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Scottish Parliament

Wednesday 12 March 2025

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

Portfolio Question Time

Rural Affairs, Land Reform and Islands

The Deputy Presiding Officer (Liam McArthur): Good afternoon. The first item of business is portfolio question time, and the first portfolio is rural affairs, land reform and islands. I remind members who wish to ask supplementary questions to press their request-to-speak buttons during the relevant question. There is a lot of interest in asking supplementary questions, so I will require brevity in both questions and responses.

Fishing Industry (Parliamentary Debates)

1. Jeremy Balfour (Lothian) (Con): To ask the Scottish Government what plans it has to propose scheduling time for a parliamentary debate on the fishing industry. (S6O-04410)

The Cabinet Secretary for Rural Affairs, Land Reform and Islands (Mairi Gougeon): The Scottish Government cares deeply about ensuring a prosperous future for fishing communities. It is important to take stock and reflect on our fishing industry, which is one of Scotland's most important assets, as well as on the people and communities who make a living from it and their contribution to the Scottish economy. In the members' business debate on 18 February, which was brought forward by Beatrice Wishart, I committed to scheduling Government time for a debate on fisheries. I am happy to reaffirm that commitment.

Jeremy Balfour: The cabinet secretary will appreciate that it has been two years since the Scottish Government brought forward such a debate. There are so many issues that need to be debated, including those around fishing deals, the end of the United Kingdom's trade and co-operation agreement with the European Union, inshore fisheries and the national maritime plan, and other views need to be heard. When will the Government schedule a debate? Will it be before the Easter recess or not?

Mairi Gougeon: I appreciate the points that Jeremy Balfour has raised. He has raised a number of important matters that we discussed during the members' business debate to which I referred. That is why I committed to holding a debate.

That is not to say that there has been no discussion or engagement on those issues. We have been engaging closely with the sector on all those issues—that goes for both me, with the rural affairs portfolio, and for the cabinet secretary, with the climate change and net zero portfolio. As I have said, we are committed to holding that debate, and I look forward to discussing those matters with members from across the chamber.

Willie Rennie (North East Fife) (LD): The cabinet secretary might be aware that I have been concerned about the massive growth in the number of pots that are being used in the Forth and the impact that that is having on the stock of lobsters and crabs. Will the cabinet secretary update the chamber on when controls will be considered for introduction in order to make sure that that number does not grow any further?

Mairi Gougeon: I am sure that Willie Rennie will be aware of some of the interim measures that we have in place in relation to important inshore stocks. It is important that we review the measures that are under way. We are also undertaking a programme of work to look at our inshore fisheries management more widely. I am more than happy to follow up with Willie Rennie on any specific issues that he has in relation to that. An awful lot of work is under way, and I am happy to contact him to update him on it.

Tim Eagle (Highlands and Islands) (Con): What the cabinet secretary missed in her earlier answer was an actual date. That is what we need, because it matters.

There is so much to talk about. Last week, for example, the Scottish Fishermen's Federation rightly spoke of its fury at the revelation that John Swinney had been advised not to use the phrase "spatial squeeze" when on a trip to Shetland. That seems very disrespectful towards the views of the industry, which is very concerned about that issue. Therefore, I ask the Scottish Government to set out what its plans are to support and compensate fishing businesses that will suffer financial losses due to the construction and operation of offshore wind farms.

Mairi Gougeon: I have to be clear on one point. Tim Eagle will be aware of how the scheduling of parliamentary business works in this chamber. It is not for me to set a date as to when that debate is going to happen, but I have made that commitment and I have reiterated it today.

There are a number of pressures that we know are affecting the fishing industry in particular. They include pressures on our marine space, whether due to the environmental measures that are being proposed or to the expansion of offshore renewables. Some of those matters relate to my portfolio, as I outlined to Jeremy Balfour in my

initial response to him, but they also involve the Acting Cabinet Secretary for Net Zero and Energy, Gillian Martin. We are engaging with the industry more widely to look at those matters in the round. As I have committed to doing, we will bring forward a debate and I look forward to discussing those matters in more detail.

Agricultural Support (Dairy Sector)

2. Emma Harper (South Scotland) (SNP): To ask the Scottish Government how the new deal for agriculture and its agricultural support schemes will aim to support the dairy sector. (S6O-04411)

The Minister for Agriculture and Connectivity (Jim Fairlie): The Scottish Government remains committed to maintaining direct payments, which provide vital stability to agriculture, and we will continue to co-develop new support to improve the sustainability of farming.

This year we have provided £135,000 to the dairy growth board and the Scottish dairy hub. Additionally, the recently announced flexible capital grants will provide at least £14 million in the first year to support the sector for investments in a range of areas. We are also allocating capital to food processing and marketing support to benefit the sector.

Emma Harper: The recent announcement from Arla Foods about a potential £90 million investment for a centre of excellence at Lockerbie could be the beginning of an exciting new chapter for dairy farming in the south of Scotland. The dairy sector is providing produce of peerless quality and is synonymous with my South Scotland region. Can the minister outline how the Government intends to help ensure the future prosperity of this vital industry for years to come?

Jim Fairlie: I absolutely share Emma Harper's views, and I welcome the recent news of Arla's investment in Lockerbie. It is a real vote of confidence in Scotland's dairy sector. This is an exciting time for dairy in the region, with the Scottish Government also investing £4 million into the Borderlands inclusive growth deal dairy nexus project, which will drive transformational research and innovation to decarbonise the dairy sector. The rise to the top 2030 strategy outlines the ambitions for growth for dairy in Scotland to ensure future prosperity.

We continue to support the dairy growth board in seeking further opportunities for producers, including new routes for exports, product listings, domestic retail and investment in processing in Scotland. That work is producing results, including a 140 per cent increase in cheese exports since 2021.

Finlay Carson (Galloway and West Dumfries) (Con): The minister will agree that a fit-for-

purpose information technology system is critical to the delivery of agricultural support schemes. Today at the Rural Affairs and Islands Committee, we heard concerns from a range of agricultural stakeholders that the current IT system puts future schemes at risk. Can the minister tell Parliament how much is spent annually on IT developers, programmers and maintenance for the rural sector?

Jim Fairlie: The member will be well aware that we will deliver the schemes within the current capabilities. If he has specific questions, he can write to me, and we will give him specific numbers back.

Seagulls

3. Douglas Ross (Highlands and Islands) (Con): To ask the Scottish Government what its position is on whether seagulls should continue to be protected in law. (S6O-04412)

The Minister for Agriculture and Connectivity (Jim Fairlie): Like all wild birds in Scotland, the rest of the United Kingdom and Europe, gulls are protected by law and should remain so. I appreciate that gulls can be a serious nuisance in urban areas. The answer is not to allow free rein to kill those birds, especially when the overall numbers of gulls, taking natural and urban populations together, are in decline.

To help tackle the problems, local authorities and property owners could do more to deter gulls from nesting on their properties. NatureScot can and does provide licences for lethal control where there are issues of public health and safety.

Douglas Ross: That response is completely tone deaf to the problems that we are seeing up and down the country. For example, Moray Council has spent hundreds of thousands of pounds on the issue, to no effect. The Elgin common good fund has spent more than £50,000 in the past two years, yet the problem persists.

Elgin councillor Pete Bloomfield told me about a case of an elderly resident who left her bungalow, was attacked by a gull, fell over and broke her leg. Her carer then came outside and was also attacked by the gull. When the elderly resident returned home from hospital she was attacked again, and she was then fearful of leaving her home at all.

Does the minister accept that the problem is a growing one in communities such as Moray and across the country? What can be done about it? Will he meet concerned MSPs from across all the parties to discuss the issue in more detail?

Jim Fairlie: As I said in my initial answer, I am well aware that urban gulls can cause problems, but there is absolutely no doubt that the number of

gulls is dropping. Businesses and people can do more to protect their own properties by not leaving bags of rubbish and by not allowing feeding in towns and cities. To make sure that we preserve—*[Interruption.]*

Douglas Ross is sitting shaking his head. I will give the member some numbers. The number of lesser black-backed gulls has fallen by 48 per cent in their natural environment, yet it has gone up in the urban environment. *[Interruption.]* There is a responsibility on all of us. I am not dismissing the point that Douglas Ross makes. I absolutely get the fact that urban gulls are a problem, but killing them and giving out licences willy-nilly is not the answer. There has to be a way for us to cohabit with the gulls in one way or another, either by reducing their nesting or by creating difficulty for their nesting. Killing them, which is what I am being constantly asked to do, is not the answer.

The Deputy Presiding Officer: I would encourage members to ask their questions and then not seek to ask more or make comments from a sedentary position.

Mark Ruskell (Mid Scotland and Fife) (Green): It is clear that the Tories are now declaring a war on wildlife. It is seagulls this week; it will be white-tailed eagles next week and beavers the week after that.

I am pleased that the minister recognises that herring gulls in particular have declined in population by almost half in the past 40 years, and that a lot of issues that have been described are a result of poor waste management issues in many of our towns. Will he listen to science-based organisations, including RSPB Scotland, and support the wider recovery of sea birds and the habitats that they need to thrive?

Jim Fairlie: I did not answer Douglas Ross's question—I apologise. I am absolutely prepared to meet with anyone to try to find solutions to the problems that we have. I accept that there are problems. However, we cannot refuse the fact that gull numbers are decreasing in their natural habitats. We must do something to get them back to their natural habitats and to reduce the tension between the gulls and the people living in communities.

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): Douglas Ross is right. In Eyemouth, aggressive gulls have attacked young children and they are a blight on businesses that are trying to trade in difficult conditions.

The issue is that the licensing scheme is impractical. Can the minister look at the licensing scheme itself? How can he support communities that are looking for a strategic approach to controlling gulls through management plans, improved signage and gull-proof bins?

Jim Fairlie: As I have already said in response to Douglas Ross and Mark Ruskell, I am more than happy to look at what we can do collectively in order to find a solution to the issue. However, directly issuing licences to kill gulls is not the only answer.

Inheritance Tax System Change (Potential Impact on Agriculture)

4. Pam Gosal (West Scotland) (Con): To ask the Scottish Government whether it will provide an update on what assessment it has made of the potential impact on agriculture in Scotland, including in the West of Scotland region, of the United Kingdom Government decision to change the inheritance tax system for family farms. (S6O-04413)

The Minister for Agriculture and Connectivity (Jim Fairlie): As I have said previously, the issue has been raised with the UK Government on a number of occasions, most recently on 6 February with the Chief Secretary to the Treasury. We will continue to engage with the UK Government on the issue.

The changes to the agricultural property relief will hit farming families across Scotland, so it is disappointing that there was no prior indication of the change or engagement with the Scottish Government on it. Scottish Government officials are working alongside their counterparts in His Majesty's Treasury and His Majesty's Revenue and Customs to ensure that Scotland's tenant farmers are protected from the UK Government's poorly designed changes and do not become liable for inheritance tax.

Our position remains unchanged: the changes to inheritance tax should be paused and an immediate review carried out. The UK Government must also urgently commit to undertaking and publishing full impact assessments of the impact that the changes will have in Scotland.

This issue demonstrates why it would be better for all tax powers to be devolved to the Scottish Parliament, so that a suitably tailored position can be created for Scotland.

Pam Gosal: With international instability increasing, food security has never been more important. Placing more burdens on farmers only increases the cost of food production, so many farmers leave the industry.

I have been contacted by constituents from East Dunbartonshire and West Dunbartonshire, and from Argyll and Bute, who have expressed concern about the dangerous UK Labour Government's family farm tax. What is the Scottish Government doing, for its part, to ensure that the

farming industry does not disappear because of too-harsh taxes?

Jim Fairlie: As Pam Gosal is aware, those tax decisions are made by Westminster. I very much want them to be made here in Scotland so that we can create suitable—*[Interruption.]*

Finlay Carson is shaking his head. The Conservatives ask us these questions and when we give them the answers, they shake their heads. The point that I am making is that if they want to have tax decision-making powers in the Scottish Parliament, they have only to vote for that and we will manage to make it happen.

On the substantive part of Pam Gosal's question, the Scottish Government is doing everything in its power to make sure that we create an industry that is resilient in the long term for the people of Scotland, to provide food security and to help to maintain our environment and our biosecurity. A range of measures are in place to do so.

The Deputy Presiding Officer: There are a number of supplementaries. I will try to get in as many as I can, but they will need to be brief.

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): The APR proposals from Labour are the latest in a long line of attacks on Scottish agriculture by successive UK Governments. What assessment has the Scottish Government made of the cumulative impact of Westminster policies in recent years, including the APR proposals, on Scottish agriculture?

Jim Fairlie: We share Willie Coffey's concerns about the negative impacts that are being caused by the failure of the UK Government. It is clear that decisions that are made by the UK Government have significant impacts on Scotland—as we have seen in agriculture with the inheritance tax changes and the Barnettisation of the agricultural budget allocation.

We remain committed to maintaining direct payments, thereby providing vital stability to agriculture and contributing to the delivery of the vision for agriculture. We will continue to reach out to the UK Government: it is imperative that it works with the devolved nations in a joined-up manner to deliver policy that benefits the people of Scotland.

Claire Baker (Mid Scotland and Fife) (Lab): Does the minister recognise that the UK Government has said that around 520 agricultural estates will be affected, that that has been confirmed by a "BBC Verify" report and that up to three quarters of farmers will pay nothing as a result of the changes? What will that mean for farming in Scotland?

Jim Fairlie: I am sorry, but I simply do not accept Claire Baker's assessment. We have been told by the industry that far more people will be affected by the family farm tax. *[Interruption.]* The UK Government did not even recognise the issue around tenant farmers. *[Interruption.]* I am sorry, but anything that members want to present to the chamber on behalf of the UK Government needs to be fully informed, because it is clear that it is not. *[Interruption.]* The UK Government did not know what it was doing, it did not know that its changes would be the death knell for family farms, and it will continue to go down that road and to alienate the people who feed this country.

The Deputy Presiding Officer: Mr Smyth, I would be grateful if you did not provide a running commentary while the minister is responding.

Kenneth Gibson (Cunninghame North) (SNP): Last Friday, my colleague Willie Coffey and I met NFU Scotland members from North Ayrshire and East Ayrshire. Labour's tax grab on family farms eclipses all other concerns that farmers have, and it is impossible to overstate their anxiety. Given that the Office for Budget Responsibility has said that it is "highly uncertain" that the measures will raise even the small sums that are forecast, what response has the minister had to the representations about scrapping the tax that he mentioned having made?

Jim Fairlie: Responses have been tone deaf or we have been met with silence. Our position remains that the changes to inheritance tax should be paused and that an immediate review should be carried out. The UK Government must urgently commit to undertaking and publishing a full impact assessment of the impacts that the changes that it is making will have on farmers in Scotland.

Scottish Food and Drink (Provenance)

5. Clare Haughey (Rutherglen) (SNP): To ask the Scottish Government what action it is taking to protect the value of provenance in the Scottish food and drink industry. (S6O-04414)

The Cabinet Secretary for Rural Affairs, Land Reform and Islands (Mairi Gougeon): Scotland's food and drink industry is a vitally important part of the economy. It is a £15-billion industry, which has more than 17,000 businesses that employ around 129,000 people, and it reaches into all parts of Scotland.

In order to protect and promote provenance in the sector, we have provided £10 million over the course of 2023 to 2025 to support the delivery of Scotland's food and drink strategy, "Sustaining Scotland. Supplying the World." Since 2014, we have provided more than £7 million to the Scotland food and drink export plan to help

businesses to exploit the most significant opportunities for Scotland.

Clare Haughey: We are fortunate that Scotland is home to products that are recognised around the world for their quality. Thankfully, the UK Government has U-turned on its damaging plans to water down the definition of “single malt”, which would have been detrimental to our whisky industry.

Will the cabinet secretary assure me and, more importantly, the industry that the Scottish Government will continue to support and promote Scottish food and drink producers and their products, unlike the Labour Party, which, once again, has failed to fulfil a pre-election promise—its promise to back Scottish producers to the hilt?

Mairi Gougeon: On Clare Haughey’s first point, I make it clear that we have not yet had official confirmation of that U-turn in the UK Government’s position, although it has been outlined to the UK Parliament by Treasury ministers. That process is still very much under way at the moment.

I offer an absolute assurance to members across the chamber and to the wider industry that we will continue to support our food and drink sector and its incredible products, which we know are enjoyed at home and abroad. We do that in a number of ways. We support the “Go Local” programme, which is about encouraging promotion of local products. We provide funding to the Scottish Wholesale Association to help it to support our Scottish wholesalers and producers to increase the volume of local produce that is sold. As I outlined in my initial answer, more widely we also support Scotland’s food and drink strategy.

We will continue to do all that we can to support our incredible industry in Scotland.

Migrant Workers (Agriculture Sector)

6. Maggie Chapman (North East Scotland) (Green): To ask the Scottish Government what discussions the Cabinet Secretary for Rural Affairs, Land Reform and Islands has had with ministerial colleagues regarding what support can be provided to migrant workers in the agricultural sector in Scotland. (S6O-04415)

The Minister for Agriculture and Connectivity (Jim Fairlie): We fully recognise the valuable contribution that migrant workers make to supporting Scotland’s seasonal production and the economy.

The Scottish Government supports those workers by enforcing the pay and conditions that are stipulated in the Agricultural Wages (Scotland) Order 2024; by funding the Royal Scottish Agricultural Benevolent Institution to provide practical, emotional and financial support; and by

subsidising the Worker Support Centre, which it has done since 2022, to prevent labour exploitation and inform future policy.

Ms Gougeon met Mr McLennan last September and actioned Scottish Government officials to scope and develop a bespoke standard to uphold conditions for seasonal workers’ accommodation. That work is on-going and is engaging with relevant stakeholders.

Maggie Chapman: I am glad to hear of that progress, because the issues that are facing migrant farm workers in Scotland are well documented. They include unsafe, poor quality and cramped accommodation, pay being withheld or not in line with the agricultural minimum wage, and travel not being supported or accounted for in hours. In the north-east, sadly, those experiences are common.

In advance of the forthcoming season, what more can the Scottish Government do, working with partners such as NFU Scotland and the Worker Support Centre, to ensure that the food that we put on our tables has not been produced in exploitative and punitive conditions?

Jim Fairlie: As I said in my initial answer, the Scottish Government is providing funding through various support mechanisms. Ms Gougeon has met Mr McLennan, and there are various other measures in relation to making sure that agricultural rural workers are looked after properly.

Mercedes Villalba (North East Scotland) (Lab): Answers to parliamentary questions that were lodged by Richard Leonard on the unjust treatment and exploitation of migrant workers in agriculture revealed a significant rise in 2024 in the percentage of businesses underpaying migrant workers. Will the Scottish Government increase the number of control test inspections by the Scottish agricultural wages enforcement team to ensure that all workers receive their proper wages?

Jim Fairlie: We passed the Human Trafficking and Exploitation (Scotland) Act 2015, which gives police and prosecutors greater powers to detect and bring to justice those who are responsible for those types of offences.

Wildlife Crime

7. Liz Smith (Mid Scotland and Fife) (Con): To ask the Scottish Government whether it will provide an update on what action it is taking to reduce the level of wildlife crime. (S6O-04416)

The Minister for Agriculture and Connectivity (Jim Fairlie): The Scottish Government has taken numerous actions to tackle wildlife crime in recent years, including increased penalties for the most serious offences, licensing schemes for hunting

with dogs, and increasing the powers of Scottish Society for Prevention of Cruelty to Animals inspectors.

We work with a number of partners to raise awareness of wildlife crime. I was pleased to open the Scottish wildlife crime conference last week and to witness the partnership in practice. I also highlight the recently published 2023 annual wildlife crime report, which reported a decrease of 23 per cent in recorded wildlife offences in comparison with the previous year's report.

Liz Smith: It is encouraging that there have been some better statistics of late. However, there have also been some recent incidences of what the Scottish Gamekeepers Association has called "guerrilla rewilding", in relation to the illegal releases of lynx and feral pigs. I therefore ask: what is the Scottish Government doing to tackle what is a very serious problem?

Jim Fairlie: I absolutely agree with Liz Smith's point. I reiterate that we strongly condemn the illegal release of any species in Scotland. The recent releases of lynx and wild boar in the Cairngorms were extremely reckless and caused legitimate concern for the public, as well as posing serious risks to the welfare of the animals that were released.

Police Scotland is currently investigating possible sightings of lynx in Galloway, and NatureScot has put trail cameras in the area.

Colin Smyth (South Scotland) (Lab): The minister is aware of the unintended loophole in the Wildlife Management and Muirburn (Scotland) Act 2024 that allows some grouse moor owners to apply for a grouse shooting licence that covers only the small area of their estate that is directly used for grouse shooting rather than the whole estate, even though the whole estate is managed to enable operation of the grouse moor.

Does the minister recognise that, if that loophole is not closed, the 2024 act will not have its intended effect of ending the illegal killing of birds of prey that is associated with some grouse moors? If the offence takes place outside the small licence area, it cannot be considered in licensing decisions, which is reducing the impact of licensing as a deterrent to wildlife crime.

Jim Fairlie: I do not have the exact numbers in relation to the number of licences that have been issued by NatureScot or that will be issued this coming year. However, NatureScot is working with landholders to make sure that licences are effective in exactly the way that the 2024 act requires, and I am confident that that is what will happen.

The Deputy Presiding Officer: Question 8 was not lodged, so that concludes questions on rural affairs.

There will be a brief pause before we move to the next portfolio, to allow members on the front benches to change.

Health and Social Care

The Deputy Presiding Officer: The next portfolio is health and social care. Again, members who wish to ask a supplementary question should press their request-to-speak buttons during the relevant question. There is quite a bit of interest in supplementary questions, so brevity in questions and responses would be appreciated.

Audiology Services (NHS Grampian)

1. Douglas Lumsden (North East Scotland) (Con): To ask the Scottish Government what percentage of referrals to audiology services at NHS Grampian are seen within the 18-week target. (S6O-04418)

The Cabinet Secretary for Health and Social Care (Neil Gray): NHS Grampian monitors referrals, and advises that the average waiting time between referral and assessment is between 12 and 18 months.

I recognise that that is not good enough, which is why our budget will provide a record £21.7 billion for health and social care, including almost £200 million to reduce waiting lists and support a reduction in delayed discharge. By March 2026, we expect no one to be waiting longer than 12 months for a new out-patient, in-patient or day-case treatment.

Douglas Lumsden: I have heard from constituents who have had to wait for more than two years to get a hearing aid. A review of audiology services was carried out in 2022, but there seems to have been no improvement since then. How many of the 55 recommendations from the report of that review have been implemented?

Neil Gray: Audiology is considered a clinical priority area, and the Scottish Government remains committed to its vision for an integrated and community-based hearing service in Scotland. While our response to the independent review on audiology in Scotland is implemented, we continue to work with the national health service, the community and voluntary sector and private providers to identify and cost an appropriate model for community care for any future service reform and ensure that the voices of those with lived experience inform that work. I would be more than happy to meet Mr Lumsden and his constituent to take that area forward.

North East Scotland Health and Social Care Partnerships (Funding)

2. Alexander Burnett (Aberdeenshire West)

(Con): To ask the Scottish Government whether it will outline its funding strategy for health and social care partnerships in the North East Scotland region. (S6O-04419)

The Cabinet Secretary for Health and Social Care (Neil Gray): Although the Scottish Government has overall responsibility for social care policy in Scotland, it is for local authorities and health boards to ensure that health and social care partnerships are funded and can meet the needs of local people.

Our 2025-26 budget continues to prioritise additional investment in social care and includes almost £2.2 billion for the sector, which exceeds our commitment to increase funding by 25 per cent by almost £350 million. We have also provided significant additional resources to local authorities and expect social care to be prioritised by them.

Although budgets are the responsibility of local partners, we will continue to engage with the sector on the significant financial pressures that it is under.

Alexander Burnett: I recently met Aberdeenshire responders for care at home in Huntly and Banchory. Seventy per cent of responders now face reduced hours, demotion to lower-paid and junior roles or—even worse—redundancy. Despite that, the responders' concern was for the people for whom they care. Many had suggestions for savings but were never asked. Now, they are gagged from social media, and some are even forbidden from coming to see me, their MSP.

Every integration joint board in Scotland has told Neil Gray that it will not be possible to sustain existing levels of care across all services. Has the Government given up caring?

Neil Gray: Absolutely not. I recognise the concern that has been outlined. I am extremely concerned by what Alexander Burnett narrated about the ability of members of staff to come up with solutions or seek a responsible response to the pressures that are felt. He is absolutely right. Those service providers have the interests of their patients first and foremost, of course. I would be interested in having a further discussion with Mr Burnett about the issues that he has raised, because the situation is extremely concerning.

To go back to funding, it is for local authorities and health boards to arrive at the appropriate funding of our health and social care partnerships.

Mercedes Villalba (North East Scotland) (Lab): For 30 years, Home-Start schemes in

Aberdeenshire have been supporting families with young children who experience any of a range of health and social difficulties. I am told that the devastating decision to terminate funding to Home-Start came after its board of trustees was assured by Aberdeenshire Council that not only would its funding contract continue, but it would receive an uplift.

Does the Scottish Government's approach to health and social care take account of the benefits of early intervention to support struggling families, and how will it help families in Aberdeenshire who are looking for support in the light of those cuts to Home-Start?

Neil Gray: I return to the fact that decisions are made based on local decision-making prioritisation. It is for local authorities and health boards to ensure that health and social care partnerships are appropriately funded to meet the needs of the local population.

On the second part of Mercedes Villalba's question, which is about the Government's prioritisation of preventative measures and whole-family support interventions, of course that is what we support; that is at the heart of our agenda. That is why we hope and expect that our health boards, local authorities and partnerships will be doing exactly that.

The Deputy Presiding Officer: With the reminder that the question is about partnerships in the North East Scotland region, I call Bill Kidd for a supplementary question.

Bill Kidd (Glasgow Anniesland) (SNP): I will cancel it. Thank you very much.

Port Glasgow Health Centre Replacement

3. Stuart McMillan (Greenock and Inverclyde)

(SNP): To ask the Scottish Government what dialogue it has had with NHS Greater Glasgow and Clyde regarding a replacement for Port Glasgow health centre. (S6O-04420)

The Cabinet Secretary for Health and Social Care (Neil Gray): The Scottish Government meets regularly with colleagues from NHS Greater Glasgow and Clyde, and it is due to meet with the assistant director of infrastructure, planning and delivery on 13 March. A wide variety of issues will be discussed, including the board's primary care priorities, which we know will include Port Glasgow health centre.

Following the United Kingdom spending review, the Scottish Government intends to update and publish a refreshed infrastructure investment plan, which will outline what capital projects will be taken forward.

Stuart McMillan: Replacing Port Glasgow health centre is a key priority for my constituency.

It would help to deliver better outcomes for patients and provide a better workplace for staff. We have only to look at the £21 million Greenock health centre replacement; that proves the point. Will the cabinet secretary accept an invitation, alongside NHS Greater Glasgow and Clyde's new chief executive, to visit Port Glasgow health centre to see the condition of the existing building and why a new facility is so urgently needed?

Neil Gray: I thank Stuart McMillan for his question and for highlighting the investment that the Scottish Government and the board have made in the new Greenock health centre and the obvious impact that that has had. I am more than happy to accept the invitation to visit Port Glasgow, and I acknowledge the importance of the matter to Stuart McMillan and his constituents.

I am fully aware of the need for additional primary care investment, not just in Port Glasgow but further afield. I understand that it is one of NHS Greater Glasgow and Clyde's top primary care priorities—if not its number 1 priority. As I am sure the Presiding Officer will be aware, the capital funding position remains challenging, but I am working closely with the Cabinet Secretary for Finance and Local Government on the refresh of the infrastructure investment plan, the results of which will be published later this year, so that we can set out what we can do to address the situation in Port Glasgow and with other primary care facilities across Scotland.

Paul Sweeney (Glasgow) (Lab): The cabinet secretary knows that there are a number of important capital projects across NHS Greater Glasgow and Clyde that are beset by serious delays, including the new radionuclide dispensary and the institute of neurological sciences. The Government says that it is committed to publishing a new infrastructure investment plan later in the year. Will that include details of timescales for delivery of those critical projects, which must progress so that patients can be assured that they will happen without further delay?

Neil Gray: I am keen to see our capital programme continue. Paul Sweeney listed a number of projects that I am desperately keen to see move forward. Paul Sweeney has some agency in that regard. The long-term capital funding perspective is largely driven by what will be detailed in the United Kingdom Government's spending review later this month. I urge him to unite with the Scottish Government in urging the UK Government to invest in capital provision. It is good for the economy, it is incredibly important for our public services, and it would be remiss of a UK chancellor not to do so.

“Women’s Health Plan 2021 to 2024: Final Report”

4. Claire Baker (Mid Scotland and Fife) (Lab):

To ask the Scottish Government what additional focus areas it has identified, following the publication of the “Women’s Health Plan 2021 to 2024: Final Report”. (S6O-04421)

The Minister for Social Care, Mental Wellbeing and Sport (Maree Todd): Women’s health is a priority for the Government, which is why Scotland was the first country in the United Kingdom to publish a women’s health plan in August 2021. We have started work to bring together an updated evidence base and gather views from women and girls, including the lived experience stakeholder group and from our stakeholders, with the intention of publishing the next phase of the women’s health plan in 2025.

Timely access to gynaecology services will be a priority, with early discussions also indicating pelvic health and optimising future health as potential areas of focus.

Claire Baker: The women-centred approach to health is long overdue, and although progress is being made, there is a way to go, including in improving human papillomavirus immunisation and cervical cancer screening. Figures from health boards this week show that some women are waiting more than eight months for further checks following an abnormal smear test. Colposcopy exams can help to identify cervical cancer, but too many women are having to wait months for those vital follow-up checks. How is the Scottish Government working with health boards to address those waiting periods and ensure that early intervention is embedded into the cervical screening process?

Maree Todd: We certainly agree that the speed of colposcopy is not good enough, which is why our 2025-26 budget provides £21 billion for health and social care. To offer some reassurance, following an abnormal sample, patients at the very highest risk of cervical cancer will be referred on a fast-tracked urgent suspicion of cancer pathway for further diagnostic tests. Where results show a low or moderate risk, patients will be offered a routine colposcopy.

Without wishing to underestimate the anxiety that is experienced by those waiting on a routine appointment, and while wishing to offer reassurance, it is important to remember that fewer than one in 1,000 patients who are referred for a colposcopy are found to have a cervical cancer that requires immediate treatment.

We are absolutely committed to eliminating cervical cancer. We have established an expert group, which is chaired by women’s health champion Professor Anna Glasier. Eliminating

cervical cancer is within our reach, and she will provide recommendations on how Scotland can reach the targets set by the World Health Organization.

The Deputy Presiding Officer: I call Rachael Hamilton for a brief supplementary question.

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): In its 2021 manifesto, the Scottish National Party promised to reduce endometriosis diagnosis times to less than 12 months by the end of 2025, yet waiting times are still eight and a half years. Following the publication of the women's health plan report, will that target be met?

Maree Todd: I am aware that women are still waiting too long for an endometriosis diagnosis. We have discussed in the chamber that a definitive diagnosis requires an invasive laparoscopy test, which is not appropriate at the immediate first presentation. There is a process to work towards a presumptive diagnosis and then on to the invasive test that can confirm whether endometriosis is present.

There is no doubt that women are waiting too long. There has been an on-going series of work all over the system to increase awareness among women and health professionals and to tighten up the referral pathway to ensure that women are appropriately, rapidly and promptly referred into the system. As I said, though, people are waiting too long for gynaecology appointments, and we have invested extra money to try to improve that situation.

National Health Service (Pay Negotiations)

5. Jackie Baillie (Dumbarton) (Lab): To ask the Scottish Government whether it will provide an update on NHS pay negotiations for 2025-26. (S6O-04422)

The Cabinet Secretary for Health and Social Care (Neil Gray): I am incredibly grateful to our hard-working NHS Scotland staff for the care that they provide to patients day in, day out, and I am committed to ensuring that they continue to be supported and valued, and that NHS Scotland remains an employer of choice. I therefore confirm that pay negotiations for agenda for change staff will commence on 19 March. For consultants, specialty doctors, general practitioners and dentists, we await recommendations from the independent doctors and dentists pay review body. For resident doctors, we will engage directly with the British Medical Association Scotland to arrange for pay negotiations to commence.

Jackie Baillie: The cabinet secretary will be aware of the anger and frustration among the NHS workforce in the light of the delay in starting pay negotiations for the coming year. Does he accept

that any negotiations will need to rebuild trust, given his decision to U-turn on the Government's commitment to implement the reduction in the working week for NHS staff? Will he tell us whether that was his decision, or was it John Swinney's and he was simply the messenger?

Neil Gray: There has been no U-turn on our commitment to get to 36 hours for agenda for change staff in a reduced working week. The commitment that was given in the pay deal was to get to 36 hours by April 2026, and that is what is being delivered. A recommendation of the reduced working week working group suggested an implementation of 30 minutes over three years, but there was no commitment from the Government on that provision.

I recognise the frustration that exists among staff and I continue to engage with unions in that regard. However, I have to ensure that the reduced working week is implemented in a safe way that maintains capacity and ensures that we can deliver what we wish to see in the NHS over the coming year. I have met with unions to explain my position and my decision, which was taken by me.

Brian Whittle (South Scotland) (Con): In the face of impending industrial action in 2024, the cabinet secretary negotiated and agreed the commitment to pay and improved conditions, including reducing hours. He agreed to the timescale. There were no clauses that indicated that the Scottish Government commitment was subject to any decisions elsewhere, and he has reneged on that commitment.

Does the cabinet secretary not recognise that the commitments belong to him and the Scottish Government, and that he must own those decisions? How can anyone take the Scottish Government at its word in future negotiations?

Neil Gray: The pay deal that was arrived at two pay deals ago was for a reduced working week to 36 hours, to be arrived at by April 2026. When I came into post, I implemented the first 30 minutes last year. There was always going to be a test-and-learn approach based on the implementation of that first 30 minutes, which has been challenging in some parts of the system.

There has been no reneging—there is a clear commitment and a clear process by which we arrive at 36 hours next April. I will continue to engage with trade union colleagues and staff as to that implementation, because I am committed to honouring the deal that we signed, which committed us to 36 hours by April 2026. I reiterate that there was no commitment as to the process for how that was going to be arrived at, but I have given staff and unions certainty as to how it will be arrived at over the coming year.

The Deputy Presiding Officer: Question 6 was not lodged.

Gynaecological Health Services (Access)

7. Clare Adamson (Motherwell and Wishaw) (SNP): To ask the Scottish Government how it is supporting people to access gynaecological health services. (S6O-04424)

The Minister for Social Care, Mental Wellbeing and Sport (Maree Todd): In 2024-25, we allocated more than £450,000 to gynaecology from our £30 million investment in planned care. That delivered around 3,500 additional new outpatient appointments. The 2025-26 budget will provide an extra £200 million to help to reduce waiting times and improve capacity. Gynaecology will be a key priority area. The Minister for Public Health and Women's Health, and our women's health champion, have been meeting with clinicians to better understand the challenges; to discuss innovative solutions; and to reiterate our commitment to prioritise timely access to gynaecology services in the next phase of the women's health plan.

Clare Adamson: Regular checks are an essential part of a proactive approach to gynaecological health. Can the minister outline the steps that the Scottish Government is taking to encourage women to undergo regular screenings? What action is being taken to reduce waiting lists for gynaecological appointments in NHS Lanarkshire?

Maree Todd: On the issue of waiting lists, as I said in my previous answer, gynaecology will be targeted as the key priority area for additional funding throughout the next year. We are currently reviewing health board plans to clear the longest wait from that specialty.

As I mentioned in answer to a previous question, the elimination of cervical cancer is within Scotland's grasp and the cervical cancer elimination group is exploring strategies for increasing cervical screening uptake, including self-sampling, with an anticipated United Kingdom national screening committee recommendation this spring. Our equity in screening strategy and related action plan, published in 2023 and supported by a £1 million annual funding to address inequalities in uptake, cements our vision for access for all eligible individuals across the full screening pathway.

Sue Webber (Lothian) (Con): With regard to gynaecological waits, that investment may be there on paper, but it comes down to the reality on the ground: women in Scotland are currently waiting on average eight years for an endometriosis diagnosis. Following diagnosis, things do not get any better. Here in NHS Lothian,

one of my constituents, Jenny Macfarlane, has been waiting for urgent surgery since July 2023. She told me that she has been informed that, after already waiting for 81 weeks, her surgery will now not take place until the end of 2025. Due to that time lapse, she will also likely need another expensive MRI scan. That news has a detrimental impact on her mental health and, as she put it, on her will to live.

The Deputy Presiding Officer: Question.

Sue Webber: Minister, for how much longer must women in Lothian endure unnecessary suffering while waiting for life-changing medical treatment?

The Deputy Presiding Officer: Always speak through the chair.

Maree Todd: I agree that some women are waiting too long for intervention and, as I have already stated, we are working to improve the situation. I apologise to women who are having to wait and to cope with a painful and debilitating condition.

There are some green shoots that the member can pass on to her constituent. To the end of January, health boards reported that they had delivered 75,500 appointments and procedures, against a plan of 64,000. Broken down, that includes almost 56,500 diagnostic procedures, which exceeds the original plan to deliver 40,000 of those procedures by almost 41 per cent and has reduced the size of the waiting lists for imaging and scopes. As I said, gynaecology appointments and patients were prioritised last year and they will be prioritised again this year. Gynaecology patients will be benefiting from the improvement in performance.

Finlay Carson (Galloway and West Dumfries) (Con): Yesterday, a cross-party group of MSPs met the Galloway community hospital action group, which raised concerns about the lack of maternity services in the west of the region, leaving women having to travel more than 70 miles to give birth. Will the minister and the Cabinet Secretary for Health and Social Care agree to meet members of the community action group in order to discuss their concerns about the decision that has been taken by the integration joint board?

Maree Todd: The member's question relates to maternity services, rather than gynaecology. I defer to the Minister for Public Health and Women's Health on that, as she can give him a fuller answer. I know that she has previously met the individuals that he has mentioned, and I am confident that she would be more than happy to meet them again in order to hear about the latest developments and work out solutions.

The Deputy Presiding Officer: I note that Karen Adam is not in the chamber to ask question 8, so I cannot call it. That is disappointing. I expect an explanation and an apology from the member.

I also note that the opening speaker in the debate on single-sex spaces in the public sector, which is the next item of business, is not in the chamber. Unfortunately, I will have to suspend the meeting briefly until the situation changes.

14:46

Meeting suspended.

14:48

On resuming—

Single-sex Spaces (Public Sector)

The Deputy Presiding Officer (Liam McArthur): The next item of business is a debate on motion S6M-16755, in the name of Russell Findlay, on protecting single-sex spaces in the public sector. I invite members who wish to participate in the debate to press their request-to-speak buttons now or as soon as possible.

14:49

Russell Findlay (West Scotland) (Con): On the cusp of Christmas 2022, Parliament sat into the early hours of the morning as MSPs debated the Scottish National Party's Gender Recognition Reform (Scotland) Bill. Despite the valiant efforts of our party, the legislation passed, prompting shock and anger from women in the public gallery, and no wonder.

Lorna Slater (Lothian) (Green): Does the member recognise that it was Conservative Prime Minister Theresa May who sought to reform the Gender Recognition Act 2004 because she wanted trans people to have an easier life and wanted to make sure that they did not have to suffer through medical interventions and discrimination?

Russell Findlay: That was a bold attempt, but this legislation was a completely different thing. The bill was about the removal of women's rights.

It is no wonder that women were angry that evening. I remember it well. Parliament had passed a law that would allow anyone from the tender age of 16 to legally change their sex based on nothing more than self-declaration. In the eyes of the state, any man could be a woman, regardless of the inevitable impact on women's rights. Not only that, but Parliament also rejected my commonsense amendments to prevent sex offenders from exploiting gender self-identification, as they inevitably would.

Not long after the law passed, a man called Adam Graham was convicted of rape. He said that he identified as female and wanted to be known as Isla Bryson. He was initially sent to a women's prison, before a public backlash forced his removal. That episode ignited the public awareness in Scotland and beyond and, when Nicola Sturgeon was unable to answer whether Bryson was a man or a woman, the game was up. She could not concede that Bryson was a man, even though everyone else could see it as plain as day. However, nor could she say that Bryson was a woman, despite his self-declaration. The SNP's belief in the purity of self-identification without

condition collapsed under Nicola Sturgeon's inability to answer that question.

It has since been reported that SNP MSPs were assured during those long and late sittings that the issue was a storm in a teacup and that, once the law passed, all the fuss would die down by the new year. How very wrong that was. We are still talking about it, because we need to be talking about it. That is why my party has decided to hold today's vital debate.

The SNP has said that a rapist being in a women's prison was nothing to do with its law. In fact, it is right about that, although that does not make it any better, because the Scottish Prison Service's decision to put a rapist in a women's prison was due to the SNP pushing gender ideology long before the bill passed. Trans lobbyists, funded by the SNP Government, saw voiceless and vulnerable women in prison as an easy first target. They succeeded in getting the Scottish Prison Service to adopt self-identification in 2014, eight years before the Gender Recognition Reform (Scotland) Bill was lodged.

Lorna Slater: Will the member take an intervention on that point?

Russell Findlay: I am sorry, but I am going to make some headway. I will come back to the member on that.

This insidious campaign has been waged for more than a decade, and the same lobbyists also targeted the police, the judiciary, the national health service and many other branches of state. The truth is that, by the time the bill passed in 2022, self-ID had already become entrenched in many of Scotland's public bodies and state-funded agencies, including prisons, schools, hospitals, the police and sporting groups. Even though that dangerous legislation was, quite rightly, blocked by the then Scottish secretary, Alister Jack, it has since become even more deep rooted.

Mass adoption of self-ID is why we are witnessing an extraordinary employment tribunal in Fife, which will conclude in due course. A female nurse who spent decades treating NHS patients was told that a male-bodied colleague was allowed into the female-only changing room. When she raised concerns with her bosses, she was subject to disciplinary action. It is little wonder that the NHS's taxpayer-funded lawyers wanted this case played out behind closed doors. The fear is that lawyers are now queuing up for even more public money in similar anticipated cases—money that should be spent on front-line services.

All of that is happening because self-styled political progressives on the left are, in fact, deeply regressive, sacrificing women's rights on the altar of their beliefs. The imposition of gender ideology thinking in schools is the most insidious part of it.

Mercedes Villalba (North East Scotland) (Lab): Will the member take an intervention?

Russell Findlay: I do not think that I have much time in hand.

The Deputy Presiding Officer: There is not an awful lot, no.

Russell Findlay: I will come back to the member if there is time towards the end.

Children who are experiencing the normal challenges of growing up are being told by adults that they were born in the wrong body. The profound and often irreversible harm that that has caused, and continues to cause, is horrific. One day, there will be a reckoning for those responsible.

Then there is the destruction of girls' privacy in schools. In 2021, the SNP issued trans guidance for schools, which stressed that there was no legal basis for excluding boys from girls' toilets and that pupils should be free to join physical education classes with the gender of their choosing. It also included advice on increasing the number of gender-neutral toilets. There have been instances of sexual harassment and assault. I find it reprehensible that young female pupils are too scared to go into school toilets because of the presence of young men, even where there is no ill intent. As a parent, I would refuse to accept that. No pupils or their parents should be bullied into submission because schools have been told to accept and promote self-ID.

In 2022, Scottish Government civil servants were sent material that described biological sex as a

"binary system ... set by the medical establishment to reinforce white supremacy and gender oppression".

I mean, for goodness' sake—I only got a few higherers and none of them were in science, but in what mind-bending parallel universe is it okay for civil servants to peddle basic biological falsehoods?

The same material labelled some women's rights campaigners as TERFs, which stands for "trans-exclusionary radical feminists". Initially used as a smear by the gender lobby, the term has since been embraced by Scotland's proud legion of TERFs. Trust me—you do not want to get on the wrong side of them. Today, I thank them for their heroic work. From the very beginning, the TERFs could see the problems with self-ID. At every level, from the top of the Government to our NHS, councils, policing and schools, women's rights have been set on fire. Even today, after all this has played out in public, many state agencies just do not get it. Scotland's TERFs have been bravely determined in their fight for justice, and that fight continues.

Just over two years ago, my party did everything that it could to try to prevent the SNP's harmful gender self-ID law from being enacted. John Swinney, Anas Sarwar and Alex Cole-Hamilton all voted for it. Anas Sarwar has since claimed that he would not have done so if he had known then what he knows now. He is not here to explain himself, but I would be happy to give way to any of his colleagues if they can reveal exactly what it is that they did not know back then. None of them will, as expected. The reason was—

Jackie Baillie (Dumbarton) (Lab): Oh, come on. That is so pathetic.

Russell Findlay: No—I know, and they know, that every single bit of information was right in front of them. [*Interruption.*] All the warnings were writ large, and all the warnings were ignored.

Mercedes Villalba: Will the member take an intervention?

Russell Findlay: I will if we have time. Presiding Officer, is there time in hand?

The Deputy Presiding Officer: There is very little time in hand, but I can give you some of the time back.

Mercedes Villalba: Can the member point to any evidence of harm to others arising from granting transgender people access to single-sex spaces that align with their gender? Do you have any evidence?

The Deputy Presiding Officer: Speak through the chair, please.

Russell Findlay: I have 11 minutes for this entire speech, but I could spend 11 minutes providing details of evidence. [*Interruption.*] I find it extraordinary that the member would be so oblivious to the reality of the harms that are being caused every single day.

Nicola Sturgeon was the architect of this bitterly divisive legislation and cheerleader for its dangerous ideology. She was the first female First Minister but she has caused untold damage to women's rights. Today, she has announced that she will not seek re-election to Holyrood. I want to give Nicola Sturgeon an opportunity today to admit her mistakes and get on the right side of history. I ask her to vote for the motion. By doing so, she could send a signal to the women of Scotland that she got it wrong. Who knows? It might even be the first step in rehabilitating her record and her legacy.

I turn to her successor. John Swinney said that he has no regrets about backing self-ID, and there are concerns that he will resurrect it if he thinks that he can get away with it. He should not do so. What he should do is to issue a clear message today to all of Scotland's public bodies and state-

funded agencies. Here is that message: women and girls are legally entitled to single-sex spaces, and women and girls should never be punished for exercising their rights. That should be obvious to anyone who possesses an ounce of common sense and compassion.

I assume that Anas Sarwar's epiphany means that Labour will support our motion. As for SNP members, I know that many of them share my party's views. It is not too late for them to do the right thing, and I urge them to back Scotland's women and girls. That might go some way towards repairing the damage that was done by the madness of self-ID.

I proudly move,

That the Parliament believes that the Scottish Government has failed to give sufficient clarity to the public sector about ensuring the availability of single-sex spaces for women and girls, such as toilets and changing rooms; acknowledges that this failure has resulted in workers in the public sector and school pupils having to share single-sex spaces with individuals of the opposite sex, jeopardising their safety, dignity and privacy, and subjecting some to horrific incidents of sexual abuse and harassment, and calls on the Scottish Government to urgently issue a directive to all public sector organisations requiring that adequate single-sex spaces for biological women and girls are provided on their premises in line with legal obligations.

15:00

The Cabinet Secretary for Social Justice (Shirley-Anne Somerville): I will approach today's debate with a clear statement of fact at the outset. As our amendment states, the Scottish Government stands firmly behind the Equality Act 2010.

I take the opportunity at the outset of the debate to say that we all have a duty and responsibility in relation to the language that we use and the conduct that we display today—and, indeed, on all days. Public discussions on equality issues can be polarised and can sometimes include misconceptions. We should be mindful of the negative impact that polarised and sometimes inaccurate public discussion can have on the groups and individuals who are impacted by what we will speak about today. As an example, in 2023, during a state visit to the United Kingdom, the United Nations-appointed independent expert on sexual orientation and gender identity commented:

"Abusive rhetoric by politicians, the media and social commentators has trickled down to create a culture of increasingly abusive and hateful speech against LGBT persons in the United Kingdom."

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): Will the cabinet secretary take an intervention?

Shirley-Anne Somerville: The Scottish Government has always sought to debate this topic with sensitivity and compassion based on evidence and the rule of law. That is how ministers will respond today. I remind all members that there are on-going judicial proceedings that relate to the debate and that it would not be appropriate for the Scottish Government to comment on those.

The Scottish Government is committed to and fully upholds the Equality Act 2010. We have been clear in our support for the separate and single-sex exceptions in the act, which can allow for people to be excluded when that is

“a proportionate means of achieving a legitimate aim”.

We recognise that it is legislation for everyone, as it covers age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. It sets out the personal characteristics that are protected by the law and the behaviour that is unlawful. It protects individuals from unfair treatment and promotes a fairer and more equal society.

Alex Cole-Hamilton (Edinburgh Western) (LD): Does the cabinet secretary recognise that the Equality Act 2010 came from a recognition that vast swathes of minorities in our communities were facing violations of their human rights and regular abuse, and that it was a necessary act that has functioned well?

Shirley-Anne Somerville: Alex Cole-Hamilton is right to point to the basis of the legislation, the reasons why it was introduced and why it remains just as important now as it was at its introduction. I repeat the message that we have made before, which is that the Scottish Government strongly supports the separate and single-sex exemptions in the 2010 act.

Over the past few weeks, the Scottish Conservatives have asked multiple questions in the Parliament in relation to single-sex spaces. The Scottish Government has answered those questions in full and, each time that they have been raised, we have reminded the Conservatives that the 2010 act is largely reserved and that the Equality and Human Rights Commission is responsible for its enforcement. It is the responsibility of all public bodies in Scotland to interpret and comply with the 2010 act. That is the law.

We welcome the role of the EHRC in producing codes of practice and guidance for public bodies in Scotland to help them to navigate their statutory obligations under the 2010 act. That includes a guide for separate and single-sex service providers. The guidance also states that organisations might need to consider the impact of

other legislation such as the legal requirements for health and safety in workplaces.

Some powers have been given to Scottish ministers under the 2010 act, such as the public sector duty regarding socioeconomic inequalities and specific duties enabling the better performance of the public sector equality duty. However, key provisions of the 2010 act on matters such as discrimination and on the various protected characteristics, such as sex and gender assignment, are reserved.

Public sector bodies in Scotland are responding to their obligations under the 2010 act. NHS Scotland provides guidance through the charter of patients' rights and responsibilities. The charter was last updated in 2022 and is required to be updated every five years, with the next scheduled update taking place in 2027.

The Scottish Prison Service issued operational guidance in February 2024 to support implementation of the management of transgender people in custody policy, which was published in December 2023. That guidance is to ensure that the rights and needs of transgender people are protected, while ensuring a safe and inclusive environment for everyone in the care of the SPS and those who work for it.

Police Scotland is conducting a review of sex and gender, with an aim to improve the terminology, recording practices and use of sex and gender across the organisation. The review aims to achieve an outcome that is consistent with inclusivity, legal obligations and operational requirements, and that respects individuals' rights and dignity. However, the chief constable is responsible for policing and is accountable to the Scottish Police Authority for that and not to Scottish ministers.

The EHRC's technical guidance for schools sets out clear advice and guidance on the provisions of the 2010 act as they apply to schools in relation to the provision of education and access to benefits, facilities or services, both educational and non-educational. It provides authoritative, comprehensive and technical guidance to the detail of the law.

Tess White (North East Scotland) (Con): Will the cabinet secretary take an intervention?

Shirley-Anne Somerville: The supporting transgender young people in schools guidance for schools provides non-statutory legislative policy and practical guidance for schools on the matters that schools might wish to consider in responding to a young person's personal decision to consider or change their gender identity. That includes a range of considerations, including the provision of toilets and changing rooms, but it goes well beyond those matters.

Fergus Ewing (Inverness and Nairn) (SNP): Will the cabinet secretary take an intervention?

Shirley-Anne Somerville: The behaviour in Scottish schools research for 2023 identified concerns among school staff about increasing experiences of misogyny in schools. That is why, in March last year, the Scottish Government introduced new guidance for schools on preventing and responding to gender-based violence. The guidance provides clear advice for schools on challenging misogyny and responding to any incidents that arise, which, thankfully, are rare.

I recognise that the points that have been raised on single-sex spaces concern the safety of women. We remain absolutely committed to protecting and asserting the safety of women and girls in our society. Violence against women and girls is a fundamental violation of human rights and has no place in our vision for a safe, strong and successful Scotland.

To achieve our vision, we are implementing the equally safe Scotland strategy for preventing and eradicating violence against women and girls.

Stephen Kerr (Central Scotland) (Con): On a point of order, Deputy Presiding Officer.

A number of members have tried to intervene. I am seeking your clarification that it would be in order in a debate for the cabinet secretary to give way and allow a colleague to ask a question or to seek a clarification.

The Deputy Presiding Officer: Mr Kerr, you will know by now that that is not a point of order and that it is entirely at the discretion of the person speaking whether they take an intervention.

I can give you back a little bit of time, cabinet secretary.

Shirley-Anne Somerville: Thank you, Presiding Officer.

The delivery of the equally safe fund supports the work of the equally safe strategy, which underpins Scotland's approach to preventing and eradicating violence against women and girls. It supports 119 projects from more than 100 organisations across every local authority in Scotland.

Mercedes Villalba: Will the cabinet secretary take an intervention?

Shirley-Anne Somerville: Scotland is committed to meeting the benchmark that is set by the international treaties and obligations, such as the Istanbul convention, which opposes violence against women and domestic violence.

Sue Webber (Lothian) (Con): Will the cabinet secretary take an intervention?

Shirley-Anne Somerville: The debate on single-sex spaces can focus on front-line services that are crucial in providing support and safety for the survivors of violence against women and girls. The needs of survivors of rape and sexual assault must be the utmost priority of support services, and that is why we strongly support the exemptions in the 2010 act and are clear that access to separate or single-sex provision for survivors is a legitimate and proportionate response when providing support to rape survivors.

Brian Whittle (South Scotland) (Con): Will the cabinet secretary take an intervention?

Shirley-Anne Somerville: Gender equality is at the heart of the Scottish Government's vision for a fairer Scotland. We want women and girls to be empowered to exercise equal rights and opportunities, have equitable access to economic resources and decision making, and live their lives free of all forms of violence, abuse and harassment.

We continue to take forward work to protect, promote and improve gender equality, recognising that intersectional inequality exists in Scotland. That includes work to deliver and implement the ambitious recommendations from the First Minister's National Advisory Council on Women and Girls, alongside the women's health plan and the equally safe strategy.

Gender inequality is complex and harmful, and it affects everyone, not just women and girls. It affects us collectively as a country. Women are central to all Government priorities, and ensuring that the Government is more gender competent is a core ambition of the National Advisory Council on Women and Girls. The Government strongly supports that.

Mercedes Villalba: Will the cabinet secretary take an intervention?

Shirley-Anne Somerville: Our support for trans rights does not conflict with our continued strong commitment to uphold the rights and protections that women and girls have under the 2010 act.

Sue Webber (Lothian) (Con): Will the cabinet secretary take an intervention?

Shirley-Anne Somerville: The Scottish Government is committed to increasing equality and improving the lives of trans people in Scotland.

Stephen Kerr: What an embarrassment.

Shirley-Anne Somerville: Trans and non-binary people are a small, marginalised group that represent 0.4 per cent of Scotland's population. They are often misunderstood and misrepresented, and they receive disproportionate

levels of attention. It is vital that we continue to work collaboratively to support one another.

Today's debate is an important opportunity to reiterate the Government's commitment to the Equality Act 2010 and to welcome the role of the EHRC in enforcing the act and in providing codes of practice and guidance that support all public bodies to comply with the law in Scotland.

I move amendment S6M-16755.3, to leave out from "believes" to end and insert:

"notes that the Scottish Government fully upholds the Equality Act 2010, and requires all public bodies to comply with the law, and welcomes the role of the Equalities and Human Rights Commission in providing codes of practice and guidance."

The Deputy Presiding Officer: I have tolerated a degree of reaction, but I remind members that it is up to the member who is on their feet whether they take an intervention.

15:11

Jackie Baillie (Dumbarton) (Lab): On one level, it is disappointing that we are having to have this debate. That is undoubtedly because the Scottish Government has failed to provide leadership. It has allowed the lack of clarity about the protection of single-sex spaces to continue. Although the Scottish Government's amendment asserts that the Scottish Government follows the law, that contradicts people's experience. There are examples in the public sector of where the SNP has allowed practice to get ahead of the law. Some people assert that that has been encouraged. So, let me be clear: single-sex spaces based on biological sex are protected under the Equality Act 2010. Women and girls have a right to feel safe in our public buildings, especially in schools and hospitals—places that they attend out of necessity and often at moments in their lives when they may feel vulnerable.

Schools should be warm and welcoming places where all young people can thrive, but they are also a microcosm of some of the behaviour that women experience more generally. A 2022 survey by the University of Glasgow found that almost two thirds of pupils at Scottish secondary schools have experienced sexual harassment at or on their way to school, with a third describing invasive behaviour such as sexual touching. For all young people, the high school years are a time of physical transformation that often comes hand in hand with a desire for privacy. Schools have a duty to protect their students and create a welcoming environment for all. That includes providing accessible and single-sex toilets so that girls of all ages feel that they have the privacy that they need.

In public workplaces such as hospitals, female staff should have the right to access single-sex changing rooms.

Fergus Ewing: I am most grateful to Jackie Baillie for taking my intervention. Separate spaces are protected not only under the Equalities Act 2010 but specifically under regulation 24 of the Workplace (Health, Safety and Welfare) Regulations 1992, which says that changing facilities

"shall not be suitable unless they include separate facilities for, or separate use of facilities by, men and women where necessary for reasons of propriety".

What greater example could there be of where propriety is required than where women have to take off their clothes—to disrobe—to put on hospital scrubs?

I ask that question of Jackie Baillie because the cabinet secretary, for whatever reason, chose not to take an intervention from me.

Jackie Baillie: That was a long intervention, but Fergus Ewing is right, and I am surprised that the cabinet secretary did not reference those regulations.

If the SNP Government had kept to what it states in its amendment by respecting the Equality Act 2010 and those regulations, that would have been clear to public bodies and the recent dispute in NHS Fife would not have happened. How many other public bodies are not interpreting the law correctly? The SNP Government must undo the mess that it has created by swiftly giving clarity—

Evelyn Tweed (Stirling) (SNP): Will the member take an intervention on that point?

Jackie Baillie: Sorry, but I have lost a lot of time already.

It must do that by swiftly giving clarity to public bodies about the need to ensure the availability of single-sex spaces for women and girls. We all know that NHS staff already go above and beyond the line of duty, so our hospitals should be places where staff do not have to worry about the facilities—their sole focus should be on the job.

The reality is that, even when the SNP now commits to a clear principle, it simply fails to deliver in practice. For 20 years now, first Scottish Labour and then SNP Administrations have required health boards to eliminate mixed-sex accommodation in hospitals. Yet in 2024, only two health boards, NHS Dumfries and Galloway and NHS Orkney, confirmed that they offered single-sex accommodation across all of their wards. The remaining 12 health boards offered mixed-sex accommodation in at least some of their wards—a far cry from the pledge that was made. The reality

is that, too often, women are stuck not even in mixed-sex wards but in corridors.

Most members are aware of the recent harrowing report by the Royal College of Nursing, which described corridor care. One Scottish nurse described having to use privacy screens around patients so that they could use the bedpan. As the director of the Royal College of Nursing Scotland said,

"This is completely unacceptable for patient safety and staff wellbeing."

Lorna Slater: Will the member give way?

Jackie Baillie: I do not have time. Sorry.

The chaos in hospitals is not just humiliating for individual patients; it provides a backdrop for an even darker turn of events. There were 276 recorded sexual assaults and 12 recorded rapes in Scottish hospitals in the past five years alone, according to freedom of information requests submitted by the Women's Rights Network. Of the 288 sexual assaults and rapes that were recorded, more than half occurred on a hospital ward.

Lorna Slater: Were any of them by trans people?

Jackie Baillie: I ask the member please not to interject from a sedentary position. I do not have time to take interventions.

The surroundings where those assaults took place included a children's hospital, two maternity hospitals and a palliative care hospital. Shockingly, Police Scotland could give details for only 29 per cent of the cases, meaning that the real number of sexual assaults must be far higher.

Let me make a direct plea to the Cabinet Secretary for Social Justice. Will she commit to urgently working with the Cabinet Secretary for Health and Social Care, NHS Scotland and Police Scotland to ensure that there is more accurate recording and reporting of sexual crimes in the NHS? Can she ensure that the SNP lives up to its long-standing pledge to end not only corridor care but mixed-sex wards? Finally, will the cabinet secretary bring clarity in the Government's actions by ensuring that single-sex spaces based on biological sex are protected for women and girls, as is set out in the Equality Act 2010?

I move amendment S6M-16755.1, to leave out from " , such as toilets" to end and insert:

" ; acknowledges concerns about dignity and privacy; notes recent research on safety in hospitals relating to rape and sexual assault; calls for more accurate recording and reporting in the NHS, including to the police, leading to better protections; further calls for an end to mixed sex wards; supports ensuring that schools are designed as accessible and welcoming environments for all, including accessible and single-sex toilets, and calls for the Scottish Government to outline how single-sex provision will be

delivered in public buildings, such as schools and hospitals, and in line with legal obligations."

15:18

Maggie Chapman (North East Scotland)

(Green): It is with immense sadness and not just a little anger that I rise to speak this afternoon on behalf of the Scottish Greens. The tone and content of the motion are deeply damaging, intentionally or otherwise. They threaten the rights and wellbeing of all women, cis as well as trans; they obscure an accurate understanding of law and policy; they present a deterministic view that belies the lived reality of many; and they jeopardise serious and co-operative work to progress equality in Scotland. We have the opportunity this afternoon to minimise that damage.

There are, I believe, Conservative MSPs who must be secretly mortified at the motion that their leadership has chosen for debate. They know that its language, beneath the thin veneer of legal concern, is neither legal nor scientific but is associated with deliberate experiments in scapegoating and moral panic. They know that, unchallenged, it will endanger the health, the wellbeing, the rights and the very lives of our transgender neighbours, some of whom, in kinder times, might themselves have been Conservative voters. I remember Jamie Greene's speech at stage 3 of the Gender Recognition Reform Bill, not so very long ago. There were tears of respect and admiration at his courage, his compassion and his integrity. I wonder if we will hear something similar this afternoon.

Nothing has changed about our transgender friends, relatives, comrades, colleagues and neighbours. They are living as they always have: some campaigning, some writing or speaking of their experiences, most just getting on with their lives, working, studying, eating, sleeping, cooking, dancing, reading—and, yes, going to the toilet and getting changed. It is what human beings do.

Everything, it seems, has changed about the world we live in, though. The cruelty of Donald Trump, with his crude violence and naked power, has somehow excited and emboldened the transmisogynists elsewhere. Because he has forced his own fellow citizens out of their jobs, their sports and their social lives, his followers think that they can do the same. Do they think that humanity, human rights, simple decency and respect do not count any more?

They do still count, and we stand up to be counted. Whatever our differences in policies and priorities, the Scottish Parliament and all its members have been united before in recognising, protecting and advancing human rights. This afternoon should be no different.

The Tories are wrong. They are deeply, tragically and bitterly wrong, and the motion is wrong—morally, legally and practically. Do not take my word for it. Scottish Trans, part of the Equality Network, explains on its website—*[Interruption.]*

The Deputy Presiding Officer (Annabelle Ewing): Members, please! We will hear with courtesy and respect the member who has the floor. That is Maggie Chapman. Please continue, Ms Chapman.

Maggie Chapman: Thank you, Presiding Officer.

Scottish Trans explains:

“it is not a new idea to insist that trans people should be treated in line with our biological sex at birth by services, public bodies, and when we participate in public life. Historically, this is exactly how trans people were treated, and it meant that we could not go to work safely, use services that met our needs, or use public spaces freely. It meant that we experienced even higher levels of discrimination, harassment and abuse. Our lives were worse, and smaller, and we were hidden away from wider society.

It didn't work. Trans people knew it didn't work. Our families and friends knew it didn't work. Service providers knew it didn't work—ultimately lots of them did and do want to know how they can help and support us. And courts knew it didn't work—not only that it didn't work, but that it breached our human rights or meant that we faced discrimination. So many of the legal rights we have today come directly from court judgements—that say we have a right to live our lives and be recognised in line with our gender identity. That it is not ok to treat us as our biological sex at birth all the time, as to do so greatly reduces our quality of life, our right to privacy, and our right to simply be recognised for who we are.”

This motion, disguised as policy, represents collective punishment of trans women, of trans men, of non-binary people, of intersex people and of women who are too tall or too broad, who have the wrong voices or the wrong clothes, or who have hair in the wrong places or not enough of it—in short, anyone who does not slot into neat little boxes. It is, of course, aimed at trans and non-binary people—and it is as an utterly unapologetic trans ally that I speak this afternoon—but the collateral damage goes much further.

We, in the Scottish Greens, have not changed, and there are others here this afternoon who have not changed either. I know that there are members across the chamber who will stand, as I do, in solidarity with care, love and respect for our trans and non-binary siblings, our hearts aching at the pain that, once again and with such injustice, they are called upon to bear. So far as we can, we share that pain. Everyone deserves safety. Everyone deserves respect. Everyone deserves protection of their human rights—that is what universal means.

I will close with the words of a cis woman who wrote in advance of today's debate:

“women's rights are endangered far more by following the US into an anti-trans crusade led by the evangelical right than they ever could be by a trans woman using the bathroom cubicle beside mine.”

I am proud to stand here this afternoon in solidarity with our trans and non-binary siblings.

I move amendment S6M-16755.2, to leave out from first “the Scottish Government” to end and insert:

“all women deserve protection from misogyny, including transmisogyny; condemns the rise in transphobic rhetoric and policy; believes that transgender and nonbinary people contribute immensely to the wellbeing of Scotland's communities; reiterates its commitment to human rights for all, including freedom from discrimination and upholding the Equality Act 2010; requires all public bodies to comply with the law, and welcomes the role of the Equalities and Human Rights Commission in providing codes of practice and guidance.”

15:24

Alex Cole-Hamilton (Edinburgh Western) (LD): In the time that I have, I will lay out the position of the Scottish Liberal Democrats in respect of the Scottish Conservative Party motion that is before Parliament today.

Let me say at the outset that my party is wholly committed to the safety of women and girls, and to tackling the violence and abuse that they still face all too often. However, we are not persuaded that the Conservative motion would deliver progress towards that.

Brian Whittle: Will the member take an intervention?

Alex Cole-Hamilton: I must make some progress, I fear.

The area of policy that we are debating this afternoon is one in which my party has long-held commitments. Those commitments are rooted in evidence and stem from the same understanding and principles that gave rise to the original gender recognition act—the Gender Recognition Act 2004—and the relevant aspects of the Equality Act 2010. That understanding stems from the reality that, for the vast majority of people, biological sex at birth matches their gender through life: a person is born a boy and they grow up to live as a man, or they are born a girl and they grow up to live as a woman.

However, for a tiny proportion of the population, that is simply not true—they come to understand that their gender and their biological sex at birth are not the same and they feel as though they have been born into the wrong body. In times past, that would have brought feelings of self-loathing

and massive stigma in a society that feared them or refused to believe that they existed at all.

Our role as parliamentarians is to legislate and to govern for all our constituents, especially those who are in any kind of distress or who are likely to be marginalised in any way. That is not an obsession—it is our duty and our job. Across our family of nations, we have taken big strides to recognise and protect the rights of our trans constituents.

Because the issue has been mentioned, I want to touch briefly on gender recognition. The Gender Recognition Act 2004 finally allowed trans people to have their gender recognised and recorded by the state in the legal architecture that underpins their lives. I am talking about things such as birth certificates and death certificates. I am talking about the dignity of having who you are acknowledged by the state in the documents that you are legally required to hold.

However, after 10 years of operation, it became apparent that the gender recognition regime was flawed, as it was overly intrusive and traumatic for those who went through the process. There was a time when the Parliament was united in understanding the need for that regime to be reformed. For Liberal Democrats, the question of how we can take a humane approach to gender recognition remains unanswered, but the heat and the division that have engulfed the issue mean that to press on would serve only to harm the people whom we are trying to help.

So, we are not looking to relitigate the issue. Realistically, change will be brought about only by going back to first principles, fostering consensus and working across the four nations of these islands to make sure that there are no cross-border barriers to mutual acceptance.

I turn to the substance of the motion. The debate about single-sex spaces and who can use them is not a new one. For most of history, trans and non-binary people were viewed by the state through the lens of the biological sex that had been assigned to them at birth. That meant that they could not use public services or public spaces freely, which the courts rightly regarded as a fundamental breach of their human rights. Not unreasonably, they concluded that trans people need to recover from operations in hospital, try on new clothes or go to the toilet when shopping in town. Therefore, provision was made for them in the articles of the Equality Act 2010.

Crucially, as we have heard, that legislation also allowed organisations and public bodies to exclude trans people from single-sex spaces, when to do so represents

“a proportionate means of achieving a legitimate aim”.

That legal phrasing was deliberately left open to allow flexibility in the application of the law in places in our society where the complexities around the provision of single-sex spaces require such flexibility, and the courts have backed that up.

I know that many people—some of whom will be watching today’s debate—have questions and even some concerns, but agreeing to the motion is not how we should go about giving them comfort. Indeed, the Conservative motion seeks to reverse the progress that we have made for our trans constituents in this area, and to take us back to a time when they were stigmatised and ostracised in our society. If we followed it through to its natural conclusion—that toilets and changing rooms should always be biological single-sex-only spaces—who would police that? How would someone ascertain the biological sex at birth of a trans person who was seeking to use a changing room in John Lewis or a toilet in a garden centre or a high school? There is no policy that the Parliament could enact that would satisfy the movers of the motion and would not, ultimately, be confusing or cause far greater upset.

I will conclude by challenging the suggestion that is falsely implied in the motion—that trans people want to use spaces such as toilets or changing rooms to abuse or harass women and girls. We know, and empirical evidence tells us, that, by any metric, by far the biggest threat to the safety of women and girls comes not from the trans community, but from predatory men.

I think that our parliamentary time this afternoon would have been far better spent addressing that urgent reality.

The Deputy Presiding Officer: We move to the open debate and back-bench speeches of up to six minutes.

I call Pam Gosal, who will, in fact, have five minutes, as has been agreed with the party business manager.

15:30

Pam Gosal (West Scotland) (Con): I thought you were going to give me a minute more, Deputy Presiding Officer. I was really excited there.

As we just marked international women’s day on Saturday, this debate, which has been brought by the Scottish Conservatives, could not be more timely.

Since being elected to Parliament in 2021, I have made the protection of women and girls my number 1 priority. Shortly before Christmas, I hosted my own round table on the 16 days of activism against gender-based violence. One of the speakers was a teacher who spoke about how

boys had taken advantage of unisex toilets to slip their cameras under the stalls to film girls using them. Shortly after that, it emerged that a hidden camera, which contained hundreds of images of naked girls, had also been found in a unisex toilet in a Dundee high school. Some of those girls were so scared that they refused to go back to school. Imagine if that had happened to your daughter.

Unisex toilets pose a threat to female pupils and school staff alike, yet one in 20 schools in Scotland currently offers only unisex facilities, and no single-sex toilets at all. Many times, opponents of unisex toilets are branded as transphobic. However, as I have previously said in the chamber, raising concerns over unisex toilets is not transphobic—it is common sense. How much clearer does the evidence need to be? We need single-sex spaces in order to protect our women and girls. In other parties, those concerns fall on deaf ears. However, I will continue to fight for the rights of women and girls, with all my heart.

How did we get here? When Nicola Sturgeon became the first female First Minister in 2014, she was seen as a trailblazer for women. Unfortunately, under her Administration, women were thrown under the bus through the introduction of the terrible Gender Recognition Reform (Scotland) Bill. Now she has decided to stand down. Normally, we would wish any departing MSP well. However, women and girls will never forget the deep divisions in our country that she created, fostered and encouraged.

I remember, two years ago, sitting through long committee meetings at which my colleague Rachael Hamilton and I were the only members who opposed the general principles of that bill. Standing right here in the chamber during the stage 3 debate on the bill is a memory that I will never forget. The SNP pushed through legislation without thinking of the consequences, and certainly without thinking about keeping women and girls safe.

If the SNP had its way, men could simply declare that they are women without going through any medical interventions or diagnoses. SNP members even voted down amendments to prevent dangerous criminals such as rapists from obtaining gender recognition certificates. They said that dangerous men would never pretend to be women in order to gain access to women's spaces. How wrong they were. About a month after the bill was passed came the case of Isla Bryson, in which, shamefully, a double rapist was placed in a women's prison.

Thankfully, the previous Conservative UK Government vetoed that dangerous legislation. Instead of learning its lesson, however, the SNP has continued only to undermine women. Not only did it launch a costly legal challenge against the

UK Government to defend the doomed legislation, but it is now arguing in court that men can become pregnant.

Women are still being punished for their sex-based rights. We all know about the case of Sandie Peggie, who was suspended from NHS Fife simply for saying that she felt uncomfortable changing in front of a trans-identified male.

The Scottish Conservatives are the only party that is standing up for the rights of women and girls. As our motion states, the Scottish Government must

“urgently issue a directive to all public sector organisations requiring that adequate single-sex spaces for biological women and girls are provided on their premises in line with legal obligations.”

As we have just celebrated international women's day this past weekend, I hope that the Parliament will unite and back the Scottish Conservative motion in the name of my colleague Russell Findlay, to support single-sex spaces and services.

15:36

Audrey Nicoll (Aberdeen South and North Kincardine) (SNP): Before I get into the substance of my contribution, I commend everyone who works hard to improve the rights and freedoms of women and girls in Scotland. Later this afternoon, I will lead a members' business debate to mark international women's day. I look forward to celebrating the progress and advances that have been made to promote and create a truly gender-equal world. I was disappointed not to be able to attend the international women's day event in the Scottish Parliament last weekend but, from previous years, I know the breadth and depth of the conversations, the topics discussed and the many challenges that have been identified. There is much to celebrate but much to do.

I have spent my entire working life in the public sector, striving to improve the lives of women, girls and those who are most vulnerable in society, many of whom have protected characteristics. In my policing career, that was uppermost in my work across operational and specialist policing, as it was in higher education teaching in the interprofessional learning space and supporting embedding the equally safe strategy across the university—and, now, in my work as a parliamentarian.

Further on in my contribution, I will touch on my involvement, during my policing career, in embedding the public sector equality duty, which exists to protect people from discrimination and is based on the nine protected characteristics.

I am particularly proud of my track record in leading the Criminal Justice Committee, to which Russell Findlay made a significant contribution, through a range of work that has had at its heart the safety, dignity and wellbeing of women and girls. I fully intend to continue that work for the rest of the parliamentary session.

At the heart of the debate sits a much wider issue of ensuring and supporting public sector compliance with the provisions of the Equality Act 2010, as set out in the public sector equality duty. While I am in a reminiscing mood, I will reflect on my experience of embedding the PSED in policing. However, I acknowledge that that was a number of years ago, and things have moved on considerably since then. I was grateful to the Cabinet Secretary for Social Justice for updating the Parliament on the breadth of work that is being undertaken by Police Scotland in that space.

It is no secret that, historically, the attitudes, values and behaviour of police officers—most of whom were men—fell well short by today's standards, courtesy of deeply entrenched cultural attitudes, misogyny and sexism. Embedding the new duty was therefore a significant and costly piece of work to shift the dial on organisational practice and procedures, make significant infrastructure changes, roll out a comprehensive programme of training and shift deeply entrenched attitudes and behaviours. In any organisation in which staff have power and control over the wellbeing of the public, both in the service that they deliver and the environment in which they work, compliance with any duty is absolutely crucial in securing the trust and confidence of the workforce and service users.

I commend the many public sector organisations that work hard to embed good equality duty compliance. As we have seen of late, there is no point in requiring compliance with any duty unless we can assess that compliance. In the case of the tenets of the equality duty, that means eliminating unlawful discrimination, advancing equality of opportunity and fostering good relations across everything that an organisation does.

I have been following the Equalities, Human Rights and Civil Justice Committee's inquiry into the operation of the PSED in Scotland, and I have noted the evidence of stakeholders on a wide range of issues, such as the need for clearer understanding of the tenets of the duty and the importance of data that informs compliance.

I was interested to hear about the collaborative approach in Aberdeenshire, which involves members and officers working together to consider the challenges that have arisen from a mixed school estate in which facilities in the older part of the estate are less able to comply with some aspects of the duty than facilities in other parts of

the estate. That is a great example of the on-going need to assess and monitor compliance and of working together to find solutions. I welcome the scrutiny, and although I hope that it informs on-going work to address the inevitable gaps and shortcomings with regard to the operation of the Equality Act 2010, I believe that there must be an acknowledgement of the complexities of some aspects of embedding equalities in compliance, but those should not be insurmountable.

I commend the huge level of commitment that is already evident across public services. I acknowledge that this is a continuous and often complex process, and I will certainly do all that I can to support that work.

15:41

Pauline McNeill (Glasgow) (Lab): I am delighted to follow Audrey Nicoll, who has done a fantastic job as convener of the Criminal Justice Committee. I endorse all that she said about our joint work on violence against women and girls.

"Scottish public authorities are at risk of costly court battles because of the 'unregulated introduction of gender self-identification as a basis for policy'".

That is from The Herald last week.

To be fair, some of those policies have existed in public life for a while—in fact, probably since about 2014—but, for long enough, they went unnoticed and were not publicly discussed.

Jackie Baillie was right to say, as it says in the Labour amendment, that the Government has failed to produce any serious guidance on how public bodies should manage policies to protect women's rights to single-sex spaces but also to protect trans people.

The UK Supreme Court is considering whether having a gender recognition certificate changes a person's sex for all purposes under the Equality Act 2010, so we will need to wait and hear that decision. However, it is at least clear that it is not a requirement for public bodies to base their policies on self-identification. Public bodies are required to base their policies on the provision of single-sex private spaces.

Public Health Scotland, the Scottish Prison Service, the NHS and universities have all gone beyond the law on the provision of single-sex facilities. They have failed to meet their legal obligations in relation to women and girls.

In the case of Fife health board, there was no impact assessment on allowing the medic to use a single-sex changing room. That is despite—and this is important—there being a legal duty to conduct such an assessment. You cannot cut corners, even if you agree with the policy.

It is relevant that the 1992 employment regulations are clear that communal sanitary washing or changing facilities will not be sufficient or suitable if they are not provided separately for men and women, as Fergus Ewing said. That was endorsed by Jackie Baillie.

Dr Michael Foran said that

"There is no plausible legal argument that the 1992 Regulations must permit access on a self-ID basis. Indeed, doing so would be a clear breach of the regulations, and guidance that suggests otherwise is incomplete, misleading or false."

The central questions are, why do public bodies risk being on the wrong side of the law and where do those policies come from? The Government has to take responsibility in that regard. The Equality and Human Rights Commission pointed out that, in the case of Fife health board, no assessment was done.

Police Scotland's guidance says that all members of staff are entitled to use toilet and changing facilities that are appropriate to their sex, but, again, the current policy ignores the 1992 regulations. I believe that that is under review, but I am unclear on what the current policy is.

We need leadership on the issue. Women's spaces are about their right to dignity and privacy as much as they are about safety. Women should be central in the design of those policies, because levels of violence against women and girls have never been higher. None of those examples illustrates that women have been central to the design of those policies.

It was the case of Isla Bryson that probably altered the public understanding of the self-identification policy. It was while Isla Bryson was waiting to stand trial and was placed on remand in a women's prison that the transition began. The Government seemed to realise that the policy was problematic only when it became public, and the Scottish Prison Service made the decision to divert Isla Bryson to Cornton Vale prison rather than Stirling prison or the planned destination at HMP Barlinnie. However, only after public outcry was there redirection of the destination of the prisoner. Having allowed that to happen was a prime example of where the Government's policy is contradictory.

We agree with the Scottish Government that special policies should be applied to women offenders, because most women in prison are vulnerable. I do not need to tell the minister that 70 per cent of them have experienced domestic abuse and a third of them have had head injuries because of male violence. To force them to share a space in a female prison with someone who is charged with a sex offence is completely unacceptable to most people, and certainly to the

people I represent. The judge found in that case that the offender had a high risk of reoffending, which only serves to highlight the risk that was posed to women.

We do not have clarity over whether female prison officers have to search a male-bodied trans woman. This is the point that I want to make—we cannot make unilateral changes to policy without involving those who are expected to enact that policy. I hope that the Government would at least agree with us on that point.

We have policy capture that is widespread in public bodies, and the Government's smoke-and-mirrors amendment tells us nothing really about whether it takes any responsibility for that. We will work with the Government to protect women and girls and their right to single-sex spaces, and we will work with it to make that policy work for all people, but I say to it, please take some responsibility for the shambles that we have to endure right now.

15:47

Murdo Fraser (Mid Scotland and Fife) (Con): I stand with Sandie Peggie, and so should every member in the chamber. Her case has shone a light on the issue of single-sex spaces across Scotland's public sector, and we should be grateful to her for the stand that she has taken.

It would not be appropriate for me to go into all the details of that case in today's debate. A very experienced judge is considering the tribunal evidence that has been heard so far, but we know that NHS Fife appears to have been operating a policy that is simply unlawful. In order to defend that policy, it has been spending what must now be hundreds of thousands of pounds on legal fees, literally defending the indefensible.

As an MSP representing Fife, I have had flood of concerns raised with me by constituents. They are infuriated that public funds are being spent in that way, when NHS Fife has a financial black hole in the tens of millions of pounds and constituents of mine are stuck on waiting lists for vital treatments that they are being told there are not the resources to provide. To make matters worse, NHS Fife will not even tell us how much the case is costing it. I pay tribute to *The Courier* newspaper for its campaigning efforts to try to get answers on what is clearly a legitimate matter of public interest, and I hope that the Scottish Information Commissioner will, in due course, obtain that information for us.

It is not just in NHS Fife where we have a problem. Right across the public sector—across NHS boards, in schools, in the police and in universities—a de facto policy of gender self-identification has been introduced when it comes

to accessing washing, changing and toileting facilities.

Just this week, we learned that the University of Edinburgh has introduced a new policy that says that those who were born biologically male can use women's toilets if it aligns with their gender identity. The decision has caused outrage among staff and students and is clearly contrary to the legal protections that exist. The legal position here is entirely clear: both the Equality Act 2010 and the Workplace (Health, Safety and Welfare) Regulations 1992, to which Fergus Ewing referred earlier, provide for single-sex facilities for sanitation, washing and changing in all public buildings.

What that means, in simple terms, is that hospitals and schools, and all public sector workplaces, must have single-sex facilities where women and girls can wash and change without males present. To fail to provide that is unlawful. Better lawyers than me have made the case that the protection of the characteristic of gender reassignment under the Equality Act 2010 does not supersede the 1992 regulations, nor does the 2010 act provide a hierarchy of rights. The rights of an individual with the protected characteristic of gender reassignment do not, in law, outweigh the rights of another individual with the protected characteristic of sex.

Despite that—despite the clear statement of the law—

Mercedes Villalba: Will the member take an intervention on that point?

Murdo Fraser: Not just now.

Despite that clear statement of the law, we continue to see the public sector producing guidance to the contrary. Last week, we learned that NHS Scotland is developing new guidance that mandates that transgender health staff must be allowed to use their preferred facilities unless there is a particular reason to the contrary, to be determined on a case-by-case basis.

As we have already heard from Russell Findlay, schools are now providing gender-neutral toilets without specific single-sex spaces for girls, which is leading to reports of girls being harassed or even assaulted. Some are now saying that they are actually scared—

Lorna Slater: Will the member take an intervention on that point?

Murdo Fraser: Not just now.

Some are now saying that they are actually scared to use school toilets, instead having to leave the premises to use facilities in nearby cafes or supermarkets.

There must be a real concern here that that use and promotion of unlawful policies lays those public bodies open to legal claims by women and girls who have been forced, against their will, to share facilities with men and boys or even trans women.

I can easily foresee civil claims firms or specialist litigation lawyers signing up clients in class actions to seek compensation. The financial consequences for the public sector could well be severe.

We should accept that there are trans individuals who have rights, too, and whose welfare must be considered. The answer would therefore seem to be obvious: the provision of single-sex spaces in all public buildings for both males and females, and the provision of a third category of toileting and changing facilities that would be open to all and non-gender specific, and would be available to trans men and trans women.

Mercedes Villalba: Will the member take an intervention on that point?

The Deputy Presiding Officer: The member is about to conclude.

Murdo Fraser: Such a policy, introduced across the public sector, would both address the legal issues that have arisen and respect the dignity of all involved.

It is clear that we must have single-sex spaces for women, and it remains a mystery as to why SNP ministers have allowed the situation to develop under their watch. They seem to have been so in thrall to the trans activist lobby that they have not properly considered the consequences of allowing public agencies to go down that route. That is why they must now intervene and provide clear guidance on the issue in line with the Scottish Conservatives' motion today.

15:53

Emma Harper (South Scotland) (SNP): I will speak to Shirley-Anne Somerville's amendment, which makes it crystal clear that the Scottish Government takes seriously its responsibilities under the Equality Act 2010. It is absolutely a requirement that we meet those responsibilities, including the specific provisions on separate and single-sex exceptions. This Government, and, in fairness, the previous Labour-Lib Dem Executives, have been absolutely clear in their determination to make sure that women and girls of the future are born into a society that is fairer than the environment in which their mothers and grandmothers lived.

One of the strengths of this Parliament is that we have consistently heard more from the voices of women in this place—from the very top down,

since the Parliament's first days—than we expect to hear in Westminster.

Does that mean that we do not have a wheen of work to do? Of course not, but the commitment to equality and the mainstreaming of feminism in our nation's work is at the core of the Scottish Government's approach. I hope that, at decision time, the Parliament will support it, rather than the grandstanding party opposite.

Total spending on equality, inclusion and human rights has increased by 32 per cent over the past two years, including the £42 million that directly supports our equality and human rights infrastructure and the organisations that promote it. That is not enough if we, and society as a whole, treat the status that women continue to occupy in society as a women's issue, rather than an issue for everyone. Women's rights are human rights. That is why international standards such as the European Convention on Human Rights under the Council of Europe, which is a body that the Conservative Party seems to object to, are so important. They hold our and every other country to higher standards and, in turn, make progress in protecting and extending the rights of everyone in our society, not least women.

That is also why the Scottish Government is working hard to ensure that the incorporation of four separate international treaties into domestic law works the way that it is intended to. It is disappointing to everyone that the constraints of the Scotland Act 1998 mean that the introduction of the proposed human rights bill, as originally intended, has had to be paused. I know that the cabinet secretary and her colleagues continue to work to find a way forward that embeds the principles of those treaties in our public services and civil society.

Rachael Hamilton: Will the member take an intervention?

Emma Harper: Give me a wee second.

I will say a word or two about those members who are standing behind the motion and what their policies when they occupied number 10 said about their attitude to, in their own words, the "safety, dignity, and privacy" of women.

Rachael Hamilton: Is Emma Harper content that Scotland's public sector and public bodies are following the law on single-sex spaces correctly?

Emma Harper: I am coming to that. I know that the legislation is clear that single-sex spaces need to be offered in a "legitimate" and "proportionate" manner, which I will come to in a wee bit more detail.

When those in number 10 were forcing women to declare that they had been victims of rape and sexual assault so that they could access social

security benefits for their children, we did not hear much about dignity from members on the Conservative benches then. When they were driving mothers to food banks to feed their weans after slashing universal credit, we didnae hear much about dignity from the members on the Opposition benches then. When they imposed austerity on steroids over 14 miserable years, which had a greater impact on women than men, we did not hear much about dignity from the Conservative and Unionist Party then. The party's current leader, a former Minister for Equalities, is cosying up to the US President, whose view of women starts and stops with how they can be controlled and how they can gratify him. Yet here we are: with their simple sword of truth and trusty shield of British fair play, they tell us that they are on the side of women in Scotland in order to try to distract people from their record on equality for women and girls in our country. Women who are watching the debate outside the chamber arenae daft: they have been at the sharp end of Tory policy for years and years, over and over, despite an unparalleled track record of electoral failure, failure in Scotland, and failure in the Parliament.

Where and when single-sex spaces are provided legally under the Equality Act 2010 is a complex area of law and precedent. As I said a minute ago, the language that is used is "legitimate" and "proportionate". As with most public policy, there are no easy answers or actions that will fit into a soundbite, but that is exactly the approach that the Tories have taken with their motion, and it is to be deplored. I support the amendment in the name of the Cabinet Secretary for Social Justice.

15:59

Claire Baker (Mid Scotland and Fife) (Lab):

As I have done in previous debates on such topics, I will focus on what we know to be the case, the legal position, and the implications for the safety of women and girls. I will not deny that the debate is difficult. For those of us who recognise the rights of everyone to be accepted for who they are and recognise that everyone has the backing of the law to protect them from harassment and stigmatisation, there are sensitivities and tensions, and people's rights have to be balanced. That is often the case with the application of rights, and the law is there to guide us.

I will start with what I think are the issues of broader agreement. We should have single-sex wards in hospitals and there should be access to single-sex toilets and changing rooms in public facilities, including schools. There is an impression that there has been a steady move away from that provision, and a figure of one in 20 schools

providing only unisex toilets has been suggested. The intention behind introducing gender-neutral toilets might have been to reduce bullying and vandalism and increase equality and inclusion. However, there are isolated reports of voyeurism and sexist behaviour towards girls, and those are just the incidents that are reported.

Lorna Slater: Such incidents have been due to the poor behaviour of boys, not of trans women—is that not correct?

Claire Baker: The next line in my speech is that evidence from the reports shows that the offensive behaviour is carried out by boys. That is why I am arguing that we need to have single-sex toilets and that girls should have a space where boys are not allowed. All young people should feel safe at school and be entitled to privacy and dignity. Single-sex toilets and changing rooms are part of achieving that, and the Government should provide clear direction to support that provision.

It is hard to see what progress has been made on the policy of single-sex wards in hospitals. When the SNP was in opposition, it criticised the Scottish Executive for a lack of progress on single-sex wards, yet it is now difficult to determine the extent of the use of mixed-sex wards. It appears that NHS Dumfries and Galloway is the only board to have solely single-sex wards.

Our amendment highlights research from the Women's Rights Network about safety in hospitals. Through freedom of information requests, it identified the number of rapes and sexual assaults taking place in hospitals, and the figures are shocking. Around 250 sexual assaults and 15 rapes have taken place in Scottish hospitals over the past five years, and 163 of those rapes and sexual assaults happened on hospital wards, although we do not know whether those were single-sex or mixed-sex wards. However, the data, which comes from Police Scotland, covers only 57 of 198 hospitals in Scotland, and the period that is covered includes the pandemic years, when the hospital population was reduced and heavily restricted. Furthermore, the figures are likely to reflect underreporting, as we know that those offences are often underreported across society. The figures therefore highlight what we do not know as much as what we do, and they shine a light on those horrendous crimes.

A patient in a hospital is vulnerable, frail and dependent on others for meeting their needs. At times, they will be unconscious or disoriented. They are often in a state of undress. A recent report from the Royal College of Nursing describes a collapse in care standards across Scottish hospitals, with increasing reports of corridor care leaving people vulnerable and in undignified

settings. All those conditions could lead to opportunistic assaults.

The limited nature of the information that is available means that we cannot identify whether assaults were carried out by other patients or staff or whether they were carried out on patients or staff, although the high number of incidents on hospital wards suggests that patients are often the victims.

The research also found that assaults were not routinely recorded or reported. It appears that they are sometimes underplayed or minimised, as if the setting excuses some behaviours. Offences are not recorded as taking place in a hospital setting. There is no recorded data for 133 hospitals. There is no interrogation of those figures. There is little understanding of why Stobhill hospital, the Edinburgh Royal infirmary and the Cygnet Wallace private hospital have the highest rates.

There is little evidence that the figures have been taken seriously as a collective issue by the NHS or the Government. There is little reflection on why this is happening in hospitals and what steps must be taken to prevent further rapes and assaults. That leads to an inadequacy in safeguarding policies and guidance for NHS boards. There is a clear responsibility to record all instances and for reports to be made to the police. The report from the Women's Rights Network makes a number of recommendations, and I urge the Scottish Government to take them forward.

In the examples of single-sex wards, toilets and changing rooms, I argue that discrimination on the basis of sex applies and that, in most cases, the single-sex exemption in the Equality Act 2010 would apply. That states that, where there is

“a proportionate means of achieving a legitimate aim”,

exclusions would include not only members of the opposite sex but also people who hold a gender recognition certificate.

However, although the 2010 act underpins the guidance from the EHRC, there can be reluctance to apply it. That may be a result of the debate that preceded the Scottish Government's Gender Recognition Reform (Scotland) Bill or the debate that raged alongside it, which led to policy decisions preceding the legislation and the mainstreaming of gender self-ID policies, which are at times counter to the 2010 act. Alternatively, it might be because public authorities are not confident that an exclusion meets the threshold of the 2010 act or they do not believe that something merits exclusion and they have assessed any risk to be low—

Rachael Hamilton: Will the member take an intervention?

The Deputy Presiding Officer: The member will be concluding.

Claire Baker: I am sorry—I think that I am short of time.

It could be that the exemption has not been applied because the authority does not believe that exclusion is merited and they have assessed any risk to be low, or they believe that it promotes inclusion. It is important that guidance exists and is clear, that public authorities know that they will be supported when they make decisions, that they are able to explain and justify the decisions that they make, and that everyone in society is treated with respect, has their rights protected and has safe and dignified spaces across public services.

16:05

Roz McCall (Mid Scotland and Fife) (Con): The Scottish Conservative motion is about protecting single-sex spaces in the public sector. That should not be a contentious issue. There is legislation that protects that in Scottish law, including the 2010 act, workplace regulations and school premises regulations. It should be a very simple topic, with clear and explicit guidance from the Scottish Government to the public sector on how to ensure that all the current legal regulations are accommodated, met and even enforced. Unfortunately, that is not the case.

Although the motion highlights that there is an issue with the reduction, if not removal, of single-sex facilities across the public sector, I will limit my remarks to the concerns around school provision. We are looking at schools all over Scotland having removed access to single-sex facilities based on Scottish Government guidance, which could have local authorities inadvertently breaking the law.

SNP guidance to schools does not protect single-sex toilets. The guidance says:

“There is no law in Scotland which states that only people assigned male at birth can use men’s toilets and changing rooms, or that only people assigned female can use women’s toilets and changing rooms. This is instead done by social convention.”

I question that. Are we saying that, if a biological man enters a ladies’ changing facility, undresses and exposes himself, he would be arrested for indecent exposure because it is against a societal norm? No—it is against the law. However, we now have a situation in which, if a biological man who says that he is a woman enters a changing facility and exposes himself, it is the women who could be arrested. The debate is not about social convention or how progressive Scotland is; it is about protection for women and girls and providing single-sex spaces for them in schools, as that is the law.

The EHRC’s guidance for schools highlights that the law in Scotland

“requires schools to provide toilet facilities for boys and for girls.”

In 2024, only 13 of 243 secondary schools in Scotland provided single-sex toilets. That is a shocking statistic, considering that schools premises regulations from 1967 state that there must be provision for single-sex spaces, and those regulations still stand. It was also found that one in 20 schools offered exclusively gender-neutral facilities, as we have heard, so there was no single-sex provision at all.

Trina Budge, the director of For Women Scotland, said:

“Rather than take steps to fix this mess and require schools to comply with the current law, it seems that the Scottish government may be looking to change the law to permit mixed-sex toilets and thus retrospectively justify the breaches they have allowed to happen.”

I can only agree with that, because that is how it seems.

The Scottish Government is planning to amend the regulations, it states, to ensure that they meet the needs of pupils in schools in Scotland today, yet those self-same changes have come about only because of the actions of the Scottish Government in the first place.

There is a lot in this debate and we have listened closely to what people are saying, but I have one final point to make. I have heard that it is important that people feel comfortable in the facilities that are provided for them. Personally, I have—

Mercedes Villalba: Will the member take an intervention?

Roz McCall: I am coming to the end of my speech, but I will give way.

Mercedes Villalba: I hear the concern that the member puts across about men accessing women’s spaces and causing harm, but I seek some clarity from members on the Conservative benches. We heard from Murdo Fraser the idea that trans people should have a third, separate space rather than using the single-sex space that aligns with their gender. He seems to be suggesting that that should apply even if the person has a gender recognition certificate. Can I get some clarity from Roz McCall on whether she supports trans people accessing single-sex spaces?

Roz McCall: As I was going on to say, I want to make sure that everybody feels comfortable. If women are uncomfortable in a situation, their rights should not be reduced just because there is a gender recognition certificate for a man who is coming into that space. I want to ensure that

people feel comfortable in the facilities that are provided. I do not have a problem with that, but all rights need to be protected. It is not transphobic to stand up for women. It is not pitting one group against another.

I am constantly disappointed by the childish argument that, if someone disagrees with a single point, they are not only wrong—as has been said—but also afraid and evil. It is akin to kids saying, “If you don’t play my game, you’re wrong and I hate you.” Most people stopped saying that in primary school. That argument is not only infantile; it also shows a distinct lack of rationale and nuance and it should be condemned.

It is not beyond the powers of the Government to ensure that we have the right facilities in our schools so that everyone feels comfortable, and that includes single-sex spaces.

16:10

Marie McNair (Clydebank and Milngavie) (SNP): I speak in this debate as a member of the Equalities, Human Rights and Civil Justice Committee.

The Scottish Government is enhancing the equality of outcomes for people and communities across Scotland. Only days ago, we marked international women’s day, and I was pleased to hear directly from the First Minister that the Scottish Government is working to ensure that women and girls have equal rights and opportunities, and equitable access to resources. That work includes delivering the women’s health plan; investing to tackle domestic violence against women, girls and survivors of abuse; supporting women to access fair work; and helping to reduce the gender pay gap.

Violence against women and girls in any form has no place in our country. I have long campaigned on that, going back to my days as a councillor in West Dunbartonshire, when I chaired the West Dunbartonshire violence against women partnership. I direct members to my entry in the register of members’ interests. I support the commitment of all who are involved in the area, including the fantastic Clydebank Women’s Aid, which provides support, information and refuge for women in their time of need.

I support policies such as the equally safe strategy, which sets out a vision of

“a strong and flourishing Scotland where all individuals are equally safe and protected”.

The equally safe strategy prioritises taking a public health approach to ending violence against women and girls, and challenges the notion that violence against women and girls is acceptable. It also takes account of the specific needs of

minority ethnic women, and takes an intersectional approach to preventing and responding to the inequalities that some women or young people might experience as a result of their ethnicity, race, disability, age, sexual orientation, gender identity and/or immigration status.

The Equality Act 2010 protects people from discrimination that happens because of their protected characteristics, including age, disability, gender reassignment, race, religion, sex and sexual orientation. It allows for provision of single-sex spaces and separate-sex services. It is the Scottish Government’s duty to uphold the Equality Act 2010 at all times, and the Government stands firmly behind the exemptions that were provided in that act. It is expected that public bodies will conduct their policies and procedures in line with the legislation that is in place.

Further, the Equality Act 2010 includes the public sector equality duty, and there are specific regulations that apply in Scotland to help listed public authorities to meet the public sector equality duty. Its purpose is to make sure that public authorities and organisations that carry out public functions think about how they can improve society and promote equality in every aspect of their day-to-day business. It is unlawful for service providers—public or private—to discriminate against someone based on their protected characteristics. The Scottish Government is also committed to working with the Equality and Human Rights Commission.

The 2025-26 Scottish budget will protect and support on-going efforts to tackle inequality, fulfil human rights and allow everyone in Scotland to live free from discrimination. To achieve that, equality, inclusion and human rights spending is set to increase by £6 million to £58.9 million in 2025-26. That includes more than £42 million to support Scotland’s equality and human rights infrastructure and it will fund organisations.

The Scottish Government has also launched a new fairer funding pilot to provide additional multiyear funding to organisations across Scotland, which will be worth £61.7 million in 2025-26 and £63.2 million in 2026-27. The 2025-26 spending plans are set to enhance the quality of outcomes for people and communities across Scotland.

It is vital that we protect women’s rights. The Scottish Government understands that and is taking action on that. Equality should not be a culture war battleground, but a shared goal for us all. The horrible irony of Opposition members trying to shout down women in this debate is clearly lost on them.

My colleagues and I in the SNP will always stand up for fairness and dignity, and for a

Scotland where everyone has the right to live peacefully and safely.

16:15

Ash Regan (Edinburgh Eastern) (Alba): My first observation is that the Scottish Government should have brought this debate in Government time. The lack of time that the Parliament has had to ask questions and to debate the issues is beginning to make the Parliament look less relevant to the public. We really should be striving to avoid that.

This is an important debate, and there have been some very thoughtful speeches from across the chamber—in particular, those from Murdo Fraser, Claire Baker and Pauline McNeill.

Last week, I asked the First Minister a question about the state-sanctioned human rights abuses that women are facing across Scotland.

Mercedes Villalba: Will the member take an intervention?

Ash Regan: I will come back to the member in a moment.

Some people thought that that was hyperbole, and the First Minister said that he did not accept the charge. Whether he does or does not accept it, that is the reality of what is happening across Scotland. Either he does not know what is happening, and my characterisation is correct and he is out of touch, or he does know and he is being disingenuous.

My question was based on a letter that had, the previous day, been sent to the First Minister by Claire O'Brien, who is a member of the Scottish Human Rights Commission. It sets out clearly human rights breaches and the corresponding international obligations that apply in those cases.

Mercedes Villalba: Ash Regan referred to a number of today's speeches that she said were good—one of which was Murdo Fraser's. Murdo Fraser proposed that transgender people be asked to use a new alternative third space, rather than using the single-sex space that aligns to their gender. Does she support that proposal?

Ash Regan: I do—I support the notion of third spaces. Some members do not understand that single-sex spaces are not single-sex spaces if anyone can self-identify into them.

Women's human rights are protected under international law through, for example, the United Nations Convention on the Elimination of all Forms of Discrimination Against Women and the Istanbul convention. Dr O'Brien states in her letter that there is

"no legal basis for the view that CEDAW extends in the scope of its protection to biological males. If it did, CEDAW would be deprived of its central purpose".

There are a number of areas across Scotland where women's rights are not being upheld. I will go through a couple of them. Prisons are an obvious example. Prisoners must be held on a single-sex basis, which is primarily to prevent psychological harm—that is an important point—and physical harm to women. That is an international minimum standard. I had an exchange with the Cabinet Secretary for Justice and Home Affairs on that a few months ago.

Lorna Slater: Will the member take an intervention?

Ash Regan: I will not, just now.

I really must state that the Government must reverse the policy that it has just announced of not providing the data on where trans prisoners are being held. Simply taking that approach because something is not politically easy is not a good enough reason to withhold that data from the Parliament and the public.

I will move on to the issue of toilets in schools. There is, of course, a law that requires school toilets to be single sex—for obvious reasons. However, the Scottish Government is consulting on removing the statutory requirement for equal provision of separate male and female toilets. I come back to the exchange that I had with the First Minister last week. The Government cannot get to its feet, as it has done again today, and say that it is committed to women's human rights when it is pursuing such policies, which are a breach of women's human rights.

Edward Mountain (Highlands and Islands) (Con): Interestingly, a school in the Highlands that I visited the other day does not have toilets for both sexes. There is a single set of toilets, and it is up to the children to police the toilets to keep the sexes separate, which they were doing quite effectively. The female pupils do not want males in their part and the males do not want females in their part, so they have divided the toilets up among themselves and police them themselves. Do you think that that is the right way forward?

Ash Regan: I admire their spirit in trying to come up with a compromise that works for everyone, but they should not have to do that themselves. Leadership should be exercised in those areas.

On single-sex changing spaces, women have an internationally protected right to privacy, bodily integrity and protection against sexual violence. The position that has been taken by the Scottish Government and local authorities in relation to single-sex changing spaces runs counter to the

protections that are outlined under international law.

The Scottish Government is responsible for human rights under the Human Rights Act 1998, even though it likes to pretend that it is not. The Scottish Parliament retains competence with regard to observing and implementing international human rights obligations. Again, I do not think that the Parliament is taking that up in the way that it should. In my opinion, both the Government and the Parliament are failing to uphold women's human rights in Scotland.

That brings me neatly on to the Scottish Human Rights Commission. When I questioned the chair of the commission two weeks ago, she was unable to answer any of my simple questions to my satisfaction or—I think—to the public's satisfaction. So, the commission is also failing: it is failing to adhere to the remit that is set out in its enabling legislation. It did not provide a comprehensive analysis of women and girls as vulnerable rights holders during the passage of the Gender Recognition Reform (Scotland) Bill, which is a serious failure. It continues to fail to make interventions on upholding women's human rights. The Parliament must now act, either to remove the commissioner, to censure the commission or to end its funding. I look forward to speaking to other members about what they think of that suggestion.

The Deputy Presiding Officer: Ms Regan, you need to bring your remarks to a close.

Ash Regan: Single-sex spaces are not a “nice to have”. A person cannot self-identify their sex. The Government should not be removing safeguarding—it should be enforcing it. The women and girls of Scotland, quite frankly, deserve nothing less.

16:22

Evelyn Tweed (Stirling) (SNP): Inequality harms us all. It curtails the ambition and potential of those on its receiving end and it also harms society more widely. The Scottish Government recognises the nature of inequalities and strives to address their symptoms as well as their root causes. In this speech, I will focus on gender-based violence, which is both a symptom and a cause of gender inequality.

We have so many amazing organisations working across Scotland that bring passion, dedication, care and expertise to their work in helping their service users. I applaud the work of those in my constituency, such as the Forth Valley Rape Crisis Centre, Stirling and District Women's Aid and HSTAR Scotland, the latter of which specialises in helping women whose first language is not English. In this year's budget, more than 100 organisations across Scotland that work to tackle

violence against women and girls will share in a funding uplift of £2.4 million. That will bring the annual total of funding provided to them to £21.6 million. The delivering equally safe fund, which funds such front-line projects, has supported nearly 60,000 adults, children and young people since 2021.

It is key that survivors feel supported and are able to understand their options, and Government measures such as the victim-centred approach fund play a key role in supporting that work. The fund provided £18.5 million for advocacy support for survivors of gender-based violence. Changes to legislation such as the Forensic Medical Services (Victims of Sexual Offences) (Scotland) Act 2021 also give some agency to survivors of gender-based violence. The act places a statutory duty on health boards to provide forensic medical services for survivors of sexual offences. It sets out the legal framework for consistent access to self-referral, which allows a person to request a forensic medical examination without first having to report the incident to the police. Survivors are able to take the process of reporting at their own pace without missing out on essential medical care.

No one is immune from the risk of gender-based violence, but we do not all share the same level of risk. Factors can increase risk and can also be a barrier to seeking help. Women of colour and disabled people face a heightened risk, as do lesbian and bisexual women. Nearly half of transgender and non-binary people will experience sexual assault in their lifetime. Worryingly, hate crime is at its highest level since 2011.

Rachael Hamilton: Will Evelyn Tweed take an intervention?

Evelyn Tweed: No, I will not at this point.

In 2022, only 22 per cent of survivors of rape reported it to the police. Some communities face greater barriers to reporting. Gender-based violence in black and ethnic minority communities, as well as in LGBTQ+ communities, is likely to be hugely underreported. Unlike for other crimes, victims are often—

Mercedes Villalba: Will the member take an intervention?

Evelyn Tweed: Yes, I will.

Mercedes Villalba: On that important point about tackling violence against women, does the member agree that, although it is vital that we take action to tackle gender-based violence, scapegoating the trans community, as the Tories are seeking to do in their motion, does nothing to achieve that?

Evelyn Tweed: Yes, I agree with that point. I will come on to that shortly.

Unlike for other crimes, victims are often held responsible for sexual violence. Successive Scottish social attitudes surveys have found evidence that many people in Scotland still believe in rape myths. Those are false beliefs about the behaviour of a victim—whether they have been drinking, how they dressed or how they acted afterwards—that attribute a level of blame. One of the most widely held beliefs is that attackers are strangers. However, the vast majority of survivors of rape and sexual assault know their attacker.

As I said, gender-based violence is both a symptom and a cause of gender inequality. It will not be eradicated without tackling underlying attitudes, so the Scottish Government funds the mentors in violence prevention programme in secondary schools, which encourages the development of healthy relationships. It gives young people a chance to understand how they can safely support each other and challenge attitudes that underpin gender-based violence.

There are no quick fixes here. The work being done by the Scottish Government is taking us in the right direction. Narrow conceptions of what gender-based violence looks like, and thus what measures are needed to prevent it, harm us all. There is no room for scapegoating or for laying the blame at the door of already marginalised communities. We must stay focused on the root cause and remember that none of us is equal until we are all equal. For that reason, I will support the Scottish Government's amendment.

16:28

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): In 2021, in response to a question on gender reform, Nicola Sturgeon shocked those watching by saying that women's concerns were "not valid". Those irresponsible comments sparked fury, and here we are again, being questioned about protecting more than 50 per cent of the population and about the fundamental importance of the protection of single-sex spaces for women and girls in our public sector.

Under the SNP Government—

Lorna Slater: Will the member take an intervention?

Rachael Hamilton: I have not said anything yet, but yes.

Lorna Slater: You have, in fact, because you have asserted—

The Deputy Presiding Officer: Always speak through the chair, please.

Lorna Slater: Sorry. The member has associated protecting single-sex spaces—as in

excluding trans people from single-sex spaces—with reducing harm to women and girls. How does excluding trans women from women's spaces keep women and girls safe?

Rachael Hamilton: Lorna Slater's views on single-sex spaces and protecting women are as poorly thought-out as her deposit return scheme. They are confusing and aggressive.

Under the SNP Government, we have seen a reckless disregard for the safety, dignity and privacy of women in Scotland's hospitals, schools and other public settings. Let us be clear: single-sex spaces are legal. The Equality Act 2010 explicitly allows for the provision of single-sex services where it is necessary and proportionate. John Swinney himself has admitted that and that the law is on the side of women. The problem is that the SNP Government refuses to enforce it.

Instead, public bodies across Scotland—including our schools and hospitals—are being pressured into adopting dangerous gender self-ID policies that put women and girls at risk. Women's voices, in this case, have been ignored and victims' experiences dismissed. When concerns are raised, SNP ministers—and other parties—refuse to engage. A couple of weeks ago, John Swinney said that he did not regret supporting the Gender Recognition Reform (Scotland) Bill.

Hospitals should be places of safety and healing. Instead, under the SNP, they have become places of fear for women. The Women's Rights Network has compiled disturbing data from Police Scotland, which shows that, between 2019 and 2024, there were nearly 300 incidents of sexual assault and rape in Scottish hospitals. In 2024 alone, there were 23 reports of sexual assault within NHS Borders hospitals, almost all of which—19 incidents—occurred at the Borders general hospital. If, as NHS Borders reported, only three cases were recorded but 23 were reported, we must ask how many more cases have gone unrecorded, unreported and ignored.

Let us not forget the case of Sandie Peggie, an NHS nurse for 30 years at the Victoria hospital in Kirkcaldy who was suspended after objecting to sharing a changing room with a male-born person identifying as a woman. Both Dr Upton and NHS Fife petitioned for the tribunal to be held in private, unlike other employment tribunals, which are public. Just think: holding it behind closed doors would have been more convenient for the Scottish Government if we were not having this debate today.

Mercedes Villalba: Neither Rachael Hamilton nor Russell Findlay has been able to cite any evidence of transgender people in single-sex spaces putting women at risk. Will Rachael Hamilton at least acknowledge that there is

evidence that harm is caused to trans people on the basis of their being trans when they are not granted access to single-sex spaces?

Rachael Hamilton: Mercedes Villalba has a short memory. Anas Sarwar whipped Labour to vote for the SNP's Gender Recognition Reform (Scotland) Bill, which would have allowed people to self-ID and get themselves access to single-sex spaces. Now, he says that he would not have voted for it if he had known what he knows now. Despite Hilary Cass, Reem Alsalem—the UN special rapporteur on violence against women and girls—and the EHRC saying that it is the wrong thing to do, would Mercedes Villalba vote for the bill now?

Highlighting the seriousness of the situation, the Equality and Human Rights Commission had to remind NHS Fife of its obligations under the Equality Act 2010, and it even requested to see an assessment of its changing facilities policy.

What has the Scottish Government done in response to concerns raised by my Conservative colleagues? Time and time again, it has done absolutely nothing. The SNP Cabinet Secretary for Health and Social Care will not even commit to ensuring that single-sex spaces are upheld in our hospitals, despite workplace regulations, which have been in place since 1992, directing employers to provide separate male and female facilities.

The situation in Scotland's schools is just as appalling. In 2024, 13 out of 243 secondary schools in Scotland still provided single-sex toilets, and one in 20 schools had no single-sex facilities at all. The consequences of those failures are horrifying. In a Dundee secondary school, a male pupil was caught filming girls in the toilets and changing rooms. His phone contained hundreds of images of female pupils in various stages of undress.

The Deputy Presiding Officer: Ms Hamilton, you need to bring your remarks to a close.

Rachael Hamilton: I will conclude, Presiding Officer.

The Scottish Government must issue a public sector directive instructing all schools, hospitals and other public institutions to uphold single-sex spaces for biological women and girls.

16:34

Clare Haughey (Rutherglen) (SNP): Women experience and navigate public space differently from men, and that has long been the case. Pre-existing gender inequalities have dictated women's patterns of movement and participation outside the home for decades, if not centuries. There are the dynamics of paid and unpaid work

and women's participation in the public and domestic spheres, their use of or exclusion from different public buildings and services, and issues around safety and security.

Gender inequality is an enduring issue because structures have perpetuated it. The Scottish and UK Governments, the public and third sectors and businesses all have a role to play in restructuring our systems. All of us in Parliament have a responsibility to ensure that women and girls are supported to participate fully in decisions that affect their lives in relation to all personal, educational and professional opportunities.

Of course, there are some important areas of law that are relevant to today's debate that are currently reserved, such as the Equality Act 2010. The law around single-sex spaces has been the same across Britain since that act was passed by the UK Parliament more than a decade ago.

The law functions in two ways. A policy that does not allow trans people to access single-sex spaces in line with their lived sex will be unlawful if it is not

“a proportionate means of achieving a legitimate aim.”

However, the legislation allows spaces to be operated on a separate-sex basis without that being unlawful sex discrimination.

To reiterate points that colleagues have already made, public bodies in Scotland are expected to comply with the requirements of the Equality Act 2010, and it is the responsibility of service providers to interpret and comply with that UK act. The legislation is clear that single-sex spaces to enable and enhance the protection of women and girls are permissible.

To establish a separate single-sex service, service providers must show that they meet at least one of a number of statutory conditions, and that limiting the service on the basis of sex is

“a proportionate means of achieving a legitimate aim.”

For example, according to guidance from the Equality and Human Rights Commission, which is the UK body that is responsible for enforcing the legislation, a legitimate aim could be for reasons of privacy or decency, to prevent trauma or to ensure health and safety. The service provider must be able to show that their action is a proportionate way of achieving that aim.

The Scottish Government has been crystal clear in its support of the 2010 act's provision of separate and single-sex exemptions. As a modern progressive nation, it is incumbent on us to demonstrate our leadership on human rights. The Scottish Government is taking practical steps to secure the progressive implementation of all human rights by seeking to embed equality, dignity

and respect in our services. At Government level, that involves building the public sector's capacity and capability to embed a human rights-based approach in everything that it does.

I am aware of the comments that were made last week by Aberdeenshire Council's principal solicitor in his evidence to the Equalities, Human Rights and Civil Justice Committee on reforms to the public sector equality duty. He acknowledged that, although there are pending judicial rulings and outcomes, Aberdeenshire Council's focus as a public body is clear. It endeavours to ensure that equality duties are considered in everything that it does and that a consistent approach is applied to planning and resourcing the provision of safe spaces for everyone where services are delivered.

Just last week, I had the privilege of speaking to and answering questions from two sets of school pupils in my constituency. One topic of discussion was the incorporation into Scots law of the United Nations Convention on the Rights of the Child, which was a landmark moment in the Parliament's history, and one of which we should be very proud. It is always with some amazement and a few open mouths that young people respond to hearing tales from my school days and how things have changed for the better.

The serious point is that the public sector has absolutely risen to the challenge of doing the right thing by our children and young people, and we are seeing much progress in that area. The Scottish Government is now in the process of developing robust proposals to incorporate into Scots law international treaties concerning women, disabled people and people who have experienced racism.

Our public services are just that—they are public and accessible to everyone, and they must balance the needs of all users. Sometimes that will not be an easy task, and decisions will require to be made on a case-by-case basis, using a commonsense, practical and empathetic approach that is cognisant of particular local circumstances. All of us in our leadership roles must reinforce the need to treat everyone with compassion, dignity and respect.

I think that we are all in agreement that women and girls in Scotland must be empowered to exercise equal rights and opportunities, have equitable access to economic resources and decision making, and live their lives free from all forms of violence, abuse and harassment. The Scottish Government is continually taking forward work to protect, promote and improve equality for women and girls in Scotland.

The Presiding Officer (Alison Johnstone): We move to the winding up speeches.

16:40

Lorna Slater (Lothian) (Green): The Conservative motion for this debate deliberately blurs and distorts four different things, and I assert that it does so deliberately as part of the party's campaign against the acceptance and safety of trans people. I will unpick them.

The first is the matter of women's rights. The fight for women's rights is a fight for equality—the right to fully participate in life, which is part of a larger struggle for every human to have their rights respected. There are no special rights associated with one sex.

Secondly, the Conservatives confuse a question of architecture with one of ideology. I am very confident that every Conservative member in the chamber has in their own home toilets that are used by both men and women. *[Interruption.]* There is no fundamental problem with that. *[Interruption.]*

The Presiding Officer: Let us hear Ms Slater.

Lorna Slater: It is possible—*[Interruption.]*

The Presiding Officer: Let us be courteous, members. Let us hear Ms Slater.

Lorna Slater: It is possible to design toilets that are functional and offer privacy, and which can be used by people of different sexes and genders. If a room is badly designed, the correct solution is to redesign the room, not ban people from it.

Thirdly, the Conservative motion specifically uses the words "biological woman", which signposts us to the party's real incentive here, which is its discomfort around the existence of trans people. Well, I have bad news for the Conservatives: trans people exist.

Brian Whittle: Just to assert my position, I think that rights are available to everybody, and we believe that everybody should be able to live their own lives. However, does Lorna Slater not accept that there are circumstances where biology matters, such as in healthcare and sport? For example, what does she think about the Olympics, where we saw biological males punching women in the face? Is that where we are?

Lorna Slater: Brian Whittle will, I am sure, have read very carefully the Equality Act 2010 before he made an intervention of that kind. Therefore, he will know that, under the act, there exist places where exemptions are allowed—for example, in sporting, medical care and prison environments. However, outwith the exceptions that exist, we do not allow discrimination against people where there is not a really good reason. I am sure that he has read the Equality Act 2010, and so he will know that those exemptions exist, and I support the provisions in the act.

Trans people using our facilities is not a new thing. Trans people have existed all along, and they have been using our toilets all along. The Equality Act 2010 does not allow us to discriminate against people just because we do not like them. A trans person correctly using public facilities is causing no one any harm.

Fourthly, and finally, the most pernicious words in the Conservative motion are those that refer to

“jeopardising”

the

“safety, dignity and privacy”

of women and girls and to

“horrific incidents of sexual abuse and harassment”.

The Tories, although they could not give a single example, want to get us all to associate in our minds the existence of trans people with dangerous crimes—crimes that have been committed by men, not by trans people.

Murdo Fraser: I have been asked to give an example, so let me give one specific example from the area that I represent. Back in 2018, Katie Dolatowski, a trans woman, was caught and convicted of filming children in the Asda toilets in Kirkcaldy; she also assaulted a 10-year-old girl in the female toilets of the Morrisons in Kirkcaldy. That is just one example of many.

Lorna Slater: That is a horrendous example. Murdo Fraser was right to highlight it. I will highlight an example from my own life. My sister was assaulted in a women’s toilet by a man who had just walked right in. We do not stop people from going into toilets.

Jackie Baillie, for example, listed a lot of sexual and horrific crimes, but she did not even pretend to claim that those were committed by trans people; she just listed them, to make us worried.

Jackie Baillie: Will Lorna Slater take an intervention?

Lorna Slater: I need to make progress.

Pam Gosal gave evidence of boys behaving badly as a reason to discriminate against trans people. We cannot discriminate against a whole class of people because boys behave badly in school.

Rachael Hamilton, too, listed a whole bunch of horrific crimes, none of which would have been prevented by stopping trans people using the toilet. It is hateful to associate crimes with a whole group of people who have not committed them.

Trans people are not associated anywhere or in any way with increased risks or dangers to women and girls. There is no evidence anywhere in the world, including in places where self-ID laws exist,

that policies that allow trans people to access single-sex spaces and services in line with their lived sex increase harm to others. There is none at all—not a shred.

It is quite the opposite. There is evidence that not allowing trans people to access such spaces increases the harm that they face. I would not subject a young trans woman to having to change in a men’s locker room. That would simply not be safe for her. It is more likely that trans people would end up being unable to participate in normal activities—exercise, socialising and all the things that every human needs in order to thrive.

It is not okay to discriminate against people who have done no harm.

The Presiding Officer: You must conclude, Ms Slater.

Lorna Slater: I am so sorry, not only that the Conservatives have been mansplaining women’s rights to us, but—[*Interruption.*]

The Presiding Officer: Conclude, Ms Slater.

Lorna Slater: They want—

The Presiding Officer: Thank you, Ms Slater. You must conclude.

Before I call Paul O’Kane, I remind all members that, if they have taken part in a debate, it is a matter of courtesy that they be in the chamber for the closing speeches.

16:47

Paul O’Kane (West Scotland) (Lab): On behalf of the Scottish Labour Party, I rise to sum up the debate. I will begin, as my colleague Claire Baker did, by stating that it has been important to focus on facts—on what we know to be the case—and the legal position. That has been outlined in many speeches this afternoon, including the opening speech by my colleague Jackie Baillie, which set in context the legal position that we recognise today.

We have also heard much, from across the chamber, about acknowledgement of the need to balance the rights and protections that exist in the Equality Act 2010.

We heard about the importance of acknowledging the validity of perspectives that have been raised by women and girls who are concerned about their safety, and the range of issues that sit within that, which have been covered in many speeches this afternoon.

We also heard about the importance of affording dignity and respect to trans people and to everyone who uses and relies on our public services in Scotland daily, for a variety of needs. I have always tried to say that we must have

respect in our debates, and that applying general pejorative terms to whole groups of people is wrong and does a disservice to many of our debates—the one this afternoon and others over a longer period. This afternoon, important contributions were made recognising some of the polarising language that we often hear and the challenges therein. We heard about that from the cabinet secretary.

From contributions on this side of the chamber and elsewhere, we have heard about the importance of following the law that is currently in place and about practice perhaps moving ahead of the law. Alex Cole-Hamilton spoke about trying to find four-nations consensus on gender recognition reform. That is important.

Audrey Nicoll, the convener of the Criminal Justice Committee, spoke about broader work on violence against women and girls. That was supported by Pauline McNeill. There have been a number of important contributions this afternoon.

I will turn to the practical actions that our amendment seeks to develop. Mixed-sex wards were raised in Jackie Baillie's contribution and in speeches from others on this side of the chamber. There are significant challenges with the policy. Scottish Labour's 2021 manifesto committed to taking further action to end the common use of mixed-sex wards across the NHS. That is a long-held position. When the Scottish National Party was in Opposition, it made that case, and it has been raised on several occasions in the Parliament over the years. It is concerning that we are still relying on mixed-sex wards in some healthcare settings. It has been put on record that Dumfries and Galloway is now the only board to have only single-sex wards. There are issues about dignity and respect for everyone who uses the NHS and about ensuring the broader need for dignity, privacy and safety.

This afternoon's debate has allowed us to examine some very serious issues and concerns that have been raised regarding hospitals and healthcare settings. The reason for making the point about the reports and FOI requests about serious sexual assault and rape in our hospitals is that we must ensure that we have a debate about how we get more data and information on the horrendous crimes that are being perpetrated in our hospitals. Everyone who has used a hospital would acknowledge that people are often at their most vulnerable there, and that they are in the care of others very directly. If anyone is being subjected to those horrendous crimes, we need to know exactly what is happening, who is perpetrating the crimes, how they are being perpetrated and what reporting to police has been carried out. That is all vital, as was highlighted in the speeches by Claire Baker and others. It should

be of concern to us all that we do not know enough about what is happening in our hospitals. We need to build a picture and to understand what better protections might be required.

Our amendment also speaks about provision of toilets in schools and other public spaces. We have heard quite a lot about school settings this afternoon. I note the speeches that were made by Pam Gosal, Roz McCall and others about the challenges in schools. Pam Gosal described some examples of horrendous acts that have been carried out by boys and young men. I recognise the need for separate facilities alongside wider access to provision in our schools, on which our amendment reflects.

A lot of the concerns that we have heard this afternoon about girls, and which have been raised by staff and parents, mean that we need better provision and better guidance to tackle violence in schools, and we need far better education of boys and young men so that they recognise that it is often our behaviours and attitudes that are the problem. There is a range of issues of which the Government needs to take cognisance.

This afternoon, we have heard a call for better guidance from the Scottish Government on the public sector and single-sex provisions. We need guidance that is clear and which means that public authorities know that they can be supported in the decisions that they take, and are able to justify their decisions and ensure that everyone is treated with dignity and respect and that their rights are protected. The guidance and leadership are important.

That is what has come through in the debate this afternoon. We will continue to have such debates in a grown-up and measured way that ensures that we can balance the rights and protections of everyone who lives in Scotland.

16:53

The Minister for Equalities (Kaukab Stewart):

In response to the debate this afternoon, I will take the opportunity to reiterate the facts once again. The Equality Act 2010 is largely on reserved matters, and the Equality and Human Rights Commission is the body that is responsible for enforcing that act. The Scottish Government strongly supports the separate-sex and single-sex exceptions in the 2010 act, and we expect all relevant organisations to comply with the requirements of the 2010 act and any other legislation in their role as employers.

The commission has produced specific guidance to support organisations in their compliance, including the statutory codes of practice and guides, including those for service providers that are looking to establish and operate

a separate-sex or single-sex service. The Scottish Government requires all public bodies to comply with the law.

Fergus Ewing: Will the minister give way?

Kaukab Stewart: We welcome the role of the Equality and Human Rights Commission in supporting public bodies with their legal obligations under the Equality Act 2010.

Murdo Fraser: Will the minister give way on that point?

Kaukab Stewart: Much has been said in the debate about protection of women. I reiterate the actions that we are taking to support and empower women in Scotland. Gender equality is at the heart of the Scottish Government's vision for a fairer Scotland.

Sue Webber: Will the minister give way?

Kaukab Stewart: We want women and girls to be empowered to exercise equal rights and opportunities, to have equitable access to economic resources and decision making and to live their lives free from all forms of violence, abuse and harassment. We continue to take forward work to protect, promote and improve gender equality, while recognising intersectional inequality, in Scotland. To achieve that, we are working to deliver and implement the ambitious recommendations from the First Minister's National Advisory Council on Women and Girls, alongside the women's health plan and the equally safe strategy.

Murdo Fraser: Will the minister give way?

Kaukab Stewart: Through collaborative work on the Period Products (Free Provision) (Scotland) Act 2021, access to free period products is enshrined in law for anyone who needs them, which has built on Scotland's world-leading work in that area.

Violence against women is a fundamental violation of human rights, which is why we are implementing the equally safe strategy to prevent and eradicate all forms of violence against women and girls and to tackle the underlying attitudes that perpetuate it.

Rachael Hamilton: Will the minister take an intervention?

Sue Webber: Will the minister take an intervention on that point?

The Presiding Officer: Let us hear the minister.

Kaukab Stewart: I had the honour of visiting women who are demonstrating their excellent work with young women between 16 and 24 who are experiencing violence and are at risk of suicide.

We are taking forward activity to tackle the drivers of the gender pay gap, which are set out in our refreshed "Fair Work action plan: becoming a leading Fair Work nation by 2025", which was published in 2022.

Stephen Kerr: Diabolical!

Kaukab Stewart: We recognise that fair work is vital in tackling the cost of living crisis, in-work poverty and child poverty, all of which have a disproportionate effect and impact on women.

Tess White: Will the minister take an intervention?

Kaukab Stewart: We have committed to further embedding equality and human rights in all stages of the budget process. The next steps are included in our response to the recommendations of the equality and human rights budget advisory group. *[Interruption.]*

The Presiding Officer: Let us hear the minister.

Kaukab Stewart: A key part of our work is the "Equality and Fairer Scotland Budget Statement 2025-26", which was published alongside the Scottish budget. As the cabinet secretary highlighted in her opening remarks, we need to remain mindful of the negative impact that polarised and sometimes inaccurate public discussion can have on minority groups.

The Scottish Government is committed—

Ash Regan: On a point of order, Presiding Officer. I seek your guidance. Is it not customary and does it not reflect extremely good practice for the minister who is summing up to engage with the substance of the debate? *[Applause.]*

The Presiding Officer: Thank you, Ms Regan. I will repeat what the Deputy Presiding Officer said earlier, which is that it is up to the member who is speaking whether to accept an intervention.

Kaukab Stewart: Thank you, Presiding Officer. I will continue. The Scottish Government is committed to increasing equality and improving the lives of trans people in Scotland. Trans people continue to suffer poorer outcomes relative to outcomes among the wider population—

Ash Regan: On a point of order, Presiding Officer. I apologise—you might have misunderstood my point. I was not referring to whether a member or minister takes an intervention. I was asking whether it is customary practice for the member who is summing up—whether for the Government or the Opposition—to answer the points that were raised in the debate and to reflect the debate that took place.

The Presiding Officer: Thank you, Ms Regan. It is the case that members' contributions are not a

matter for the chair, but for the member who is speaking.

Kaukab Stewart: Thank you, Presiding Officer.

As I was saying, trans people continue to suffer poorer outcomes relative to outcomes among the wider population, and that needs to change. Our “Evidence Review: Non-Binary People’s Experiences in Scotland” highlighted that existing research suggests that non-binary and trans people face discrimination in multiple sectors of society—

Sue Webber: Will the minister take an intervention?

Kaukab Stewart: —such as education, health, communities, work, benefits and issues around homelessness.

Sue Webber: Will the minister take an intervention?

Kaukab Stewart: Trans and non-binary people are a small marginalised group, at 0.44 per cent of Scotland’s population—

Stephen Kerr: This is shameful.

Kaukab Stewart: That group is often misunderstood and misrepresented, and it receives disproportionate levels of attention.

We will continue to support LGBTQI+ stakeholders in Scotland and to advance equality for the community, as well as more widely for minority groups including older people, disability organisations—

Stephen Kerr: Come on! Give way!

Kaukab Stewart: —and race equality organisations that we fund via the equality and human rights fund.

I conclude by restating our position—

The Presiding Officer: Very briefly, minister.

Kaukab Stewart: The Scottish Government expects all organisations to comply with the law, including health and safety regulations that apply in workplaces. Furthermore—

The Presiding Officer: You must conclude, minister.

Kaukab Stewart: —the Scottish Government also expects all organisations to comply with the full range of legislation—

The Presiding Officer: Thank you, minister. You must conclude.

Kaukab Stewart: —regarding health and safety—

The Presiding Officer: Thank you.

Kaukab Stewart: —and we will continue to—

The Presiding Officer: Thank you, minister.

Tess White: We have had enough!

Murdo Fraser: Resign!

The Presiding Officer: Thank you, minister.

Let us treat one another with courtesy.

I call Tess White to wind up the debate.

17:01

Tess White (North East Scotland) (Con): John Swinney thinks that the legal position on single-sex spaces is “crystal clear”, but the SNP’s position is as clear as mud. Week after week, the Scottish Conservatives have been trying to get answers out of the SNP on what on earth is happening with women-only spaces in Scotland’s public bodies. Our requests for ministerial statements were knocked back. Our questions were swerved—

Edward Mountain: Will the member take an intervention?

Tess White: I will.

Edward Mountain: Does the member agree that for a minister to stand up and give a speech and not interact with 13 attempts at interventions is a disgraceful show of how irrelevant they are in this Parliament? I am truly shocked; I wonder whether the member agrees with me.

Tess White: I completely agree—that is not engaging in the debate, and it just shows what has happened in the seat of so-called Scottish democracy, which is absolutely shameful.

Presiding Officer, our questions were swerved; sub judice was seized upon; and SNP scripts—as we have seen today—were woodenly read out. Twice now, the SNP Equalities, Human Rights and Civil Justice Committee convener, Karen Adam, has shut me down when I have been asking questions on these issues.

The public—we see people in the public gallery today—is rightly wondering what the Scottish Parliament is for, if the most salient issues of the day are all but ignored by the party that is in power.

It has fallen to the Scottish Conservatives to bring the debate to the chamber today. We will not let the SNP get away with it. It is through our public services, our schools, the NHS and leisure centres that women and girls most frequently interact with the state. In those settings, they are often at their most vulnerable. They must always be kept safe, and their dignity and privacy must be respected.

However, as Roz McCall and Rachael Hamilton mentioned—

Lorna Slater: Will the member take an intervention?

Tess White: If I have time, I will take an intervention at the end.

As Roz McCall and Rachael Hamilton mentioned, research from For Women Scotland shows that, in 2024, only 13 of the 243 secondary schools in Scotland provided single-sex toilets.

What have we seen today? It is absolutely no surprise that neither of the Government ministers took any interventions from either Labour or the Scottish Conservatives—or, in fact, from their own back benchers, which is telling. They refused. This is a Government that will not tolerate scrutiny unless it is on the Government's own terms.

I say to Lorna Slater that there is no way that she can equate someone's bathroom at home with a toilet facility in the NHS—that is absolutely absurd.

Lorna Slater was the only person to use the word "hate". I am glad that Paul O'Kane brought the debate back. He talked about the need for facts, the balance of rights and the importance of dignity and respect in debate. Maggie Chapman was true to form, with emotion trumping logic and fact. Once again, she used the term "cis", which so many women, including me, find offensive. Why does the word "woman" need to be qualified?

I also noticed that, until now, the Labour benches were almost empty. I know that members are looking at me and looking down, but it is unsurprising given Labour's botched U-turn on women's rights. Mercedes Villalba, you did a brilliant job for your colleagues who were absent by making all your interventions—

The Presiding Officer: Speak through the chair, please.

Tess White: I say to Audrey Nicoll and Evelyn Tweed that language matters. Gender is a construct; sex is down to biology.

It is no wonder that trust in the Scottish Government has been so badly corroded. The SNP has made an absolute mess of this. Its amendment to the motion says:

"the Scottish Government fully upholds the Equality Act 2010".

Senior SNP politicians have made similar statements, but the sleekit SNP is at it again. John Swinney is trying and failing to ride two horses on sex and self-ID.

Fergus Ewing: Is it not concerning that neither the minister nor the cabinet secretary has made any reference to the workforce regulations, which unambiguously confer the right to females to have separate changing rooms in hospitals? Ignoring

the law does not mean that it will go away. It is profoundly disturbing that the minister and the cabinet secretary have not referred to the law, which they must surely obey and ensure is enforced.

Tess White: If I had been allowed to intervene on the cabinet secretary or the minister, I would have asked them about the millions of pounds that the Scottish Government has given to activist groups that are providing guidance, which is being interpreted as law. That is extremely worrying. As we have heard in the debate, the minister can read out a speech, but she probably does not engage with the substance, as Mr Ewing has pointed out.

As Rachael Hamilton said, John Swinney recognises that the law is on the side of women, but the problem is that his SNP Government refuses to enforce it. Lest we forget it, the SNP Government has been arguing in the UK's highest court that men can get pregnant and become lesbians; John Swinney confirmed at the end of February that he accepts that trans women are women; and he does not regret supporting the Gender Recognition Reform (Scotland) Bill, which was—thankfully—blocked by the previous Conservative UK Government.

We cannot have a women-only space and let biological men have access to that space. That is common sense. The SNP does not believe that women are adult human females, and it has taken a sledgehammer to the rights and spaces that are afforded to biological women and girls as a result.

In kowtowing to activist organisations such as Stonewall, the SNP Government has allowed self-ID to creep into Scotland's public sector for years. As I mentioned, the law is being skewed by lobby groups that are being funded by the SNP Government. Faulty guidance is becoming policy, with disastrous consequences, as a result of Nicola Sturgeon's self-ID obsession. She leaves a dangerous and divisive legacy when she stands down in 2026. As Russell Findlay said, women will not forget that she trashed their rights. The NHS, schools, councils, the Prison Service and the police all jumped on the so-called inclusion bandwagon at the behest of Nicola Sturgeon's SNP Government. Labour did nothing.

Equality, diversity and inclusion policies in our public bodies have become exclusionary for women. That is why we need leadership and clarity from the SNP Government, and it is why the Scottish Conservatives are calling on John Swinney to issue a directive requiring public sector bodies to provide single-sex spaces for biological women and girls, in line with their legal obligations. It is high time that, after eroding our rights and relegating our needs for years, the SNP put women and girls first.

Douglas Ross (Highlands and Islands) (Con):

On a point of order, Presiding Officer. The SNP cabinet secretary who opened today's debate on behalf of the Government and the SNP minister who closed the debate on behalf of the Government earn a combined salary of £232,637 of taxpayers' money. With their positions in the Government come responsibility and accountability. However, throughout today's debate, they did not take a single intervention.

By our calculations, there were 20 or more attempts to intervene on the cabinet secretary and the minister, all of which were refused. Given that we now have an electronic way to register an interest in making an intervention, if a request is made to Parliament for the accurate number of interventions that were sought from and refused by the SNP ministers in today's debate, will that be made available?

The Presiding Officer: The point that you have made is now on the record, Mr Ross. The question of information that has been collated is not a point of order for me to rule on from the chair. Perhaps we can discuss that outwith the chamber.

That concludes the debate on protecting single-sex spaces in the public sector.

Urgent Question

17:11

University of Dundee (Reduction in Staffing)

Joe FitzPatrick (Dundee City West) (SNP): To ask the Scottish Government whether it will provide an update on what engagement it has had with the University of Dundee regarding its financial recovery plan and proposed reduction in staffing.

The Minister for Higher and Further Education; and Minister for Veterans (Graeme Dey): From the outset, I want to put on record that my thoughts and those of this Government are with the University of Dundee staff and their families and, of course, with students, who will be understandably upset and anxious about the scale of the cuts that were proposed yesterday.

The cabinet secretary and I wrote to the interim principal of Dundee yesterday to outline our deep concern at the extent of the measures that are currently being proposed by the senior management team. We stressed the importance of making every effort to minimise the impact on jobs and that compulsory redundancies should be considered only as a last resort after all other cost-saving measures have been fully exhausted.

We have assured the university that it will continue to have the full support of the Government to return itself to a sustainable footing, and I want to reassure Parliament that we will continue to explore all means possible to support the university.

Joe FitzPatrick: The University of Dundee is internationally renowned for its research and teaching. This afternoon, I met union representatives there and heard that staff are understandably deeply concerned about their jobs and the reputation of the university. Does the minister agree that the current proposal from senior management at the university and the scale of job losses being suggested are simply not acceptable? Does he agree that senior management must urgently get around the table with unions and the workforce to produce a recovery plan that explores every possible option to save jobs?

Graeme Dey: Although, unfortunately, job losses will be unavoidable, given the scale of the issue at the university, it is essential that everything is done to manage down the number that is being talked about. We are actively encouraging the university to work with trade unions, senior leaders across the city region and the sector to explore all possible measures to

mitigate impacts on students, staff and, of course, the university's world-class research base.

Further, there is a wealth of expertise in the sector and among those who have retired from the sector who might be keen to support Dundee. Ministers have asked Universities Scotland to work with the university in that regard.

Additionally, if, having scrutinised the draft financial recovery plan, the SFC believes that it is necessary for further financial support to be provided to the institution, or if the university has a specific ask in that regard, ministers will consider that.

Joe FitzPatrick: I thank the minister for his response and his efforts.

The hostile environment on immigration, which is badly damaging international student recruitment, compounded by the United Kingdom's national insurance hike that is costing the University of Dundee an extra £2.3 million this year, are factors that affect universities across the UK, but there remains little transparency about how the university got into this position, so it is little wonder that staff have a lack of confidence in the senior management's ability to come up with a credible recovery proposal.

What further support can be offered to the university to bring in the required expertise without resorting to the employment of another senior manager at an eye-watering cost of £200,000? How can the minister ensure transparency?

Graeme Dey: It is welcome and necessary that the University of Dundee is committed to an external investigation into what went wrong, and I am keen to see that work progressed. Shaping and implementing a recovery plan that minimises job losses while returning the institution to financial stability is, of course, the immediate imperative, but the initial work that was done on identifying how the university got into this situation has left many questions unanswered, and we need to address those in parallel with that.

Full transparency is needed, not only for those directly affected but with a view to understanding whether different approaches to governance and oversight might have prevented the situation from unfolding as it has. Transparency must be in play around how some of the proposed cost-cutting measures have been arrived at, so that alternative measures might be properly explored.

On the point about accessing the required expertise without incurring additional costs, as I noted a moment ago, we are engaging with Universities Scotland to see what help might be available to the institution.

Maurice Golden (North East Scotland) (Con): The loss of so many jobs is a horrendous blow to

higher education in Scotland and to Tayside in particular. In order to help to prevent an exodus of skills and to support the local economy, will the minister consider working with colleagues to create an innovation hub that is focused on emerging technologies such as artificial intelligence?

Graeme Dey: In short, yes, because we are in a situation in which we should be open to collaborating as far as possible to explore all the options that might be available. I am certainly willing to explore that with Mr Golden.

Michael Marra (North East Scotland) (Lab): Yesterday made clear to all those who did not already know that the University of Dundee requires a Government response equivalent to an industrial bailout. The lack of urgency from and visibility of the Government is clear.

I have a specific ask, and I know that the university will welcome it. Will the Scottish Government increase the £15 million loan that was previously committed to with a further £30 million loan across 15 to 20 years, and will it underwrite a £30 million credit facility to allow the university to obtain bank finance, via the SFC or otherwise? That would allow the university to open a voluntary severance scheme far sooner and at long last stop the bleeding that threatens the existence of my city's most important institution. *[Interruption.]* Thank you, First Minister.

Graeme Dey: As I said a moment ago to Maurice Golden, we are willing to explore all matters and engage with the University of Dundee on them. If it has a reasonable ask, we will explore that.

I gently say to Michael Marra that, just as we will commit to that, I hope that he and his party will acknowledge their part in the challenges that the University of Dundee faces—accepting that the university faces a number of issues that are way beyond any that other universities are facing. The employer national insurance contributions issue has compounded the situation at the University of Dundee, as have the spiralling costs of energy. Like every university, the unwillingness of the current UK Government to revisit the issue—

Michael Marra: It has nothing to do with it.

Graeme Dey: It has everything to do with it, Mr Marra. I say again gently that you cannot credibly sit and demand more money for the University of Dundee if you, Mr Marra, and your party—

The Presiding Officer (Alison Johnstone): Through the chair, please.

Graeme Dey: I apologise, Presiding Officer. Given that the Labour Party refused to back the moneys that were contained in the budget, it cannot be credible in that space.

The Presiding Officer: There is a great deal of interest in this issue, and I am keen to get all members in. If they can be concise, that would be helpful.

Maggie Chapman (North East Scotland) (Green): I begin by expressing my solidarity with and concern for the welfare of staff and students at the University of Dundee. This is bigger than Timex and NCR. These are the biggest cuts that the city has faced in more than 30 years. Trade unions have been asking—begging—for proper engagement for four months now. They want to know how they can help, but they still have not seen the books or received answers to their questions.

Does the minister agree that, rather than spending £200,000 on a hatchet man to come in and cut those jobs, that money would be much better spent on bringing staff and students round the table in a participative and engaging process to provide the help that the interim principal says he needs to get through the recovery plan process?

Graeme Dey: I recognise entirely the point that Maggie Chapman makes and that Joe FitzPatrick made about the £200,000 transformation director approach that has been mooted. As I said a moment ago, we are looking for Universities Scotland to work with us to provide the kind of expertise that might be available and helpful to the university.

Maggie Chapman is absolutely right: of course there must be an opportunity for the trade unions and staff to sit down. My understanding is that, beyond the briefing, further insight was provided to staff late yesterday that gave some more detail on the financial recovery plan. However, there must be an opportunity for them to bring forward viable alternative cost-cutting proposals that can save those jobs, or at least some of those jobs.

Willie Rennie (North East Fife) (LD): There is a degree of frustration and despondency with the threatened job losses in the wider Dundee area, which includes my constituency. There is a frustration that the Government is not ready with an additional offer. I know that the Government has provided £15 million in financial transactions to the wider sector, but we must surely be able to act more swiftly than this. People are worried about their future. When will the minister be able to come forward with a boosted offer to provide some certainty and stability for the institution?

Graeme Dey: As I think that Mr Rennie heard at the Education, Children and Young People Committee this morning from the cabinet secretary, the SFC is actively scrutinising the plan, with a view to come back—hopefully by the start of

next week—with further advice to ministers. We await that advice.

As I said a moment ago, we are perfectly willing to consider any asks in this space. However, as matters stand, there has been no ask from the University of Dundee for any specific additional support beyond what the SFC will be looking to provide at its board meeting tomorrow.

Audrey Nicoll (Aberdeen South and North Kincardine) (SNP): The Leverhulme research centre for forensic science at the University of Dundee works with justice partners to provide a range of forensic services in Scotland, with work on-going to establish a national drug-checking service and an institute for innovation in forensic science for Scotland as part of the Tay cities region deal. I understand that staff, both externally grant funded and fully tenure-funded by the Scottish Funding Council, are at risk of redundancy, which would be a significant blow to the future provision of forensic services in Scotland.

I welcome the minister's response so far, but can he provide any further reassurance specifically on the future of the centre, given its importance to the delivery of justice in Scotland and its potentially critical role—through drug testing—in the efforts to reduce drug deaths?

Graeme Dey: The Leverhulme centre is externally funded through to next year, so it is in a slightly different position, although I accept that its staff are the subject of consultation. However, among the things that the SFC will be considering as it goes through the proposed financial recovery plan are any consequences that will come from what is being proposed and any serious impacts that will be felt way beyond the confines of the university.

This cannot be a recovery predicated coldly and purely on saving money regardless of the implications for staff, students and wider stakeholders. However, major savings will have to be made by the institution—we cannot get away from that. The SFC will be interrogating the proposed plan closely, and staff need to be given a chance to input ideas that might mitigate the nature and scale of the impact.

Mercedes Villalba (North East Scotland) (Lab): This morning, I joined University and College Union members, local Labour councillors and members of our community on the picket line at the University of Dundee, where workers are still reeling from the announcement that 632 posts are on the line. This outrageous decision will undermine the future of the university and it will hit workers, students and the whole of Dundee. Will the Scottish Government meet with campus unions to discuss how it can support them to

appoint forensic accountants to examine any financial mismanagement at the University of Dundee?

Graeme Dey: There is a genuinely external piece of work to be done to scrutinise what has happened at the University of Dundee. I take the point about the unions having the right and the need to be satisfied about the explanation that is provided. There is a great deal of work to be done at the institution to rebuild trust—if that is possible—between management and the trade unions. That starts with far better engagement than we have had up until now.

Miles Briggs (Lothian) (Con): If the proposals go forwards, they will result in 20 per cent of the university staff losing their jobs. These concerns became apparent last November. Does the Government intend to be directly involved in the development of a recovery plan? Specifically, in relation to the £15 million that the Government has made available, are ministers looking to offer bridging loans for other organisations? We are seeing university after university come forward with financial difficulties. The Government will need to respond to that.

Graeme Dey: I think that Mr Briggs is aware that, for legitimate reasons—not the least of which is the preservation of Office for National Statistics classification, on which all institutions depend—there must be degrees of separation between Government and universities, because universities are autonomous institutions. Everything that will be done will be done through the SFC; that is the conduit for this.

In the context of further support for the University of Dundee, as I have said multiple times in the past few minutes, we are open to considering any approaches that come from the SFC, either directly on behalf of the University of Dundee or through its reading of the financial recovery plan and the situation there. As I indicated to Willie Rennie a moment ago, we expect to get further advice on that early next week.

Pam Duncan-Glancy (Glasgow) (Lab): I, too, express my solidarity with the communities of Dundee and the staff at the university, who will face significant heartache after yesterday's news.

The minister has said multiple times this afternoon that he will consider anything that comes forward, and that he will look to the SFC and the institution to see what they will do. What exactly is the Government going to do?

Graeme Dey: The Government has already provided the SFC with £15 million to help universities such as the University of Dundee. I again point out that the Labour Party failed to support that move.

The Presiding Officer: That concludes the urgent question.

Business Motion

17:26

The Presiding Officer (Alison Johnstone):

The next item of business is consideration of business motion S6M-16768, in the name of Jamie Hepburn, on behalf of the Parliamentary Bureau, which sets out a business programme.

Motion moved,

That the Parliament agrees—

(a) the following programme of business—

Tuesday 18 March 2025

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Scottish Government Debate: Protecting and Growing Scotland's Iconic Food and Drink Sector

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 19 March 2025

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Constitution, External Affairs and Culture, and Parliamentary Business; Justice and Home Affairs

followed by Scottish Labour Party Business

followed by Business Motions

followed by Parliamentary Bureau Motions

followed by Approval of SSIs (if required)

5.10 pm Decision Time

followed by Members' Business

Thursday 20 March 2025

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

followed by Members' Business

2.15 pm Parliamentary Bureau Motions

2.15 pm Scottish Parliamentary Corporate Body Questions

2.30 pm Portfolio Questions: Education and Skills

followed by Rural Affairs and Islands Committee Debate: Salmon Farming in Scotland

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

Tuesday 25 March 2025

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Scottish Government Business

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 26 March 2025

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Deputy First Minister Responsibilities, Economy and Gaelic; Finance and Local Government

followed by Stage 1 Debate: Land Reform (Scotland) Bill

followed by Financial Resolution: Land Reform (Scotland) Bill

followed by Business Motions

followed by Parliamentary Bureau Motions

followed by Approval of SSIs (if required)

5.00 pm Decision Time

followed by Members' Business

Thursday 27 March 2025

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

followed by Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions: Net Zero and Energy, and Transport

followed by Stage 1 Debate: Schools (Residential Outdoor Education) (Scotland) Bill

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

(b) that, for the purposes of Portfolio Questions in the week beginning 17 March 2025, in rule 13.7.3, after the word "except" the words "to the extent to which the Presiding Officer considers that the questions are on the same or similar subject matter or" are inserted.—[*Jamie Hepburn*]

Motion agreed to.

Parliamentary Bureau Motions

17:27

The Presiding Officer (Alison Johnstone): The next item of business is consideration of two Parliamentary Bureau motions. I ask Jamie Hepburn, on behalf of the Parliamentary Bureau, to move motions S6M-16769 and S6M-16770, on approval of Scottish statutory instruments.

Motions moved,

That the Parliament agrees that the Scottish Landfill Tax (Standard Rate and Lower Rate) Order 2025 (SSI 2025/41) be approved.

That the Parliament agrees that the Tied Pubs (Miscellaneous Amendment) (Scotland) Regulations 2025 [draft] be approved.—[*Jamie Hepburn*]

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

Decision Time

17:27

The Presiding Officer (Alison Johnstone): There are five questions to be put as a result of today's business.

I remind members that, if the amendment in the name of Shirley-Anne Somerville is agreed to, the amendments in the names of Jackie Baillie and Maggie Chapman will fall.

The first question is, that amendment S6M-16755.3, in the name of Shirley-Anne Somerville, which seeks to amend motion S6M-16755, in the name of Russell Findlay, on protecting single-sex spaces in the public sector, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

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

17:28

Meeting suspended.

17:30

On resuming—

The Presiding Officer: We come to the vote on amendment S6M-16755.3, in the name of Shirley-Anne Somerville, which seeks to amend motion S6M-16755, in the name of Russell Findlay, on protecting single-sex spaces in the public sector. I remind members that, if the amendment in the name of Shirley-Anne Somerville is agreed to, the amendments in the names of Jackie Baillie and Maggie Chapman will fall. Members should cast their votes now.

The vote is closed.

Ross Greer (West Scotland) (Green): On a point of order, Presiding Officer. My vote was registered, but my proxy vote on behalf of Gillian Mackay appears not to have been registered. That vote would also have been an abstention.

The Presiding Officer: Bear with me—thank you, Mr Greer. We will ensure that that is recorded.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)

Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP) [Proxy vote cast by Jamie Hepburn]
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP) [Proxy vote cast by Jamie Hepburn]
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)

Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 Mason, John (Glasgow Shettleston) (Ind)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Thomson, Michelle (Falkirk East) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Abstentions

Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Greer, Ross (West Scotland) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)

The Presiding Officer: The result of the division on amendment S6M-16775.3, in the name of Shirley-Anne Somerville, is: For 57, Against 50, Abstentions 7.

Amendment agreed to.

The Presiding Officer: As the amendment in the name of Shirley-Anne Somerville has been agreed to, the amendments in the names of Jackie Baillie and Maggie Chapman fall.

The next question is, that motion S6M-16755, in the name of Russell Findlay, on protecting single-sex spaces in the public sector, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)

Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP) [Proxy vote cast by Jamie Hepburn]
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP) [Proxy vote cast by Jamie Hepburn]
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)

Dowey, Sharon (South Scotland) (Con)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 Mason, John (Glasgow Shettleston) (Ind)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Ross, Douglas (Highlands and Islands) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Thomson, Michelle (Falkirk East) (SNP)
 Webber, Sue (Lothian) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)

Abstentions

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Marra, Michael (North East Scotland) (Lab)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 O'Kane, Paul (West Scotland) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)

The Presiding Officer: The result of the division on motion S6M-16755, in the name of Russell Findlay, on protecting single-sex spaces in the public sector, as amended, is: For 61, Against 31, Abstentions 20.

Motion, as amended, agreed to,

That the Parliament notes that the Scottish Government fully upholds the Equality Act 2010, and requires all public bodies to comply with the law, and welcomes the role of the Equalities and Human Rights Commission in providing codes of practice and guidance.

The Presiding Officer: If no member objects, I propose to ask a single question on two Parliamentary Bureau motions.

As no member has objected, the final question is, that motions S6M-16769 and S6M-16770, in the name of Jamie Hepburn, on behalf of the

Parliamentary Bureau, on approval of Scottish statutory instruments, be agreed to.

Motions agreed to,

That the Parliament agrees that the Scottish Landfill Tax (Standard Rate and Lower Rate) Order 2025 (SSI 2025/41) be approved.

That the Parliament agrees that the Tied Pubs (Miscellaneous Amendment) (Scotland) Regulations 2025 [draft] be approved.

The Presiding Officer: That concludes decision time.

International Women's Day 2025

The Deputy Presiding Officer (Liam McArthur): The final item of business is a members' business debate on motion S6M-16573, in the name of Audrey Nicoll, on international women's day 2025. The debate will be concluded without any question being put.

Motion debated,

That the Parliament notes that International Women's Day 2025 takes place on 8 March; notes that the theme for 2025, Accelerating Action, is in recognition of calls for increased momentum and urgency to address the barriers that women face, and notes those standing together in solidarity to celebrate the social, economic, cultural and political achievements of women in the Aberdeen South and North Kincardine constituency, across Scotland and around the world.

17:37

Audrey Nicoll (Aberdeen South and North Kincardine) (SNP): Before I begin, I warmly extend my thanks to members who supported my motion. I am delighted to bring to the chamber this debate to mark international women's day 2025, and I thank all members who intend to speak this evening.

International women's day, which this year was celebrated on 8 March, aims to recognise the achievements of women across the world. It brings with it an opportunity to raise awareness of the barriers and challenges that women still face, but also to celebrate the many achievements made to date in improving the lives of women and girls both in Scotland and further afield. I hope that the debate will deliver on the aims of international women's day, and I very much look forward to hearing the contributions of my fellow members.

What better place to begin than to spotlight the achievements of Malala Yousafzai, a Pakistani woman and Nobel prize winner who, as we all know, bravely spoke out against the Taliban's exclusion of young women from schools? Malala's story brings to light that, although strides have been taken in improving the rights of women and girls, so much more is still to be done, particularly in international spaces. We simply cannot ignore that.

Our media is currently awash with reporting about women's rights violations and such rights being increasingly diminished in Sudan, Gaza, Ukraine and Syria. Who could forget the example set by Sharyn Lock, an international midwife who fasted for five days outside the Scottish Parliament, in solidarity with women and children who were going hungry in Gaza, and who called for an immediate ceasefire? When I spoke to Sharyn, she described the harrowing situation for many women who were too malnourished to

breastfeed their newborn babies but could not afford to buy formula on the black market, so their babies died. “Chilling” is not the word.

The emerging online threat to women is also a cause for great concern. Developments in artificial intelligence and technology have changed the ways in which women are exploited online. For example, South Korea is facing a national crisis as a result of the increasing publication of deepfake pornography photos and videos of young women. As our social media grows, so does the spread of misogynistic influencers. We have seen the horrifying case in England of Kyle Clifford, who was allegedly influenced by the grotesque misogynist Andrew Tate. This week, Clifford was sentenced to life imprisonment for the brutal murders of his former girlfriend Louise, her sister Hannah and their mother. The sentencing judge described him as a man

“soaked in self-pity”,

who

“holds women in utter contempt.”

Systemic biases are still deeply embedded in our society.

The theme of this year’s international women’s day is accelerate action, by taking the swift and decisive steps that are necessary to tackle gender-based inequality. I will touch on three areas in which we are accelerating action in Scotland.

First, we are forging a path for women’s economic empowerment. I was pleased that, just recently, the Deputy First Minister announced funding to encourage women into enterprise. At least £4 million will be allocated to expand the number of women entrepreneurs by providing tailored support at the earliest stages of business creation.

The Scottish Government’s women’s health plan cements Scotland’s commitment to tackling gender inequalities in health. I am pleased to note the progress that is being made in that space, including the development of specialist menopause services, and that the Scottish Government is actively consulting women and girls on the next phase of the plan’s delivery.

In the justice space, the Criminal Justice Committee is continuing its scrutiny of the Victims, Witnesses, and Justice Reform (Scotland) Bill, which seeks to improve the experience of victims in the justice system, many of whom are women. That has particular relevance to women who are survivors of sexual crimes, whose experience of the justice system is, frankly, traumatising.

Many more pieces of work are under way that are making a real difference for women and girls

across Scotland, including by reducing the gender pay gap, expanding childcare provision and tackling gender-based violence and health inequalities. I ask the minister, in her closing remarks, to provide an update on the issues that I have referenced and on the work of the National Advisory Council on Women and Girls. To be honest, I do not know a great deal about the council, but I know that it has been a welcome initiative that the First Minister has developed to explore ways of tackling gender inequality in Scotland. I am aware, too, that the minister is deeply interested in that area of work and has been involved in it.

There is still a long road ahead before we reach full gender parity globally. However, I am confident in the Scottish Government’s commitment to taking meaningful steps towards that goal in Scotland and to further address the many new and emerging threats to women that we face today.

I again thank all members, in particular those who supported my motion and will contribute to the debate. I wish everyone—albeit belatedly—a happy international women’s day.

17:44

Tess White (North East Scotland) (Con): I welcome Audrey Nicoll’s members’ business debate to celebrate international women’s day 2025. The day is an opportunity to celebrate women’s achievements, and I would like to highlight the work of some truly fantastic women in the north-east who do so much to support their communities.

Jennifer Garnes is the headteacher of Strathmore primary school in Forfar. She cares passionately about creating adaptive environments to provide equal opportunities for all learners. Her work resulted in the school becoming the first in Scotland to be awarded an ADHD friendly school award.

Mary Geaney is the chief executive officer of Rossie Young People’s Trust in Montrose. She leads a team of 185 staff to deliver trauma-informed care, education, health and specialist psychological services for young people with multiple and complex needs in secure care.

Helen Reid from Laurencekirk was my local hero for the Scottish Parliament’s 25th anniversary celebration. She makes such a positive contribution to improving her local area by holding fundraising events and coffee mornings to provide Christmas lights and summer hanging baskets.

Jill Fotheringham, a local businesswoman, has been campaigning for many years to improve the treacherous Laurencekirk junction, which has caused too many deaths, collisions and near

misses. Her unwavering commitment to the campaign has, at all times, kept the pressure on Transport Scotland and Aberdeenshire Council to get shovels in the ground.

Other women, such as Angela Taylor from the Angus Pylon Action Group and June Morrison from the Leylodge against industrialisation group, are leading the charge against the megapylon plans that will puncture the beautiful countryside of the north-east and decimate communities.

Those special and brilliant women, and many more besides, have made such a difference to their communities, personally and professionally, and I am delighted to have the opportunity to pay tribute to them today.

As the motion highlights, this year's IWD theme is accelerate action, to address with renewed urgency the barriers that many women face. I will focus the remainder of my remarks on two of those barriers—the crippling cost of childcare and difficulties accessing diagnosis and treatment for medical conditions such as cervical cancer and endometriosis.

After working in human resources for more than 30 years, I know how vital accessible childcare is for women as they return to work after maternity leave. There are two issues with childcare in Scotland—cost and availability. Both have been highlighted in a petition to the Parliament that was lodged by Aberdeenshire mum Julie Fraser. She is calling for funded hours to be introduced in Scotland when a baby is nine months old. That has already been rolled out in England. Women who want to work are being priced out of the workforce because of sky-high nursery fees. Funded hours from when a baby is nine months old would be a game changer for many working parents.

On women's health, no woman should have to endure sleepless nights because of delays to diagnosis and treatment. Conditions such as endometriosis and polycystic ovary syndrome can have a massive impact on a woman's physical and mental wellbeing, but it can take years to secure a diagnosis. The Dundee endo warriors have been doing brilliant work to shine a light on women's health inequalities.

Women across Scotland are making such a difference every day. It is our duty to come together and knock down the barriers that are holding them back.

17:48

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I congratulate Audrey Nicoll on securing the debate. She rightly raised the issues of misogyny,

exploitation and violence against women worldwide, and they are cruel and disgusting. However, I will confine my remarks to our home turf as I view the progress towards equality that women in Scotland have made during my 80 years and reflect on the barriers then and now.

I did not really notice much in the way of discrimination at primary school. I was keen and quite bright, and the children who had difficulty with the three Rs bore the brunt of the teacher's impatience. I was also a tomboy, so, until adolescence, when those pesky hormones kicked in, as well as perversities and skipping, I played marbles and fought over our street territories. One pigtail was always destroyed early in the day, and I regularly had bloodied knees and elbows.

Secondary school was a different kettle of fish. As I was a girl—in those days, Broughmuir had boys and girls entrances—I discovered cooking and sewing on my timetable. I loathed both and was hopeless at them. Hockey and netball were next on my hit list. To avoid them, I added non-existent science classes to my timetable, which was not discovered until it was too late for me to be disciplined. That was one advantage of keeping a low profile, which was then my *modus operandi*.

At 16, I was asked by the school if I wanted to stay on. Many of my female friends opted to leave. My father, a very forward-thinking man, left the choice to me. "Boy or girl, you are all equal", he said. For a working-class girl like me, that was the exception.

The school, of course, had me destined to be a secretary. There is nothing wrong with that, but there was no encouragement to go to university, except from my Russian teacher. I left at 16, but with highers in my back pocket. I looked for a job at what was then Ferranti, as I had higher physics, chemistry and maths. A woman in a white lab coat took me quietly to the side and advised me not to take the job offer because I would be stuck at her level, whereas men were promoted.

I then began as a clerkess in an insurance company, because I was desperate to have some money. After one year of that, I saw that able women were stuck at senior clerkess level, so that was it—I packed it in and went to university.

I am telling this story because the culture at the time, certainly for working-class girls, was to leave school at 16, get an office job, get engaged at 18, marry at 20 and have their first child at 22. Before the pill, there was no hanky-panky until they were married. A pregnant single girl at that time was considered a fallen woman, but it was different for boys and men, of course.

The irony is that, by national necessity, during the second world war, women were liberated into what were men-only jobs, but, as soon as the war

ended, they were expected to return—and they did—to domestic-only roles.

We have come some way, but against that narrative, and not that far, really. Girls are still pigeonholed into certain trades and professions. There are not many female plumbers and electricians, but there are plenty of female teachers. It is tougher, as good though we are at multitasking, to juggle jobs and motherhood—it is no easy task. I insert the caveat that there are men, too, who have those dual roles.

Added to that, although there were always pressures on girls about their looks, they are exacerbated today by social media. Are you slim enough? Do you conform to the current model of good looks? Having to conform to fit in has always been the case, but it is much worse these days.

There has been a shift, but not as much as one would expect 80 years on. Marriage is not a necessity and the term “bidey-in” has been lost in the mists of time; it is about having partners. We have women as chief executives, we have had female Prime Ministers and a female First Minister and, often, general practitioners are women, although male nurses are more of a rarity. However, I do not have answers—only questions—as to why change is so slow. Why have we not moved on further in those 80 years?

I married at 25 and had my first child at 27. I had to give up my teaching post for six years to bring up my sons, as there was no such thing as maternity leave and no nursery or job security. We have some of that now—it is better, but it is not good enough.

17:53

Carol Mochan (South Scotland) (Lab): I, too, thank Audrey Nicoll for bringing the debate to the chamber.

I am grateful for the opportunity to speak on the importance of international women's day 2025, with its theme, as we have heard, of accelerate action. The motion highlights some incredibly important points, with the focus on building momentum and urgency to address the unequal barriers and serious challenges still being faced by women in this country and around the world.

The health inequalities that women face are widespread and deeply frustrating. This is not a new issue, especially for women from deprived areas, and it is an issue that members have heard me speaking about before. Such inequalities are unacceptable. When we think about health outcomes for women, we hear women's voices saying that they are not always understood or believed when they approach services. It is

important that we get the opportunity to raise such issues in the chamber.

Women from the most deprived areas are still less likely to attend breast or cervical screening appointments, with at least an 11 per cent difference in uptake—not to mention the fact that female life expectancy varies drastically from the most to the least deprived areas. Although that is improving, it continues to create inequality among women, and I think that all of us will want to work tirelessly to overcome that challenge.

There is something in the idea of community-based provision of women's health services going to the individual, instead of services depending on the individual to be able to go to them. I bring that up, because I have spoken to a lot of women, as I am sure we all have, during the weeks running up to international women's day. Because women often put others before themselves, it is difficult for them to attend appointments, and the closer an appointment can be to a woman, the more likely they are to attend.

As we all know, women are more likely to experience poverty and gender-based violence. That is a reality. We have spoken about it previously in the chamber, and all members are absolutely determined to change it. Domestic abuse rates are rising, and we need to do more to tackle violence against women and girls. According to the annual statistics on domestic abuse for 2022-23, the police reported that 83 per cent of victims of domestic violence were female and that four in five incidents involved a female victim and a male suspected perpetrator. It is important that we do more work on that; indeed, we have had debates on it previously.

There is a real national need for education. I am trying to bring together some of the previously raised points, on which we agree, about educating men and young boys on how they should relate to women, their attitudes and their actions. Some of our male colleagues in the Parliament are real champions in that respect.

It is also important for me to discuss international women's day on a global scale, focusing on the impact of the displacement and devastation being experienced by millions of women and girls not just throughout the world but, in particular, through the violence in Ukraine and Palestine. One could not be more accurate in saying that those women need acceleration and action.

Families have been ripped apart in Palestine. As a result of the ceasefire agreement this year, some were able to reunite, but, with the recent action by Israel further hindering Gaza's ability to provide clean water and food for its numbers of children, pregnant women and breastfeeding

women, malnutrition is a problem. The figure for those affected was sitting at about 4,000, but, clearly, it is expected to increase. Across the world, women need us to shout and raise our voices, because it is women who suffer hugely when there is war and devastation in their country.

I know that I am running out of time, but I just want to mention that there is hope. When we bring women together, we can all work towards positive outcomes. If we raise our voices in the Parliament and in our communities, we can make a difference.

17:58

Maggie Chapman (North East Scotland) (Green): I thank Audrey Nicoll for lodging her motion, for securing this important debate and for celebrating the achievements of women in the North East Scotland region.

I have good reason, especially this year, to join that praise. On Saturday, which was international women's day, I was in Aberdeen city centre as part of a large, diverse, joyful and resolute group of residents, friends, neighbours and strangers. We were there to express our support for and solidarity with women—"ALL women", as the United Nations theme of this year's international women's day reminds us. All women matter.

Another event was taking place in Aberdeen that day. It was a smaller one, attended by a few people, some local and some not, even if their red baseball caps were printed with "Make Aberdeen Great Again". It was addressed by a notoriously and virulently transphobic activist, one from whom even anti-trans groups have scurried to disassociate themselves, with a history of Islamophobic discourse and allied with movements to dismantle women's rights to healthcare, work and protection from abuse.

That is why we, too, were on the streets of Aberdeen. We were speaking up for the real rights and needs of women—all of us together: feminists of all genders, disabled people, firefighters, and accompanying dogs and small children. The transmisogynists had a public address system to amplify their regressive nonsense, but we had drums and determination, bubbles and rainbows.

It has been a tough year for women and, as always, the most dangerous place to stand is in the intersections that Kimberlé Crenshaw showed us, where oppressions and injustices thunder down from every direction. We, as far as we can, stand there in solidarity and care. We stand with trans women facing the most brutal scapegoating, as we have seen just this afternoon. We stand with women across the majority world—the global south—whose health, families, homes and lives will be lost through the cuts to US and United

Kingdom overseas aid. We stand with women in Gaza and the West Bank, who are targets of apartheid and genocide. We stand with disabled women in the UK, waiting in fear for the next wave of cuts. We stand with women everywhere, as their rights to reproductive justice—to make safe choices about their own bodies—are narrowed and diminished, and sometimes taken away completely.

Misogyny in its most naked and violent forms is multiplying across the world, emboldened and inflamed by the Trump Administration, and transmitted through new media into the screens and minds of children. For a few, it is a route to money and power; for everyone else, including men and boys, it will be a disaster.

Scotland must act. The groundwork for a misogyny bill has been laid—now is the time to make it a reality. Of course, legislation alone is not enough, but when the threat is so real and the damage so great, it must be part of our resistance.

I end with the words of Judith Butler, a feminist philosopher and campaigner, who, in response to the question "What is a woman?", said:

"Feminism has always kept the question open and refused to answer it, refused on principle. Because we don't know all the things women can be and do and we're not about to say in advance: this is who you are, stay within the limits, stay within this category ... we don't do that, we're a freedom struggle."

I am proud to be a part of that freedom struggle, and I will be so until I die.

18:02

Pam Gosal (West Scotland) (Con): I thank Audrey Nicoll for bringing the motion to the chamber. I also take this opportunity to thank all the excellent organisations that have the courage to stand up for women's rights, including For Women Scotland, Women's Rights Network Scotland, Sex Matters, Murray Blackburn Mackenzie and many more. However, I am disappointed and surprised that there has been no Scottish Government debate on the issue this year.

Every year, I am honoured to speak in the debate on international women's day. This year's theme is accelerate action, with the call

"for increased momentum and urgency in addressing the ... barriers ... that women face".

However, how can we celebrate every year when, in many respects, we are going backwards, and when women's rights are being diluted? In Afghanistan, women's voices are banned from being heard in public. In Iraq, it will soon be legal for a nine-year-old girl to get married. In Iran, women can no longer show their hair. Female

genital mutilation remains common in many countries. The list goes on and on when it comes to taking away women's rights.

While those terrible behaviours and scenes are unfolding right in front of our eyes around the world, I stand here today with a heavy heart, aware that women's rights here in Scotland are slowly being taken away. In the national health service, women are forced to change in front of biological males. In schools, girls are filmed using unisex toilets. Female prisoners are being housed with criminal males. Biologically male officers are allowed to strip search women. Males have been allowed to enter centres that are designated for women, such as rape crisis centres. Why is it that women are always the ones who have to compromise for men?

Let us be very clear: I am a woman. This is what a woman looks like. I want my dignity to be respected. Why should someone who is not a biological female be allowed to tell me what a woman is? How can we speak about women's equality when we cannot even define the word "woman"?

The SNP Government's culture of secrecy and its embrace of gender ideology have led to underreporting, with health boards either not holding or refusing to provide data on sexual assaults and rapes in hospitals; to no uniformity, with some local authorities and schools embracing single-sex spaces and others not; to no accountability, with female nurses being punished for refusing to share changing rooms with male colleagues; and to no transparency, with organisations being financially blackmailed for not subscribing to gender ideology and woke politics.

Shortly after the debate, I will be hosting a round table on amplifying women's voices, with speakers including international lawyers, academics, women refugees, and anti-poverty activists. The round table will take a long view on the experience of women in Scotland and will serve as a discussion of what it means for women to speak up in some of the most challenging places in the world. I encourage all members in the chamber to attend.

In closing, I hope that, when I give a similar speech this time next year, things will have changed for the better. Here's hoping.

18:06

Beatrice Wishart (Shetland Islands) (LD): I thank Audrey Nicoll for lodging the motion and securing the debate in the chamber. Like Pam Gosal, I am surprised that the Scottish Government does not seem to be forthcoming with a debate on international women's day, as it has in previous years. This year, international women's day feels particularly important in the context of

the increasing challenges to women's rights around the world.

Around three quarters of unpaid carers in Scotland are women. Their provision of vital unpaid care comes at significant emotional and economic costs. The "State of Caring in Scotland 2024" report shows that 71 per cent of women unpaid carers had given up work to provide care. More than half feel overwhelmed, and more than a third report that they have bad, or very bad, mental health.

In the recent Scottish budget negotiations, we secured the right for family carers to earn more. Expanding support for carer respite will enable women who care to take a well-deserved break, which will support their wellbeing.

Action is needed to tackle economic barriers that mean that women are more likely to be living in poverty and financial insecurity. My Liberal Democrat colleague Christine Jardine MP is calling for statutory maternity pay to be doubled and parental leave to be expanded.

Recently, Shetland Women's Aid published survey results about life in Shetland for women. The report uncovers the pervasiveness of gender inequality on the islands, with more than half the respondents reporting that they had faced discrimination and gender-based violence. One respondent wrote:

"I don't know a single woman in Shetland who hasn't been either harassed, assaulted, spiked, stalked or followed home at night."

That is quite a damning indictment. Respondents cited a culture of misogyny in Shetland that normalises sexual jokes and harassment.

It was also highlighted that Shetland's tight-knit community networks can create difficulties with reporting gender-based violence. Those close community networks can, however, also be positive sources of solidarity and support. Prevention education from a young age, along with bystander training for men to enable them to call out their peers' behaviour, is needed to make Shetland and, indeed, Scotland safer and more inclusive places.

The USA Administration's callous freeze of international aid is having a devastating impact on women and girls. An estimated 3.8 million women have already lost access to contraceptive care. Unsafe abortions are one of the top five drivers of maternal death worldwide, and instances will only increase with disrupted reproductive healthcare.

For a group of Afghan women students who are studying science, technology, engineering and mathematics courses in Oman, the halting of US Agency for International Development aid has resulted in their facing forced return to

Afghanistan. For years, I have raised the brutal restrictions on women in Afghanistan and in Iran, where the so-called hijab and chastity law aims to impose comprehensive police control over society. It is distressing to consider the isolation and despair that such conditions create. The international community must not leave Afghan and Iranian women behind.

I am also concerned that the UK Government is planning to cut funding for international aid. As my MP colleague Monica Harding put it, increasing defence spending by cutting aid

“is like robbing Peter to pay Paul.”

In the more than three years since Russia's invasion of Ukraine, women have faced increased risk of gender-based violence, rising unemployment, greater domestic burdens and more mental health crises. Despite those immense challenges, women in both areas have stepped into leadership roles within their communities. As I have previously highlighted here, it is crucial to all peace negotiations that women are actively involved and are recognised as essential to the peace process.

Women's rights face many challenges across the globe: it is incumbent on all of us to do what we can to address the barriers that women face and to create a more equal world.

18:10

Mercedes Villalba (North East Scotland) (Lab): I thank Audrey Nicoll for lodging tonight's motion on international women's day and note this year's theme, which is accelerate action to address the barriers that women face.

The barrier that I will speak about is the current postcode lottery regarding paid maternity leave in UK fire and rescue services. Members will be aware that I recently lodged a motion in Parliament to commend the Fire Brigades Union for its fight for 52 campaign to extend maternity leave across the service to 12 months on full pay. Arrangements across the UK are inconsistent at the moment, with different services offering different arrangements. I ask all members to add their support to that motion.

I note the FBU's strong history of campaigning on maternity rights, which did not begin just with the launch of that campaign a few years ago. As far back as 1981, the union was resisting efforts to reduce maternity leave, pay and rights and has continued campaigning and fighting for those rights since then, culminating in that important campaign for 52 weeks of mat leave on full pay. If we are serious about women in the workplace—including those in the fire service—that campaign is important and the issue must be addressed.

In its campaign, the union highlights a number of reasons why the campaign is so important, including occupational hazards in the workplace and issues with recruitment, retention and inclusion. Members will be well aware of the occupational hazards and the risks to firefighters, and might also be aware that the FBU commissioned a report into the risks from contaminants. Maggie Chapman has been a strong and vocal advocate in Parliament on that issue.

Exposure to those hazards carries additional risks for a woman who is pregnant. One study showed that almost a quarter of first pregnancies for female firefighters in the United States ended in miscarriage, compared with just 10 per cent of pregnancies in the wider US population. The research suggests that exposing a pregnant woman to contaminants affects the health of the fetus and that the risk continues after birth, during nursing, when contaminants have an impact via breast milk.

On those grounds, it is important that women in the fire service are granted 52 weeks of paid paternity leave, which will also deal with issues in recruitment, retention and inclusion. Women have been working as operational firefighters since the early 1980s. The numbers who are employed have improved slowly, but they are still a minority. Tackling the issue of paid maternity leave would go a long way. The Fire Brigades Union believes, and I believe, in tackling recruitment, retention and inclusion.

I can see that my time is up—four minutes goes quickly. To conclude, I am sure that the minister will agree and accept that a lack of maternity provision is a barrier to work, and that includes working in the fire service. I therefore ask whether she will raise the FBU's campaign for full pay for 52 weeks of maternity leave with her shadow cabinet colleagues.

18:15

The Minister for Equalities (Kaukab Stewart): I thank Audrey Nicoll for this debate on the theme of international women's day: accelerate action. As I proceed through my closing remarks, I will refer to as many members as possible, as time allows. I will outline some of the actions that we have taken to improve the lives of women and girls in Scotland, while recognising that there is much more work to be done. It is right that we are being asked to go faster and further.

Health was raised by Tess White. It is a key priority for the Government. In 2021, Scotland was the first country in the UK to publish an ambitious women's health plan, which has brought real change. For example, we now have a specialist

menopause service in every mainland health board and a buddy support system in place in the islands' health boards.

We launched our women's health platform on NHS Inform to give women and girls access to comprehensive and reliable information about their health. We are now working on phase 2, which includes wanting cervical cancer to be eliminated, which we think is possible in our lifetime.

Ms White also raised childcare. We provide 1,140 hours of funded high-quality early learning and childcare to all three and four-year-olds and eligible two-year-olds. If families paid for that, it would cost them, on average, more than £5,500 per child per year. Supporting families through provision of high-quality, affordable and accessible childcare is critical in supporting women into work and keeping families out of poverty.

I will mention the point that Mercedes Villalba raised. She highlighted the valuable work of trade unions in advancing women's working rights, including enhancing maternity provisions. I would be happy to discuss that with her further.

On fair work and the gender pay gap, it has been said many times that the best social programme is a job. Our "Fair Work Action Plan: Becoming a leading Fair Work Nation by 2025" helps women into properly paid work. Fair work is vital in tackling the cost of living crisis, in-work poverty and child poverty, all of which we know disproportionately affect women. Our fair work first principles include payment of at least the real living wage, action to tackle the gender pay gap and the offer of flexible family-friendly working. In the past 10 years, the number of accredited real living wage employers has increased from 14 to more than 3,700, which is five times higher than the level in the rest of the UK. That means that 68,000 workers in Scotland have had a pay rise.

Those improvements are particularly felt by women and racially minoritised women, who are overrepresented in work on zero-hours contracts and in low-paid and insecure work. Although it is not good enough, the gender pay gap in Scotland remains lower than it is in the rest of the UK. In 2024, the estimated median gender pay gap for full-time employees in Scotland was 2.2 per cent, compared with a 7 per cent gap in the UK.

Carole Mochan, Maggie Chapman, Pam Gosal and Beatrice Wishart all raised the plight of international women in the face of war and the impact that that has. I hope that they are reassured and pleased to hear of our long-term support for the women in conflict 1325 fellowships, which provide networking and training for women peace advocates from conflict-affected regions. Since 2017, 364 fellows from more than 40

countries and regions have taken part in the fellowship programme.

In her opening speech, Audrey Nicoll said that she wants an update on the National Advisory Council for Women and Girls. That is part of how we are trying to make real progress towards gender equality. There are two key strands of work that will accelerate that action, in keeping with this year's international women's day theme. The first is our work with the First Minister's NACWG. The group has made a range of ambitious and challenging recommendations that it believes will make systemic change for women and girls. We are putting in place a robust cross-governmental approach to refocus and redouble our efforts to deliver those recommendations, following the pandemic. We hope that that new strategic approach will facilitate delivery of the recommendations to enable better monitoring and measuring of progress.

I cannot close without referring to my good and long-standing friend, Christine Grahame, who reminded us of the stereotypes that have been used over the years with regard to education and job options for girls in particular. Speaking personally for a moment, I note that I often suffered from those stereotypes as a young Asian girl. Expectations of me achieving in education and, indeed, having a long-standing career were off the table. It was assumed that I would have an arranged marriage and that I would not be working.

Although we are all breaking barriers across the generations, I absolutely recognise that there is a need to accelerate action.

Meeting closed at 18:22.

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