the folly of Brexit has never been so clear.

**Patrick Harvie:** Would the member agree that the threat that he quite rightly outlines from Trump itself justifies the argument that we must rely on multilateralism if we want a world that is going to work in the interests of humanity everywhere? The right is currently pushing the idea that we should all move to bilateral relationships, but that is only going to increase the opportunities for Trump and people like him.

**Kevin Stewart:** I agree completely with Mr Harvie. Even if Trump's isolationist America-first approach leads to bilateral agreements with some places, it will be Trump's way or there will be no deals at all. I will come back to some of that in a moment.

We need to secure trade with our biggest markets in the EU, and prepare for the onslaught of Trump's tariffs. Ideally, we would abandon bonkers Brexit and return to the European fold, but it is clear that Labour in London is a Brexit-first party still. It is vital, therefore, that we in Scotland do everything that we can to maintain alignment with EU standards while weathering the storm that is to come.

**Douglas Lumsden (North East Scotland) (Con):** Does the member accept that, if we went back into the EU, that would mean rejoining the dreaded common fisheries policy, which would damage so many businesses in the north-east?

**Kevin Stewart:** To be quite honest, I would like to conduct negotiations with the EU as an independent Scotland. Europe would then recognise that we, as Scotland, see fishing as a priority. It was never a priority for the UK, and that is why we ended up with some duff deals. We would have done better in fishing negotiations as an independent Scotland.

It is vital that we do everything that we can to weather the storm, because the other path—the path of appeasement with Trump—is the path to disaster.

**Clare Adamson:** Does the member have time to reflect on the evidence that the committee took from seafood producers and exporters in Scotland on the damage that Brexit had done to them? Far from Brexit being good for the fishing industry in the north-east, it has been very detrimental.

**Kevin Stewart:** Absolutely—I will come to that in my speech, if I get there.

I return to Trump, who is a man who is interested only in what he and his mates can get. For closer alignment with Trump's America, he will demand access to the world-leading Scottish farming industry with a US standard of pesticide-laden plants and Frankenstein foods. For that reason, I fear that Scotland's farmers will be caught between Trump's agribusiness

conglomerates and the UK Government's contempt for small family farms.

Of course, for closer alignment with Trump's America, Trump will also demand access to our NHS; Wes Streeting's creeping privatisation has already opened the door for that.

We can look to the aeronautics industry for the reality of the Trump takeover if we do not maintain close alignment with the EU. Yesterday, trade unions announced that UK production of the Eurofighter had ground to a halt, with the Labour Party in Westminster more interested in buying the American F-35 than building planes in the UK. By abandoning partnership with Europe, and destroying the UK's defence industry, we will have no choice but to go cap in hand to Trump, and where does that leave Ukraine?

One of the worst-affected industries in Scotland has been our seed potato industry, which we took evidence about. Prior to 2021, the industry exported 30,000 tonnes of seed potatoes to the EU. However, thanks to Brexit, Scotland is now a third country. Everyone knows that Scottish seed potatoes are the best, as not only do we grow excellent tatties, we are too far north for aphids and the viruses that they carry. However, thanks to Brexit, we cannot export our tatties, and the EU has to settle for second best. [*Interruption*.] I have already taken an intervention from Mr Lumsden, so he should sit down.

The situation for seafood is a little better. We can at least export our seafood to the EU. [*Interruption*.]

**Finlay Carson (Galloway and West Dumfries) (Con):** Misrepresenting the—

**The Deputy Presiding Officer:** Mr Stewart, could you resume your seat for a second?

Every member who has spoken in the debate has been generous in accepting interventions, and it is up to the member whether they take the interventions. That is not an invitation for interventions to be shouted from a sedentary position, Mr Carson, as you know.

Mr Stewart, please continue.

**Kevin Stewart:** Thank you, Presiding Officer. I have taken three interventions.

The situation for seafood is a little bit better, as we can at least export some of our seafood to the EU. However, the piles of paperwork make it more expensive, and delays at customs can cause shipments to spoil. As the convener pointed out, our seafood exporters now export to fewer destinations and fewer customers, which means that prices are poorer. We need to remove barriers to the EU for our seafood industry, to allow the finest prices for the finest fresh produce.

Another sector that has taken a hit is our universities. They need to attract the brightest and the best, not only to come to study here but to transfer that world-leading education into world-leading ideas and to build world-leading companies. Those folk are the gold mine of talent that every other country wants, but the mantra of broken Brexit Britain is to send them home.

Of course, the door that Brexit closed swings both ways, and our young folk now struggle to spend time in the EU. All of that has been disastrous for Scotland and for the rest of the UK.

We need to make change, and I think that that change should be an independent Scotland within the EU. However, we need to draw a line now and say to Westminster and Washington that Scotland is open for business, but Scotland is not for sale.

**The Deputy Presiding Officer:** The final speaker in the open debate is Keith Brown, who has a slightly less but still reasonably generous six minutes.

16:17

**Keith Brown (Clackmannanshire and Dunblane) (SNP):** I thank the clerks and the convener of the committee for the report. I know the work that the conveners had to do to make sure that we got a report that has been commended by everybody. Bringing together a consensus is not easy on the committee sometimes.

Before Brexit, Scotland enjoyed a frictionless trading relationship with the EU, thanks to our membership of the single market and the customs union. It was a system that allowed our businesses to thrive, from our iconic salmon and seafood industries to our small and medium enterprises, which could access European markets with ease. However, today, as the committee's report highlights, that reality has dramatically changed. The UK trade and co-operation agreement, while boasting of being tariff free and quota free, is far from frictionless.

The evidence that is presented in the report makes it clear that non-tariff barriers are strangling Scottish exports, especially for our smaller businesses. One of the witnesses the committee heard from, who was from Northern Ireland, said:

> "The UK is ... becoming one of the most expensive places in the world ... to do business."—[*Official Report, Constitution, Europe, External Affairs and Culture Committee*, 2 May 2024; c 13.]

Another witness said that it was easier to export to Russia or North Korea than to the EU.

Those are damning statements on the impact of Brexit. For example, for the seafood industry, which relies on the EU for more than 70 per cent

of its exports, Brexit has been a significant blow. Salmon Scotland has reported a loss in export value to the EU of up to £100 million since 2019. That is not just about numbers and money but about the livelihoods of thousands of Scottish families who depend on those industries.

Incidentally, one of the vaunted benefits was that we would get a grip of immigration. Today, it has been published that the UK has the highest immigration rate in the whole of the Organisation for Economic Co-operation and Development. Obviously, that never worked for those who wanted that.

The Federation of Small Businesses has shown that Europe remains the largest market for UK SMEs, yet those are the very businesses that are being hit by the added costs and the regulatory burdens that are imposed by the TCA.

The report also emphasises the growing regulatory divergence between the UK and the EU. I say to whoever mentioned that point earlier that there was no way that we—even the House of Lords, which did most of the work—were ever able to monitor convergence, and there is no way that we can properly, in my view, monitor divergence. It is so expansive and it happens all the time.

The Independent Commission on UK-EU Relations has warned that further divergence could hamper trade not only with the EU but with other global markets that recognise EU standards. We are committed to aligning with the EU wherever possible, but our powers to do so are limited by Westminster.

I think that the efforts of the Prime Minister in relation to some of the security work that is going on now are commendable, and he should go further. That work is very important, but it also shows what we lost—in the EU, we could work not only with France and Germany but with defence partners across the board.

The seed potato industry has been mentioned. Britain used to export 30,000 tonnes of seed potatoes to the EU, valued at £13.5 million, but that market was closed overnight. The NFUS—

**Finlay Carson:** Will the member take an intervention?

**Keith Brown:** I will, if Mr Carson can be brief.

**Finlay Carson:** I do not know whether I can be brief because there are quite a few things to say. The Scotch Whisky Association suggests that exports are up by 8 per cent compared with 2019. QMS has suggested that, after an initial dip, beef and lamb exports are coming back to pre-Brexit levels. Seafood Scotland suggests that there has not been a reduction in the trade of seafood. Will the member comment on that and on the hard work of those businesses?

**The Deputy Presiding Officer:** Keith Brown, I can give you the time back.

**Keith Brown:** I will repeat what the seafood industry has said. Salmon Scotland has reported a £100 million loss in the value of exports to the EU since 2019. I was about to mention the NFUS, which has made it clear that the

"consequence for growers has been immediate and grave".

Although we welcome the committee's support for securing a derogation for Scottish seed potatoes, we cannot afford to see other sectors face similar fates.

As we have heard, the situation in Northern Ireland provides a stark contrast. The benefits that Scotland would have had as an independent and English-speaking member of the EU were huge at the point of Brexit. Instead, that value has gone to Ireland and, to some extent, to Northern Ireland, which, like Scotland, voted to remain part of the EU. At the committee has heard, Scottish businesses are watching Northern Ireland as it uses its unique status to attract investment and trade that we can no longer access under the TCA. That unequal treatment only strengthens the case for Scotland to chart its own course.

In a previous inquiry, the committee heard how Brexit has decimated the music industry in Scotland and the rest of the UK because people are unable to participate in festivals across the EU.

In its recent manifesto, the Labour Party promised to reset the relationships. That is a step in the right direction, but—let us be honest—tweaking the TCA will never bring us back to the frictionless trade that we once enjoyed. The only way to truly restore Scotland's prosperity is through rejoining the single market.

Stephen Kerr said that it was not a hard Brexit. I remember Daniel Hannan and Boris Johnson saying that they were not going to touch the single market—that it was not about the single market—but they lied, because they eventually did exactly that. They took the hard Brexit that they said they would not take. I think that some people need to research and understand what free markets are about. In the 1980s, Margaret Thatcher said that the single European market would be the best thing ever for the UK, which view seems to have been turned on its head by the current crop of Conservatives.

A single market works only if it has regulation and measures that prevent it from going out of control. To find the Labour Party, to some extent, and the Conservatives trying to deny the reality of the damage that Brexit is causing is unbelievable. It has been disastrous for our economy, and our businesses deserve better. We hear parties say

that they are champions for small businesses, but they are willing to turn a blind eye to the billions that are being lost by our businesses since Brexit.

It is clear from the report that Scotland's interests are best served by being part of that European family. If the UK Government is unwilling to listen to the calls for a better trading relationship, it is up to the people of Scotland. We had a discussion—

**Stephen Kerr:** Will the member take an intervention?

**Keith Brown:** I will just finish this point. Some have said that we should have a referendum—somebody even said that the Liberal Democrats were the first to propose a referendum. I think that we should have a referendum. Nothing is more guaranteed in this life than that Scotland will one day join the EU, and that the UK will rejoin the EU. Everyone knows the benefits of doing so, but they do not want to talk about it yet, because they are scared of political consequences. However, it will happen, and the sooner we do it, the less damage Brexit will have caused. If he still wants to intervene, I will give way to Mr Kerr.

**The Deputy Presiding Officer:** Very briefly, Mr Kerr.

**Stephen Kerr:** It is not going to happen—but can we get the facts right? It is not the UK that is stopping exports from the UK to the EU; it is the EU. It is the EU that has to be persuaded about the seed potatoes and about all these other regulations, not the UK—

**The Deputy Presiding Officer:** Thank you. Keith Brown—[*Interruption*.] Keith Brown, if you could wind up, please.

**Keith Brown:** That is a consequence of the deal that the Tories did, so it is back to the Conservatives. The FSB has said that that has been very damaging and very serious for businesses.

The other point about the EU and EU membership is the one that Patrick Harvie made: the biggest achievement of the EU was peace in Europe. If people want to know the value of peace, which people do not appreciate until they have war, they should go to Ukraine and ask people there about the value of peace. That is why the EU won the Nobel prize.

One day, Scotland will rejoin the EU, and I am sure that the UK will follow thereafter.

**The Deputy Presiding Officer:** I advise the chamber that any additional time that we had in hand has now been exhausted, and therefore members will have to stick to their speaking time allocations. We move to closing speeches.

16:25

**Patrick Harvie:** I especially commend some of those last comments by Keith Brown.

The tone of the debate has shown very clearly that our politics still suffers from the effects of 2016: the manipulation and the false promises that were made to engineer the result, and the polarisation in politics that resulted.

I spent my life as a European citizen, as this country joined Europe at roughly the moment I was born. Throughout all that time, I perceived the European project as one that showed that co-operation had many benefits. Those benefits were not only economic, although a number of members have described clearly the economic benefits that have been lost. I have to say that the frequency with which a certain member in the chamber has laughed at the description of the loss of those benefits has been remarkable.

The benefits were also social and political. The creation of a society across Europe that would reject the far right was, to me, fundamental to being part of the European project, for an individual as well as for a country. That is ending now; it is being threatened as we see the far right on the rise in the UK, in the US and in many European countries.

It is noticeable, and it needs to be remarked on in this debate—which is about not just the technicalities of the TCA but the changing relationship that we have with Europe—that the rise of the far right in the UK came in the form of Brexit. That is what Brexit was as a political project. Much of the UK's media boosted Nigel Farage's cult, and then along came Boris Johnson with his false promises printed on the side of a bus.

If Mr Kerr's position is reflective of the Tory position in seeing the election of a fascist in the US as an opportunity—as something to be positive about—it is clear that there are no moral depths to which these people will not sink. Trump is clearly not a democratic politician and poses a severe threat to the rest of the world. One of the threats that he poses to the rest of the world will be worsened if we do not restore our relationship with the European Union. [*Interruption*.]

**The Deputy Presiding Officer:** Mr Harvie, can you resume your seat?

I appreciate that emotions may run high in this debate, but I will not have members on the front benches chatting to each other while another member has the floor.

Mr Harvie, please resume.

**Patrick Harvie:** Taking the opportunity, and, I believe, the responsibility that the new UK

Government has to begin to restore the damaged relationship that our country has with the European Union will be critical if we are to find new ways to resist the continued rise of the far right.

I want to address a point on which Willie Rennie disagreed with colleagues. I hope that he might reflect on the point that throwing the odd random insult at the Welsh Government just because he does not like the Scottish Government might be beneath him, but he made an important point about what regulatory alignment means.

I believe that regulatory alignment was the right policy to set as an objective in the wake of Brexit. It aimed to achieve the least damage and to sustain the most benefit that we possibly could in circumstances that we had not chosen. However, it is true that, as time moves on, divergence will emerge, not only on the UK side, which we do not have control over in Scotland, but on the European side. We need to be willing to ask ourselves what we seek to achieve by regulatory alignment and how that policy must change in order to keep up with changing circumstances.

I come back to the value of freedom of movement, about which I spoke, and, in particular, the value of youth mobility. Youth mobility has been an extraordinary benefit of being part of the European Union, but it has not been shared equally; it has not been felt by all parts of our society. People who were studying certain higher education courses got the opportunity that youth mobility in Europe offered, but others in society did not—there are too many examples of that. We need to try to ensure that, as we restore the benefit of youth mobility, it is widely shared.

I want to make the case for the net zero agenda and, in particular, Scotland and the UK's shared need to catch up with European countries that are decades ahead of us in decarbonising their heat, whether through heat networks, the installation of heat pumps, or just through what should be a basic normality in a cold northern European country—building homes that are fit for a cold climate.

We need to learn from countries that are decades ahead of us, not just by importing skills but by ensuring that not only people who study particular courses at university but every construction worker, plumber and heating engineer gets the opportunity to spend time in Europe. That is one example of where the net zero agenda needs to connect to the mission that we should share of restoring our relationship with Europe and ensuring that its benefits are shared more equally in society.

**Stephen Kerr:** On a point of order, Presiding Officer. Can I have your guidance on how I might get it into the *Official Report* that no one on the Conservative side of the chamber laughed—at all—at the struggles and the challenges of SMEs in Scotland? What was said is an example of the bullying tactics that we see too often in the chamber from Patrick Harvie.

**The Deputy Presiding Officer:** Thank you, Mr Kerr. That was not a point of order, but I think that you have answered your own question.

16:32

**Foysol Choudhury (Lothian) (Lab):** I am pleased to close the debate for Scottish Labour. I join other members in thanking the committee for its work in publishing the report, and the stakeholders who gave evidence. As we move further into the post-Brexit world, it is right that we work to understand the implications of the new rules created by the "Conservative Brexit", as Martin Whitfield called it.

The report outlines how the current trade and co-operation agreement is affecting our businesses, as well as the opportunities that we have to improve it. However, if we are to renegotiate the agreement, we must have a positive relationship with Europe. I am pleased that members of other parties welcomed the Labour Government's reset of European relations. Although renegotiation of the agreement will not take place until 2026, the work on rebuilding Britain's relationship with the EU and repairing the damage that was done by the previous Conservative Government is already under way.

I join the cabinet secretary in welcoming the joint statement by Keir Starmer and Ursula von der Leyen, which reaffirms our shared values and agrees to strengthen the relationship between the UK and the EU. I hope that today's spirit of co-operation can extend to relations between Governments across the UK.

I note that the UK Minister for the Constitution and European Union Relations will be discussing the report with the committee, which shows how the new Labour Government has reset relations with Scotland as well.

The report makes clear how we can improve the deal. I highlight the issue of guidance to businesses to deal with changing regulations. Evidence given to the committee shows that the Conservatives failed to ensure a smooth transition to the new rules. Logistics UK said that the guidance, information and technical details that were provided were "Too little, too late" throughout the process of the Windsor framework. [*Interruption*.] I am sorry, but I have a lot to get through in limited time. In addition, the Agricultural Industries Confederation said that support from

Government to address market access issues was "limited".

Willie Rennie mentioned a business in his constituency that had stopped trading with Europe as there was too much red tape, and George Adam discussed the struggles that SMEs are having. Offering businesses assistance to make sense of the new regulations will boost existing exporters and attract others to start trading with Europe. The committee's recommendation for an accessible summary of divergence between the UK and EU is welcome in that regard.

Clare Adamson said that agrifood exporters in particular are being held back. The requirement for an export health certificate adds extra costs and increases complexity. The British Chambers of Commerce said that the checks have added "vast amounts of bureaucracy". The increased delays are felt in particular for items with a shorter shelf life, which lose value the longer that they are in transit. My colleague Neil Bibby mentioned Innovative Foods Ltd and a border dispute holding up products, causing them to melt by the time that they reached their destination, which led the company to stop shipping to Europe. Although I do not share the affinity for chilli cheese nuggets, I understand that that is a major issue. Patrick Harvie rightly said that this is not just about red tape; it is impacting people's wellbeing, jobs and the cost of living.

We also need a veterinary agreement. Research from Aston University found that a veterinary agreement could increase exports by at least 22.5 per cent. The new Labour Government was elected on a manifesto to negotiate such an agreement. I am glad that members, including my colleague Martin Whitfield, agree on its significance.

Members are largely in agreement that the TCA should be renegotiated. We have a number of opportunities to improve that bad Conservative deal. The committee's report makes clear what we need to do to make it work.

The new Labour Government at Westminster is rebuilding our relationship with Europe, making it one of co-operation rather than opposition. I look forward to seeing the Scottish and UK Governments working together to achieve that and to seeing any further work by the committee.

16:38

**Finlay Carson (Galloway and West Dumfries) (Con):** In opening the debate, Clare Adamson referenced the NFUS and its view that, although we have tariff-free trade, it is not friction-free trade. Let us not forget that, despite significant efforts from industry and Government, our European friends, who so love Scotland, still block our seed potato exports without justification. They are cutting off their nose to spite their face.

We also heard about border checks that are still being phased in. I am well aware of that, because the Rural Affairs and Islands Committee, which I convene, has dealt with the bulk of the interim and transitional legislation. Of course, EU and UK convergence must also keep up with divergence and comply with changing EU regulations, which will obviously lead to more and significant non-tariff barriers to smooth trade.

Here in Scotland, much of our produce is time critical, with scallops from my hometown of Kirkcudbright, other shellfish products and our world-renowned beef industry all having faced additional issues. I have many constituents who are angry at the barriers to trade; I can tell members that, right now, they are also angry at the Scottish Parliament, which, much to Willie Rennie's delight, spends more time debating the past than looking towards opportunities and maximising benefits, no matter how significant or not members across the chamber think those might be.

We all accept that leaving the European Union was never going to be easy or straightforward. As my colleague Stephen Kerr rightly said, quitting the single market was always going to be disruptive and, at best, result in hurt feelings and animosity. It was never going to be in the interest of the EU to allow member states to say, "Enough is enough," and go it alone. The danger, of course, is that others might consider following suit, especially if it would return control to their countrymen and women rather than their being pushed into a corner and collectively told what to do.

Although some aspects of Brexit might not be entirely to our liking, we have to deal with what we have whether we support it or not—that is democracy at work. We are part of the UK, and the UK voted to leave the EU. That deal has now been done, and we have to make good on the significant opportunities that should be there for Scottish businesses in the future both in the EU and globally, as new markets such as those in the pan-Asian countries open up to us.

Cementing a future relationship with the European Union, which, it must be remembered, we were part of for more than 40 years, was always going to be critical. However, this is not a new situation: we voted to leave the EU in 2016. Although we need to look back at the past, we should at this stage be looking towards the future and not continually using Brexit as an excuse for constitutional grievance.

The creation of a new trade framework is vital, as is the establishment of an international

relationship that respects the sovereignty of the UK while maintaining the mutual benefits of co-operation with our European friends.

**George Adam:** Will Finlay Carson take an intervention?

**Finlay Carson:** I have very little time in hand, but I will take an intervention.

**George Adam:** Let us make sure that we talk about the here and now. Finlay Carson will be aware that, during my speech, I talked about Scotland's SMEs and how Brexit has been harmful to many of them. What are his ideas on that? I have not heard anything from the Conservatives about that; it just seems to be, "Brexit is a good thing, and away to those businesses—tell them to go elsewhere."

**Finlay Carson:** I cannot quite understand that. At no point did I suggest that. What I am saying is that, rather than spend year after year and debate after debate looking at how bad Brexit is, we should be looking at the opportunities. I said that some might see the opportunities as more significant than others—[*Interruption*.]

**The Presiding Officer (Alison Johnstone):** Let us hear Mr Carson.

**Finlay Carson:** However, small businesses do not want us to continually moan about it. They want us to get our finger out and get on with making the deals work, which the Government certainly has not been doing.

Thankfully, some speeches today have focused on what is ahead of us in the post-Brexit landscape and the UK-EU trade and co-operation agreement. The agreement, which came into effect on 1 January 2021, marked a new chapter in the relationship between the United Kingdom and the European Union, with far-reaching implications, as we have heard, for trade and co-operation. As we know, the key features of the arrangement are trade, governance, a level playing field, subsidies, state aid, fisheries and security. There will be no tariffs or quotas on trade in goods, provided that rules are met.

We have heard from members across the chamber that the TCA is possibly one of the most comprehensive free trade agreements in the world and probably the most comprehensive free trade agreement that the EU has ever agreed to. It is a platform on which we should be looking to build and grow our economy.

The work that was carried out by the convener of the Constitution, Europe, External Affairs and Culture Committee, Clare Adamson, and her colleagues looks at ways of improving the trade relationship between the UK and the EU. I wish that we had concentrated more on that today. That relationship will continue to develop and improve for decades to come, and it will have to change as the UK develops trade deals with countries in other parts of the world.

It is important that we look for the positives rather than the negatives and take encouragement from the fact that the committee has carefully examined how it can further improve the TCA in the future for the good of Scottish businesses, including SMEs. In fact, I understand that Clare Adamson and her committee intend to produce a further report focused on trade in services and mobility, which are areas of significant interest.

The committee agrees, and I agree, that the UK and Scottish Governments must provide businesses with greater support to enable them to manage the complexities of the current trading environment. Help must be provided to allow all business sectors to understand the changing EU regulations and to navigate the customs and regulatory requirements that are involved in trading with the EU. Perhaps the cabinet secretary will provide a commitment to ensuring that assistance is available to SMEs to help them to improve their trading conditions.

I appreciate that I am fast running out of time. In conclusion, no one is under any illusion when it comes to the challenges that we face and the hard work that needs to be done on all trade deals that we enter into, whether with the EU, the US or wherever. Such deals need to be done in the interests of our businesses. If our businesses are to succeed, the focus must be on the future, not the past, and certainly not on UK constitutional issues.

**The Presiding Officer:** I must ask you to conclude, Mr Carson.

**Finlay Carson:** Where there is a will, there is a way.

16:45

**Angus Robertson:** I thank colleagues for their helpful contributions to today's debate. It is abundantly clear from the committee's report and from the debate that Brexit is not working. I record the fact that the Scottish Government has worked hard to promote the interests of Scotland in the autumn round of specialised committees that oversee the trade and co-operation agreement. However, it is also abundantly clear that the implementation of the trade and co-operation agreement simply does not meet the needs of Scottish businesses. There is a pressing and urgent need for change. We will continue to be advocates for such change on behalf of the people, businesses and economy of Scotland.

I genuinely believe that the change that we want to see will also benefit our European partners.

Young Scots need to have opportunities to work and travel across Europe; our brilliant creative professionals should be able to work across the European Union; the iconic Scottish food and drink sector demands the ability to trade more freely with Europe, and the economy urgently needs EU markets to be reopened for Scottish exporters. So, we will continue to urge the UK Government to be ambitious in its proposals to improve its relations with the EU, especially the trading relationships.

I turn to some of the issues that have been raised in today's debate. I again repeat my appreciation for the work of Clare Adamson and her committee colleagues on their report, which is what we are debating this afternoon; it is not a general, free-ranging debate on Brexit. Clare Adamson was absolutely right to underscore the overwhelming evidence that the committee was given on the damaging impact of Brexit. It is also worth noting the fact that the committee's report and its conclusions were agreed to on a cross-party basis. All parties on the committee supported the conclusions of the report.

Stephen Kerr opened his speech by saying that he thought that the report was "thorough, balanced and fair". He then went on to speak in a way that was totally detached from the contents of the report, the conclusions of which, ironically, were supported by his colleagues. On a number of issues, what we had was, frankly, a reality bypass. We were told that what we are currently involved in is not a hard Brexit.

**Finlay Carson:** Will the cabinet secretary take an intervention?

**Angus Robertson:** No, I will not.

We are now outside the single market. We were told that we did not need to be. We are outside the customs union. We were told that we did not need to be. [*Interruption*.] To say that Brexit is done and that one cannot go back—

**The Presiding Officer:** Cabinet secretary, will you pause for a moment?

I know that Mr Kerr knows that it is not appropriate to debate from a sedentary position when one has not been called to speak.

**Angus Robertson:** To say that Brexit is done and that one cannot go back is, first, a counsel of despair and, secondly, a denial of democratic choice. People should be able to determine their future, and I am sure that they will.

In passing, I want to make a comment about trade deals, including with the United States of America. The voters of America have spoken, but let us not deny the consequences of what is coming when we face the prospect of trade tariffs of up to 20 per cent. We should be very concerned about that.

In the main part of his speech, Neil Bibby rightly focused on the opportunity for a reset of the UK Government's relationships with the European Union and with the devolved Administrations. I think that that is a good thing, and I am working with UK Government colleagues to make the most of that. In relation to the prospect of a veterinary agreement—which I think is misnamed, to be honest; we should all be talking about an agriculture, food and drink agreement—I agree that such an agreement could have a profound impact. We will work with the UK Government to deliver that.

**Finlay Carson:** Will the cabinet secretary take an intervention?

**Angus Robertson:** I do not have enough time; I must make progress.

Patrick Harvie was absolutely correct to seek further detail about what "reset" means. It is good to hear about a possible veterinary agreement, but what about Erasmus+, Creative Europe and the restoration of free movement for younger people? I agree with Mr Harvie about the importance of mobility.

Willie Rennie said that we should debate Europe more often, but we debated it only last week. I do not think that he took part in that debate, but I agree with him that we should make the most of the opportunity to debate Europe more often. I agree that we should be looking at education and co-operation but I make it absolutely clear that there is no substitute for Erasmus+. That is why this Government is keen for the UK Government to work with European colleagues who are open to the United Kingdom returning to Erasmus+. That is the prize and I hope that Mr Rennie will join the Scottish Government in seeking it.

George Adam was absolutely right to highlight the needless economic suffering—

**Stephen Kerr:** Will the minister accept an intervention?

**Angus Robertson:** I have already indicated three times that I am not taking interventions because my time is short, so no, I will not take an intervention.

George Adam was absolutely right to highlight the needless economic suffering and on-going damage that is captured in the committee's report—a report that was agreed to by Conservatives on the committee.

Martin Whitfield talked about low-hanging fruit. I agree that securing a veterinary agreement would be a major prize, but I once again say that Erasmus+, Creative Europe and mobility are all on the table and that I look forward to the UK Government articulating those points as soon as

possible to the European Commission, which has made offers on those issues.

Kevin Stewart, echoed by Keith Brown, spoke about seed potatoes and seafood, two really important challenges that must be sorted.

If Conservative members disagree with the evidence and conclusions in the report, I have no doubt that they will vote against it today. I will be interested to see how they choose to—[*Interruption*.]

**The Presiding Officer:** Please sit down, cabinet secretary.

Mr Kerr, I have asked you already to cease shouting from your seat; I will not ask you again.

**Stephen Kerr:** On a point of order, Presiding Officer. The cabinet secretary names members and misrepresents their views. How are we to set the record straight about the fact that he is saying things in his speech that are diametrically opposed to what was in the speeches given by Conservative members?

**The Presiding Officer:** Mr Kerr will be aware that the content of members' speeches is a matter for those members and that a point of order should be raised only when a member is trying to ascertain whether proper procedures are being, or have been, followed. That was not a point of order.

Please resume, cabinet secretary.

**Angus Robertson:** It was indeed not a point of order, but we are used to such contributions from Mr Kerr.

**The Presiding Officer:** Cabinet secretary, I must ask you to conclude.

**Angus Robertson:** I turn to summing up. Patrick Harvie reiterated the importance of reminding ourselves that Europe is also about peace. He spoke about the dangers of populism and the Brexit right and we must be well aware of those. Foysol Choudhury spoke about the importance of a veterinary agreement. We agree with him. Finlay Carson did not in any meaningful way address the content or conclusions of the committee report so it will be of great interest to see how he votes later.

In finishing, I once again thank the committee for its important report. As has been noted, the committee plans to continue its work on the trade and co-operation agreement, with the next phase of that work looking at mobility and at trade in services. Scotland has important interest in both areas and the Government will offer the committee its support and co-operation as it continues its work. We will also continue seeking the views of stakeholders—

**The Presiding Officer:** You must conclude, cabinet secretary.

**Angus Robertson:** We will work with them to promote—

**The Presiding Officer:** Thank you, cabinet secretary.

**Angus Robertson:** —Scotland's vital interests to the UK Government.

**The Presiding Officer:** I call Alexander Stewart to wind up the debate on behalf of the Constitution, Europe, External Affairs and Culture Committee.

16:54

**Alexander Stewart (Mid Scotland and Fife) (Con):** This has been a helpful and robust debate on the future of the relationship between the United Kingdom and the European Union. Before I respond to some of the contributions that have been made, I extend my thanks to the convener for the report, the important aspects of which she referred to in her opening speech.

We have heard today about the significant challenges that businesses experience when trading with the EU under the terms of the TCA. Although there have been recommendations that there should be an agreement between the EU and the United Kingdom to reduce those trade barriers, more support and guidance is required in the meantime from the United Kingdom and Scottish Governments to allow all businesses to manage the complexities of the current trading environment.

Support is particularly needed on monitoring divergence to allow for compliance with EU regulations—something that is necessary to export to the EU. The Agricultural Industries Confederation Scotland told us that

"small misalignments"

in regulation and technical standards

"happen all the time"

and that, to continue exporting to the UK, businesses and trade bodies must

"keep up with every single one of those changes."—[*Official Report*, *Constitution, Europe, External Affairs and Culture Committee*, 7 March 2024; c 3.]

Salmon Scotland said that, to monitor regulatory developments, the industry has

"had to have more people in station".—[*Official Report*, *Constitution, Europe, External Affairs and Culture Committee*, 28 March 2024; c 9.]

That comes at an administrative and financial cost.

To that end, we have invited the UK Government to explore the establishment of a

formal mechanism to track divergence between the EU, the UK and Scotland. That should be publicly available as a resource for industry so that the monitoring burden does not sit with individual businesses or their representative bodies. In addition, the UK Government and the European Commission should work with businesses to develop clear guidance for them on customs procedures and rules of origin, among other things.

In the convener's opening remarks, she mentioned stakeholders' views that there is a need for closer regulatory alignment with the EU to address trade barriers. Scottish Chambers of Commerce wanted to see

"a closer regulatory policy relationship ... between the EU and UK, so that businesses do not face new trade barriers through passive regulatory divergence".

Our report considers key aspects of possible alignment with the EU that the UK Government could pursue, including the SPS or veterinary agreement that we heard about in the debate. Such agreements could play a vital role in improving trade flows.

Although the Scottish Government has a commitment to align with EU law, the extent to which that has facilitated improved trade with the EU, without such agreements with the EU being in place, is unclear. We therefore recommend that the UK Government further reduces barriers to trade through a mutual recognition agreement with the EU on conformity assessments. That would allow UK and EU certifying bodies to confirm that a product that was made in one territory meets the regulations of the other. We recommend that, through work with the European Commission, the UK and EU emissions trading schemes be linked to enable Scottish businesses to be exempted from the charges and administrative burdens of the EU carbon border adjustment mechanism. Both of those actions would require greater alignment with the EU.

We also suggest the UK Government seeks

"to negotiate adjustments to the rules of origin on exporting to the EU"

and works alongside the European Commission to enable

"Scotland's seed potato exporters to access their significant market in the EU."

That could all be pursued through the timely upcoming review of the TCA.

However, negotiations to improve the trading relationship must not be confined to the formal review. There is a need for on-going co-operation and collaboration to make continued improvements to the operation of the TCA—an agreement that is still in its infancy and has several unresolved implementation issues. Effective governance of the TCA will be necessary to support improvements to the trading relationship through the implementation of the agreement, as well as the negotiation of further adjustments to the TCA or supplementary agreements.

Under the TCA's governance structures, significant decisions regarding its operation can be made by political agreement between the European Commission and the United Kingdom Government. That means that there is a need for a strong level of scrutiny and stakeholder input on those decisions, including through improved engagement with civil society, business and trade unions via the domestic advisory group and the civil society forum. There is also an important role for the parliamentary partnership assembly, at which the Scottish Parliament is an observer.

We have heard many speeches this afternoon and I would like to mention some of them. The cabinet secretary said that trade could be improved and talked about the working relationship that is needed between the Government and Scottish Enterprise, as well as the opportunities that are available and the processes that exist. There is no doubt that there have been some difficulties for sectors. Nobody denies that.

Stephen Kerr talked about our report being "thorough, balanced and fair". I echo that. It is thorough, balanced and fair, but the issue has been and continues to be complex. We should be assisting with the TCA going forward, with all of that in mind.

Neil Bibby spoke about the burdens, the regulations, the delays and his beloved chilli cheese bites. [*Interruption*.]

**The Presiding Officer:** I am aware of conversations that are happening in the chamber, and I would be grateful if we could hear Mr Stewart.

**Alexander Stewart:** Thank you, Presiding Officer. Neil Bibby also spoke about the advice that is required from the Scottish Government.

Willie Rennie spoke about his delight in having the debate; about the processes, the sectors, the committee report and the tone; and about trying to reset the success of the Windsor agreement and how it has worked and whether there is a political will. He also talked about Erasmus and the challenges that come with that.

George Adam talked about the successful trip to Brussels and said that he and others were asked about knowing what they want. He also talked about the relationship for defending democracy

across Europe and the Irish question about the recognition of professionals.

Martin Whitfield spoke about the breakdown in relationships, about the continued attempts to rebuild and refocus and about supporting businesses—giving them the skills and the support that they need—and all the SMEs that require that support.

I support the motion in the name of the convener on behalf of the committee of which I am deputy convener.

**The Presiding Officer:** That concludes the debate on the UK-EU trade and co-operation agreement, on behalf of the Constitution, Europe, External Affairs and Culture Committee.

# Decision Time

17:01

**The Presiding Officer (Alison Johnstone):** There is one question to be put as a result of today's business. The question is, that motion S6M-15093, in the name of Clare Adamson, on behalf of the Constitution, Europe, External Affairs and Culture Committee, on the United Kingdom-European Union trade and co-operation agreement, be agreed to.

*Motion agreed to,*

That the Parliament notes the conclusions and recommendations contained in the Constitution, Europe, External Affairs and Culture Committee's 2nd Report, 2024 (Session 6), *UK-EU Trade and Cooperation Agreement: Barriers to trade in goods and opportunities to improve the UK-EU trading relationship* (SP Paper 639).

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

*Meeting closed at 17:01.*

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

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