



OFFICIAL REPORT
AITHISG OIFIGEIL

Meeting of the Parliament

Wednesday 11 June 2025

Session 6



The Scottish Parliament
Pàrlamaid na h-Alba

© Parliamentary copyright. Scottish Parliamentary Corporate Body

Information on the Scottish Parliament's copyright policy can be found on the website - www.parliament.scot or by contacting Public Information on 0131 348 5000

Wednesday 11 June 2025

CONTENTS

	Col.
PORTFOLIO QUESTION TIME	1
DEPUTY FIRST MINISTER RESPONSIBILITIES, ECONOMY AND GAELIC	1
Gaelic Educational Services (Ayrshire)	1
Scottish Economy (EY Assessment)	2
Rolls-Royce Naval Welding Centre	4
Disabled People (Economic Contribution)	7
Former Mills and Disused Buildings (Redevelopment)	9
Employer National Insurance Contributions Increase	9
Public Health Costs (Impact on Businesses)	10
FINANCE AND LOCAL GOVERNMENT	11
Right to Roam	11
Civility in Public Life (Convention of Scottish Local Authorities)	12
Aberdeenshire Council (Budget Settlement 2025-26)	13
“Government Expenditure and Revenue Scotland” Statistics 2024-25	14
Barnett Formula (Replacement)	16
MV Glen Rosa (Cost Increases)	18
Public Procurement (Alignment with International Law Obligations)	19
Multiyear Funding Settlements (Discussions with United Kingdom Government)	20
MEDICAL AND NURSING WORKFORCE	22
<i>Motion moved—[Jackie Baillie].</i>	
<i>Amendment moved—[Neil Gray].</i>	
<i>Amendment moved—[Sandesh Gulhane].</i>	
Jackie Baillie (Dumbarton) (Lab)	22
The Cabinet Secretary for Health and Social Care (Neil Gray)	24
Sandesh Gulhane (Glasgow) (Con)	28
Lorna Slater (Lothian) (Green)	29
Alex Cole-Hamilton (Edinburgh Western) (LD)	31
Carol Mochan (South Scotland) (Lab)	33
Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP)	34
Monica Lennon (Central Scotland) (Lab)	36
Finlay Carson (Galloway and West Dumfries) (Con)	38
Emma Harper (South Scotland) (SNP)	39
Brian Whittle (South Scotland) (Con)	41
Neil Gray	43
Paul Sweeney (Glasgow) (Lab)	46
LOMOND BANKS PLANNING APPLICATION	49
<i>Motion moved—[Jackie Baillie].</i>	
<i>Amendment moved—[Tom Arthur].</i>	
<i>Amendment moved—[Ross Greer].</i>	
Jackie Baillie (Dumbarton) (Lab)	49
The Minister for Employment and Investment (Tom Arthur)	51
Ross Greer (West Scotland) (Green)	53
Pam Gosal (West Scotland) (Con)	55
Jamie Greene (West Scotland) (LD)	57
Pauline McNeill (Glasgow) (Lab)	58
Bob Doris (Glasgow Maryhill and Springburn) (SNP)	60
Martin Whitfield (South Scotland) (Lab)	62
David Torrance (Kirkcaldy) (SNP)	63
Ross Greer	65
Craig Hoy (South Scotland) (Con)	67
Tom Arthur	70
Daniel Johnson (Edinburgh Southern) (Lab)	70
BUSINESS MOTION	75
<i>Motion moved—[Jamie Hepburn]—and agreed to.</i>	

PARLIAMENTARY BUREAU MOTIONS	77
<i>Motions moved—[Jamie Hepburn].</i>	
Ariane Burgess (Highlands and Islands) (Green).....	77
The Cabinet Secretary for Rural Affairs, Land Reform and Islands (Mairi Gougeon)	78
DECISION TIME	81
SCOTTISH LAW COMMISSION (60TH ANNIVERSARY)	91
<i>Motion debated—[Stuart McMillan].</i>	
Stuart McMillan (Greenock and Inverclyde) (SNP)	91
Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP)	93
Graham Simpson (Central Scotland) (Con)	95
Rhoda Grant (Highlands and Islands) (Lab).....	96
Maggie Chapman (North East Scotland) (Green)	98
The Minister for Victims and Community Safety (Siobhian Brown).....	99

Scottish Parliament

Wednesday 11 June 2025

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

Portfolio Question Time

Deputy First Minister Responsibilities, Economy and Gaelic

The Deputy Presiding Officer (Annabelle Ewing): Good afternoon. The first item of business is portfolio questions, and the first portfolio is Deputy First Minister responsibilities, economy and Gaelic.

Question 1 was not lodged.

Gaelic Educational Services (Ayrshire)

2. Willie Coffey (Kilmarnock and Irvine Valley) (SNP): To ask the Scottish Government whether it will support more collaboration between the three Ayrshire local authorities in the delivery of Gaelic educational services, in order to meet growing or unmet demand. (S6O-04769)

The Deputy First Minister and Cabinet Secretary for Economy and Gaelic (Kate Forbes): The Scottish Government will continue to support the three Ayrshire authorities in delivering Gaelic education. All three authorities receive Gaelic grant funding from the Government to assist with the delivery of Gaelic education. The Gaelic grant can also be used to contribute to transport costs in relation to Gaelic-medium education provision.

Alongside financial support, the Scottish Languages Bill, which is at stage 3, will include measures for local authorities to support young people in securing access to Gaelic-medium education in another authority area. The bill also includes new transport provisions relating to GME provision.

Willie Coffey: I welcome the Government's proposals in the Scottish Languages Bill that will give more powers to communities to request more Gaelic-language education services. However, we have a clear issue in Ayrshire. Gaelic-speaking families face splitting up their children at school because all the places are full in East Ayrshire, which delivers a really good service and fulfils more than its obligations. There is no consistent similar level of service across Ayrshire and there is clear underprovision, because local authorities are not able to meet the demand.

Will the cabinet secretary assist with the immediate situation and help the authorities and the families with what is a good problem to have—the rising demand for more Gaelic education? Councils are finding it difficult to meet that demand under the current arrangements.

Kate Forbes: The member is right to reflect on the popularity of Gaelic-medium education. Although that is a matter for local authorities, the Government has been in touch with East Ayrshire Council, and we understand that demand for GME early years places has been high this year. The council has been discussing the matter with parents, and we understand that a positive outcome has now been agreed for the parents who wish for their children to receive GME early years provision. We expect that, going forward, parents in East Ayrshire who wish their children to receive GME will be able to secure early years or primary level provision for them.

Our position is that GME should be available to all parents who want access to it. I have already talked about the provisions that are in place in the Scottish Languages Bill, which is at stage 3, to deliver that.

Scottish Economy (EY Assessment)

3. Martin Whitfield (South Scotland) (Lab): To ask the Scottish Government what its response is to the recent EY assessment of the Scottish economy. (S6O-04770)

The Deputy First Minister and Cabinet Secretary for Economy and Gaelic (Kate Forbes): The economy is resilient and it strengthened in the first quarter of 2025. However, the economic outlook remains challenging, particularly due to the sharp increase in global trade uncertainty, with implications across Scotland's sectors and regions.

In response to those challenges, we have announced measures to boost our competitiveness, attract investment and showcase our strengths. We continue to engage with the United Kingdom Government's free trade agreements programme to protect our more sensitive sectors, and our programme for government includes a six-point export plan to help businesses tap into new markets and increase sales.

Martin Whitfield: Given the EY ITEM— independent treasury economic model—club's downgrade of Scotland's growth to just 0.6 per cent for 2025-26, and the repeated warnings from both EY and the Fraser of Allander Institute about underinvestment, weak productivity and widening regional inequality, is it not clear that the Scottish National Party's failure to invest, reform and lead has taken Scotland into a cul-de-sac of long-term

economic stagnation, and that it has in fact taken a UK Labour Government to finally deliver for Scottish exporters by cutting red tape on food exports and giving service businesses the certainty that they have long needed?

Kate Forbes: The member raises a number of points. I hope that he will agree with what I said in my first answer about global uncertainty and some of the challenges, and how we have responded to attract investment and to support our exporters.

Growing the economy is at the heart of our agenda, and we have seen a significant increase in investment, whether that is through the Scottish National Investment Bank or through our enterprise agencies, which deliver a remarkably good set of results every year.

The member will know about some of the specific interventions that we have made. For example, we have Techscaler, which is designed to support entrepreneurial growth, with a view to ensuring that more entrepreneurs in Scotland grow to unicorn level. The membership of Techscaler increased from 610 to 1,411 in 2024. There are signs of success, and we take very seriously the EY results.

Colin Beattie (Midlothian North and Musselburgh) (SNP): According to EY's assessment, Scotland has bucked the UK-wide trend, reporting a decade-high level of foreign direct investment projects in 2024. How can the Scottish Government build on that progress and ensure that Scotland remains a top destination for investment in financial services?

Kate Forbes: Colin Beattie is exactly right to point to EY's data. The reason why I was so positive about EY's data in my earlier answer is because it shows Scotland's strength as an area that regularly outperforms other areas in the UK on attracting inward investment—it is second only to London and the south-east in that regard. That speaks to the attractiveness of the propositions in Scotland, the confidence that international investors have in Scotland and the programmes and initiatives that we have in place to ensure that that investment finds a home in Scotland.

Pam Gosal (West Scotland) (Con): EY's recent report says that Scotland's economy is "in a fragile state", with the figure for Scotland's gross-value-added growth downgraded from 0.9 per cent to 0.6 per cent. GVA figures from 2023 show that some areas, including West Dunbartonshire in my region, are heavily dependent on exports, as they have large whisky sectors, and are thus impacted by tariffs. What support will the Scottish Government provide to Scotland's whisky industry?

Kate Forbes: The member is absolutely right to touch on those comments in the EY research. It

says that US tariffs have "an asymmetric impact" on Scotland's rural regions in particular, which reflects the disproportionately high reliance on exports, particularly to the US, of food and drink products—namely, whisky and salmon, which are the UK's top two food and drink exports.

We are pleased to see progress with, for example, the India free trade agreement, which offers huge opportunities for whisky. In that vein, I am trying hard to strike a note of consensus across the chamber about the opportunities and challenges that we face. That situation is why we have implemented a six-point export plan to target exporters who need a bit of extra help and support and to ensure that we attract inward delegations to see the opportunities in Scotland while supporting trade missions that back our key industries, such as whisky, to build a greater share of the US market.

Willie Rennie (North East Fife) (LD): In the spirit of seeking consensus, there is an opportunity to grow the Scottish economy through the increase in UK defence spending, but I am concerned that, because of Scottish Government policy on defence spending, we might miss out on that investment. Can the Deputy First Minister confirm that the Scottish Government will seek to work in partnership with the UK Government to make the most of that investment? Will the Scottish Government change its current policy?

Kate Forbes: The Scottish Government absolutely recognises the critical role that Scotland's defence sector plays in our economy and our national security. Since coming to office, the Government, through its enterprise agencies, has provided around £45 million in funding to defence companies. A key area of focus is skills. We have agreed investment from within my portfolio of £2 million to develop engineering skills in the Glasgow city region. If the level of investment that the member refers to is to come to Scotland, we need to ensure that we have the workforce pipeline to deliver what is set out in the defence review.

Rolls-Royce Naval Welding Centre

4. Paul Sweeney (Glasgow) (Lab): To ask the Scottish Government whether it will reconsider its policy to not use public money to support the manufacture of munitions in order that Scottish Enterprise can reconsider the eligibility of the £2.5 million grant funding towards the £11 million investment in a new naval welding centre on the Clyde, led by Rolls-Royce. (S6O-04771)

The Deputy First Minister and Cabinet Secretary for Economy and Gaelic (Kate Forbes): We are committed to ensuring that Scotland is the home of manufacturing innovation. As I said to Willie Rennie, the scale of the

investment that the Government has provided to defence companies through enterprise agencies amounts to £45 million in funding. The member will know that our long-standing policy position is that we do not use public money to support the manufacture of munitions but will support skills and defence companies.

Paul Sweeney: I welcome the intent in the Deputy First Minister's response, but the Government's apparent hostility to a naval vessel—it is not a munition—on the Clyde is stifling investment in the west of Scotland's single biggest industrial employer and jeopardising the creation of new jobs. It is rather ironic that the only thing that is keeping Government-owned Ferguson Marine open is its steel fabrication subcontract work from BAE Systems for type 26 frigates, while the Scottish Government's own procurement agency has recently awarded CalMac ferry contracts to Turkish and Polish shipbuilders.

I urge the Deputy First Minister to reconsider that particular investment decision, because it is incoherent. Surely it is good to use public money to support critical naval shipbuilding research work that contributes to our country's security and sustains thousands of high-skilled and well-paid jobs right across Scotland.

Kate Forbes: I will answer the member specifically, but as I said, we recognise the critical role that Scotland's defence sector plays in our economy and national security. Our aerospace, defence, security and space sectors contribute an estimated £3.2 billion to the Scottish economy and support more than 33,000 direct jobs. Given the recent announcements, on the workforce side in particular, I assume that that is set to increase.

I am happy to repeat that, since the Government came to office, we have provided £45 million in funding to defence companies. We are also taking a lead in supporting the pipeline of a trained workforce, in particular around the Clyde maritime cluster, which includes some of the employers that the member has just referenced.

Murdo Fraser (Mid Scotland and Fife) (Con): Scotland has always prided itself on the strength of its world-beating defence sector, which offers high-quality, well-paid jobs and is at the cutting edge of innovation. The Deputy First Minister claims that the Government is pro-business. Against that backdrop, the refusal to support the new naval welding sector is inexplicable.

Can we hear from the Deputy First Minister whether it is just bigotry and prejudice on the part of the Scottish National Party Government to refuse to support the naval welding sector—not a munitions project—that will produce high-quality jobs? What is the rational explanation for refusing to do so?

Kate Forbes: The member seems to have taken no account of the figures that I put on the parliamentary record. Since the Government came to office, we have provided around £45 million in funding to defence companies. That support has helped to drive the very innovation that he is talking about, and many of those companies are at the forefront of developing cutting-edge technologies. Alongside our support for skills, ensuring that we have apprenticeships and are able to attract the right workforce to deliver against those priorities is absolutely critical.

Collette Stevenson (East Kilbride) (SNP): The SNP's long-standing and principled position is that taxpayers' money should support the diversification of the industry away from core defence activities and should not fund arms. I therefore welcome the expansion of the welding training scheme at North East Scotland College and the efforts to close critical skills gaps. Will the cabinet secretary say more about the Scottish Government's efforts to engage with industries and work on skills reform across the country?

Kate Forbes: It strikes me that the Opposition parties will often criticise the Scottish Government for using its funding in reserved areas and, at other times, criticise us for not using funding for reserved areas.

As I have said, the defence sector is not only critical to our national security, it is a strategic driver of Scotland's future workforce. We are investing up to £2 million to develop engineering skills in the Glasgow city region that are being designed by the Clyde maritime cluster in partnership with Skills Development Scotland.

Maggie Chapman (North East Scotland) (Green): Despite supposed human rights due diligence checks, companies such as Raytheon, which produces weapons and military components that the Israeli state uses to inflict unimaginable harms on Palestinians in Gaza, have recently received public subsidies from Scottish Enterprise. Following freedom of information requests, Amnesty International found that, as of May this year, not a single company has ever failed those checks. We called that out in February, and the Scottish Government said that it would review Scottish Enterprise's human rights due diligence process. We have asked time and again for an update, but I will ask once again: will the Deputy First Minister finally provide an urgent update on the review's progress before the summer recess?

Kate Forbes: The Labour Party often forgets that it was a Labour Party amendment that called for a review of Scottish Enterprise's due diligence work. I will keep members updated on that review. I draw attention to the fact that the subject of the debate back in February was Scottish Government

funding for defence, because Opposition members seem to have forgotten that.

Disabled People (Economic Contribution)

5. Jeremy Balfour (Lothian) (Con): To ask the Scottish Government what the estimated value is of the contribution that disabled people make to the Scottish economy annually. (S6O-04772)

The Deputy First Minister and Cabinet Secretary for Economy and Gaelic (Kate Forbes): We recognise the vital contribution that disabled people make to Scotland through work, volunteering, care giving and community life, enriching our society in ways that go beyond numbers.

This year, we are investing an additional £2 million to strengthen the disability equality plan and deliver real change. Unlocking everyone's potential and removing labour market barriers is key to a stronger economy. Meaningful and well-paid work supports health, independence and connection. That is why we remain committed to halving the disability employment gap by 2038, and we will roll out specialist employability support for disabled people in every local authority this summer.

Jeremy Balfour: The Government has dragged its heels on changing places toilets, introduced floating bus stops and restricted car access in large parts of our cities, so many disabled people continue to struggle to take part in society. If the cabinet secretary believes that disabled people provide so much value to the economy, will she explain why her Government continues to ignore their needs and to make it more difficult for them to earn and spend money in this country?

Kate Forbes: I fundamentally disagree with Jeremy Balfour's suggestion that we are in any way ignoring the challenges that disabled people face. Over and above the challenges that he has raised, disabled people have been disproportionately affected by the cost of living crisis, years of austerity and the pandemic. In this year's budget, we are investing £2.5 million through the disability equality plan, and we have committed a record £6.1 billion for benefits expenditure, more than £3.2 billion of which is for adult disability payments. We have also introduced the pension-age disability payment—that marks a significant milestone, as it is Social Security Scotland's 15th payment—to ensure that disabled people in all age groups in Scotland receive support based on dignity, fairness and respect. I would be more than happy to engage with Jeremy Balfour as we roll out that additional employability support this summer.

Clare Haughey (Rutherglen) (SNP): According to the Money and Mental Health Policy Institute,

Labour's plans to press on with disability benefit cuts will lead to a false economy and will, ultimately, take people out of work, because many will lose payments that help them to live a more independent life and contribute to the Scottish economy. Many of my Rutherglen constituents are very concerned about how they will be impacted financially by those callous cuts—cuts that they might have expected from a Tory Government, but certainly not from a Labour one. Does the Deputy First Minister agree that Labour must urgently abandon those plans and that anyone who wants to secure and sustain employment should be able and supported to do so, regardless of disability?

The Deputy Presiding Officer: I call the Deputy First Minister to respond on matters for which she is responsible.

Kate Forbes: Yes, I absolutely agree with the member. We are deeply opposed to those cuts, and we urge the UK Government to listen to organisations such as the Mental Health Foundation, which warns that they could worsen the wellbeing of disabled people. We believe that the UK Government should abandon those reforms.

I also agree that anyone who wants to secure and sustain work should be supported. Our 2025-26 budget includes £90 million for devolved employability services that ensure that person-centred, place-based support is in place right across the 32 local authority areas, and we are introducing specialist employment support to enhance existing provision and support more disabled people into meaningful employment.

Pam Duncan-Glancy (Glasgow) (Lab): The Glasgow Centre for Inclusive Living in my region runs an internship programme to get disabled graduates placements in the national health service. The programme supports disabled people to unlock their potential and to contribute, and it has an 88 per cent success rate for getting people into employment. Last year, it had support for 20 graduates; this year, it has had support from the Government for only six graduates. Does the Deputy First Minister agree that scaling the programme back risks stifling that potential, and will she commit to working with me to restore and expand the programme so that more disabled graduates get the opportunity that they deserve?

Kate Forbes: I am very impressed with those figures and with that success rate, for want of a better term. I am more than happy to look at the matter in more detail. In an earlier answer, I said that we are rolling out a specialist disabled people's employability service. We have also protected the overall employability funding in this year's budget, so I am keen to understand what has driven that change, because, from my perspective, the Scottish Government has not just

protected employability funding but has increased support specifically to disabled people.

Former Mills and Disused Buildings (Redevelopment)

6. Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): To ask the Scottish Government what support it will provide to businesses to redevelop and use former mills and other disused buildings, in order to support regeneration and economic development. (S6O-04773)

The Deputy First Minister and Cabinet Secretary for Economy and Gaelic (Kate Forbes): Local authorities are responsible for delivering local regeneration and economic development activity. However, the Scottish Government plays a key role in supporting local authorities toward regeneration ambitions, including the redevelopment of vacant and derelict buildings such as former mills. Through the regeneration capital grant fund, businesses are encouraged to work closely with local authorities to bring forward proposals for funding and delivery.

Christine Grahame: The Bristol mill at the entrance to Galashiels on the Edinburgh road closed in 1998. There have been many proposals to redevelop the site for commercial and housing purposes, but its listing is a major obstacle. Does the cabinet secretary consider that Historic Environment Scotland's process to delist or even permit the demolition of listed mills needs to be reviewed to allow economic development to meet modern requirements?

Kate Forbes: The member poses an interesting question about the fact that, even where funding is available, there might be other dimensions that local authorities need to work through in relation to listed buildings. I hope that there are opportunities to work with Historic Environment Scotland to look at the future for these sites, because, where there is funding available, we want to do everything in our power to protect the sites and to restore them for the good of the public.

Employer National Insurance Contributions Increase

7. David Torrance (Kirkcaldy) (SNP): To ask the Scottish Government what its assessment is of the impact on Scotland's economic growth of the increase in employer national insurance contributions. (S6O-04774)

The Deputy First Minister and Cabinet Secretary for Economy and Gaelic (Kate Forbes): At face value, the increase is increasing costs for both public services and businesses. As was highlighted by the Office for Budget

Responsibility in October, it will have a negative impact on short-term growth, reduce employment and push up inflation.

David Torrance: Experts, councils, providers and care organisations across Scotland have all reacted with deep concern about the financial viability of care homes given the increase. When Lesley de Jager from the Coalition of Care and Support Providers in Scotland recently gave evidence to the Health, Social Care and Sport Committee, she stated:

"‘Devastating’ and ‘catastrophic’ are the two words that I would use to describe the impact that it has had on our members."—[*Official Report, Health, Social Care and Sport Committee*, 20 May 2025; c17.]

Does the Deputy First Minister agree that this is an extremely worrying and uncertain time for the sector and that, yet again, it is the most vulnerable people in our society who will be hit the hardest by this disastrous Labour United Kingdom Government decision?

Kate Forbes: The member highlights the fact that public sector organisations are not the only ones that deliver vital public services across Scotland. Providers in the private and third sectors routinely deliver essential and often statutory services.

We have consistently been clear that it is for the UK Government to fully fund the additional costs to public services due to its increase in employer national insurance contributions, including for the vital services that are provided by third and private sector organisations. It is obvious to anyone who has been watching that the UK Government has ignored that point and the widespread concerns about the impact of this damaging tax increase. Last month, it confirmed that we would receive £339 million this year for the additional costs, which is less than half the estimated cost to public services of more than £700 million.

The Deputy Presiding Officer: I can squeeze in question 8 if I have brief questions and answers to match.

Public Health Costs (Impact on Businesses)

8. Brian Whittle (South Scotland) (Con): To ask the Scottish Government what assessment it has made of any economic implications of the Scottish Fiscal Commission's latest forecasts and the potential impact of rising public health costs on businesses across Scotland. (S6O-04775)

The Minister for Business (Richard Lochhead): The Scottish Fiscal Commission's latest forecasts recognise the challenging economic and financial environment that Scotland continues to face as a result of global uncertainty and higher inflation, while business conditions and public services have also been impacted by the

United Kingdom Government's decision to increase employer national insurance contributions. Our programme for government recognises the link between the health of the population and the economy, and it sets out measures to renew the national health service and measures to grow the economy by investing in our workforce, supporting people into employment, attracting investment and backing business.

Brian Whittle: The report by the Scottish Fiscal Commission highlights the wider effects of public health on our fiscal forecasts. It inevitably has profound effects on the wider economy, not least around workforce productivity. As the minister knows, improved productivity is vital to addressing our anaemic economic growth figures. Does he agree that there is an economic imperative as well as a health imperative to take greater action to improve public health? How does he intend to ensure that improving the health of Scotland's workforce is embedded in Scottish Government policy?

Richard Lochhead: I agree with the important points that the member makes. The latest budget contains £21.7 billion for health and social care. We recognise that we must help people to go back into work and ensure that they get the treatment that allows them to do that, which helps to support the economy, too. There are many wider factors that impact on the health of people who are in work, such as economic uncertainty, the overall state of the economy and what is happening globally. The member raises important issues, and they are being addressed by the Scottish Government.

The Deputy Presiding Officer: That concludes portfolio questions on Deputy First Minister responsibilities, the economy and Gaelic.

Finance and Local Government

Right to Roam

1. Ariane Burgess (Highlands and Islands) (Green): To ask the Scottish Government what funding allocations it has made, and plans to make, to enable local authorities to fulfil their statutory duties to uphold the statutory right of access to outdoor spaces, commonly known as the right to roam. (S6O-04776)

The Deputy Presiding Officer: Before we continue, I ask for Ms Burgess's microphone to be checked. I thought that the sound was a bit faint. However, the cabinet secretary will at least be able to respond to the principal question.

The Cabinet Secretary for Finance and Local Government (Shona Robison): The Scottish Government continues to believe that delivery of local authority duties should be delegated at a

local level where possible. The majority of funding provided to local government is made available through a block grant, and £8.1 million is included in that block grant in relation to land access measures and is allocated based on proportions of population and path lengths.

However, the funding is not ring fenced. It is the responsibility of individual councils to manage their budgets and allocate the total financial resources available based on local priorities, once they have met their statutory obligations.

Ariane Burgess: The sad truth is that, although Scotland's legal right to roam is world renowned, the system for upholding such rights has never been in a worse state. A big reason for that is the way that money is allocated to local government. The number of council access officers has halved in the past 20 years, and many local authorities are failing to do even some of the most basic things, such as host a local access forum. The result is that public complaints are going unanswered, and people who want to enjoy the great outdoors are finding that their rights on paper mean little on the ground.

Does the cabinet secretary accept that, in order to reverse that neglect, there needs to be reform of how access funding is allocated to local authorities?

Shona Robison: First, I am very happy to continue these discussions with Ariane Burgess and with others. There is a balance to be struck here. Often, in the Parliament, the demand is that local government has flexibility over its funding. That is something that COSLA called for, including in relation to some of the existing ring-fenced funds. In the Verity house agreement, the direction of travel was towards flexibility of funding and a reduction in ring-fenced funds. So, although I am happy to continue these discussions, we must make sure that we strike the right balance. I am not sure that having lots of small ring-fenced funds helps local authorities have flexibility.

Civility in Public Life (Convention of Scottish Local Authorities)

2. Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP): To ask the Scottish Government whether it will provide an update on how it is supporting colleagues in COSLA regarding their call for civility in public life. (S6O-04777)

The Cabinet Secretary for Finance and Local Government (Shona Robison): The Minister for Victims and Community Safety and I attended COSLA's civility in public life round table on 28 May, along with councillors from each of the political parties and representatives from other organisations. It was good to see so many people

from across many of the quarters that this important issue touches.

The Scottish Government remains committed to working with COSLA to do all that we can to ensure that elected members can conduct their duties free from violence, threats and abuse. I am aware that, following that round table, COSLA is developing an action plan.

Elena Whitham: I welcome the work that colleagues and COSLA are undertaking that is aimed at tackling abuse and intimidation of elected members.

The tragic and barbarous murders of Jo Cox MP and David Amess MP as they went about their daily duties shook all of us to the core. Does the cabinet secretary agree that the growing abuse and intimidation of elected representatives is a direct threat to democracy? Many elected representatives are standing down from their roles because they are not prepared to tolerate such abuse—which also actively deters people, especially those from underrepresented groups, from entering politics in the first place. Does the cabinet secretary also agree that the work initiated by COSLA should be supported by all of us to ensure that elected members can conduct their duties free from violence, threats and abuse?

Shona Robison: I absolutely agree with Ms Whitham. The issue should concern all of us across the chamber. It has an impact on democracy and, more crucially, on getting the right people and a broad range of people to enter politics, in order to represent everyone in our communities.

The Verity house agreement helps to set out the way in which we work together—how we approach our shared priorities and how we engage with each other in a positive manner, based on mutual trust and respect. That should be the standard across all areas of democratic life. It is something on which we, as members of the political parties, need to work together. Otherwise, there will be a reduction in the number of people, and women in particular, coming forward to serve in public life, and that will not benefit anyone.

Aberdeenshire Council (Budget Settlement 2025-26)

3. Alexander Burnett (Aberdeenshire West) (Con): To ask the Scottish Government whether it has assessed the impact of its budget settlement for Aberdeenshire Council in 2025-26 on the local authority's ability to deliver local services. (S6O-04778)

The Cabinet Secretary for Finance and Local Government (Shona Robison): The 2025-26 budget provides local government in Scotland with record funding of more than £15.1 billion. As a

result of the Scottish budget, Aberdeenshire Council received a record funding settlement worth £627.7 million to support day-to-day services. How that record funding is deployed to deliver local services, statutory duties and nationally agreed priorities is a matter for locally elected members.

I recognise that no part of the public sector is immune from difficult decisions as a result of the many years of austerity from successive United Kingdom Governments.

Alexander Burnett: Since 2014, the Scottish Government's budget has increased by 45 per cent in real terms. In stark contrast, local government funding has decreased by about 1 per cent over the same period.

Aberdeenshire has one of the largest school pupil populations outside of the central belt and many pupils travel long distances each day to reach their catchment school—yet the council receives the fourth-lowest level of funding per head, which leaves nothing for bus budgets. That affects rural pupils as well as bus contracts for disabled passengers. Can the cabinet secretary explain how future education budgets will consider rurality when setting funding allocations?

Shona Robison: In its reports over the past three years, the Accounts Commission has confirmed that there has been a real-terms funding increase for local government—there has not been a reduction in council funding but, rather, a real-terms increase in council funding.

On the issue of how the funding formulas take account of rurality, the first thing to note is that those decisions are made by the Convention of Scottish Local Authorities, and it is difficult to change formulas that the 32 local authorities have agreed among themselves. I have some sympathy with those who question whether issues such as rurality and deprivation are adequately covered by the formulas that COSLA has agreed with the 32 local authorities, but it would be very unwise of me to try to overrule something that has been collectively agreed by the 32 local authorities.

We will continue to discuss with COSLA the best way to ensure that all local authorities in all parts of Scotland get a fair settlement, but that decision is primarily one that is made by the 32 local authorities.

“Government Expenditure and Revenue Scotland” Statistics 2024-25

4. Liam Kerr (North East Scotland) (Con): To ask the Scottish Government what work it is undertaking to prepare for the publication of the “Government Expenditure and Revenue Scotland” statistics for 2024-25. (S6O-04779)

The Minister for Public Finance (Ivan McKee): As happens annually, the normal work to produce the publication has been begun by officials, and the publication date will be pre-announced in line with the code of practice for statistics.

Liam Kerr: The most recent GERS statistics showed that Scotland's deficit is nearly £23 billion and runs at more than 10 per cent annually. The Cabinet Secretary for Finance and Local Government has said that full fiscal autonomy is the Government's preferred policy, but, under full fiscal autonomy, Scotland would lose United Kingdom Government funding and Scotland's taxpayers would have to plug the gaps.

Does the minister think that the next GERS figures will show a multibillion-pound deficit? Given that context, what impact assessments and modelling did the Government do prior to launching a fiscal policy that would immediately cut £40 billion from the Scottish budget?

Ivan McKee: As I am sure that Liam Kerr is aware, the Scottish Government's policy is that Scotland should be a normal independent country and that we should take full control of all our economic levers.

Liam Kerr should also be aware that the GERS numbers are a statement of the current situation that Scotland suffers from as a member of the union. The data clearly lays out the costs that Scotland incurs through that relationship. A significant amount of the costs that are in GERS are costs that have been incurred by the UK Government that have been allocated on a pro rata basis to Scotland. Those are costs that we would not incur, were we a normal independent country.

Liam Kerr should note the successes of Scotland's economy. Recently published data shows that unemployment is lower in Scotland than it is in the rest of the UK. Recent data shows that average revenue per person in Scotland is higher than in the rest of the UK and that Scotland has faster growth in income tax revenue. There is net inward migration from the rest of the UK to Scotland.

Longer-term trends show that Scotland has higher growth in gross domestic product per head and higher productivity growth per head than the rest of the UK. That is not to mention the £450 billion in oil and gas revenues that have gone south to the UK Treasury over the past number of years and, of course—this is an important point to finish on—the £2.3 billion in additional revenue that would have accrued to the Scottish Government if we had not been taken out of the European Union against our will by the policy of Liam Kerr's party on Brexit.

Barnett Formula (Replacement)

5. Ash Regan (Edinburgh Eastern) (Alba): To ask the Scottish Government, in light of recent reports regarding the Barnett formula, and its ministers stating a preference for full fiscal autonomy, what discussions it has had with the United Kingdom Government in relation to replacing the Barnett formula. (S6O-04780)

The Cabinet Secretary for Finance and Local Government (Shona Robison): This Government is clear that Scotland would be best served by having full control over its finances as an independent country. We have seen today how the funding available for the Scottish budget continues to be dominated by decisions that are made at Westminster. Although the Barnett formula ensures that we receive a population-based share of funding for devolved responsibilities, we can still be left short-changed, as we have seen with the totally inadequate level of funding that has been provided for employer national insurance contributions.

I would, of course, welcome discussion with the UK Government on what further economic and fiscal powers this Parliament should have.

Ash Regan: Senior UK politicians are threatening to scrap the Barnett formula. Today, the cabinet secretary has reiterated the Scottish Government's desire for ministers here to have full fiscal autonomy, in recognition of the fact that a fiscal framework that imposes drastic cuts in the Scottish budget at the whim of Westminster is not in our interests.

It is no secret that I believe that Scotland's economy would be best served if Scotland were an independent country, but, as the Scottish Government does not see achieving independence as an urgent priority, what specific funding mechanism does the Scottish Government want to be implemented now to replace the Barnett formula? What new powers does it envisage would require to be transferred to the Scottish Parliament as a result?

Shona Robison: On the first point, I note that we as a Government regularly point out the deficit in our decision-making levers, not least in relation to our ability to respond to the headwinds that we have faced over recent years, which have made the lack of flexibility in the fiscal framework very stark, indeed. Again, we have laid out on a number of occasions what we want to see in the sphere of additional levers and powers short of independence, and we have asked for a more fundamental root-and-branch review of the fiscal framework. We will continue to push for that over the coming months.

Michael Marra (North East Scotland) (Lab): The senior UK politician who Ash Regan referred

to is, of course, Nigel Farage, who shares the same position as the Scottish National Party in wanting to get rid of the Barnett formula—a formula that has guaranteed, in the past hour alone, an additional £9.1 billion of spending for Scottish public services.

On 20 May, the cabinet secretary was unable to tell the Finance and Public Administration Committee anything at all as to what the cost of her policy of full fiscal autonomy for Scotland's budget would be. Does the cabinet secretary believe that policies should be costed before they become Government policy?

Shona Robison: First, let me moderate Michael Marra's excitement about today's spending review. The average real-terms growth rate in day-to-day public spending will be 0.8 per cent a year, which is lower than the average for UK Government departments. Had it matched UK department levels, we would have more than £1.1 billion by 2028-29 in our finances. Therefore, let us not get too carried away by the spending review, because the facts are quite different.

We see the limitations of the fiscal framework, whether in relation to employer national insurance contributions or the winter fuel payment. Those examples show that the fiscal framework is not fit for purpose in relation to how we navigate through the UK Government's decisions. It was good to reverse the decision on the winter fuel payment, which will have an impact on our block grant.

Only Michael Marra seems to think that the fiscal framework is perfect and that we need no changes, because, fundamentally, he does not want any additional powers or influence for the Scottish Parliament. That is for Michael Marra to defend; this Government will argue for more powers and more resources for Scotland's Government and for Scotland's people.

Craig Hoy (South Scotland) (Con): The Scottish Government's own figures reveal that Scotland spends £22.7 billion more than the country raises in tax, including from our depleted oil revenues. Full fiscal autonomy would mean losing a union dividend that was worth more than £2,400 per person in 2023-24. At present, our deficit is notional; under the minister's policy, it would become very real, indeed.

To pursue full fiscal autonomy—a reckless policy—by how much would Shona Robison be forced to raise tax, and which services would she slash?

Shona Robison: I am glad that Craig Hoy acknowledged that the deficit is notional. It is notional because it is based on the current constitutional arrangements, and it is a failure of those current constitutional arrangements, paraded by both Michael Marra and Craig Hoy as

if they are something that we should be grateful for. This Government will stand up for the interests of Scotland. We need levers that will help us to address the headwinds that we have faced over recent years, such as Brexit, Covid and the war in Ukraine. We do not have those levers in the current fiscal framework, and we want to address that.

MV Glen Rosa (Cost Increases)

6. Sue Webber (Lothian) (Con): To ask the Scottish Government what discussions the finance secretary has had with ministerial colleagues regarding the allocation of any additional funding to meet the cost increases for MV Glen Rosa that were recently announced by Ferguson Marine. (S6O-04781)

The Cabinet Secretary for Finance and Local Government (Shona Robison): I meet ministerial colleagues regularly in relation to budgetary matters, including the Deputy First Minister on the recently announced additional funding needs related to MV Glen Rosa. I will continue to work closely with the Deputy First Minister to support the funding of that new ferry.

Sue Webber: Ferguson Marine has stated that it needs an additional £35 million to complete the late and massively over-budget MV Glen Rosa, the total cost of which is now estimated to be a staggering £185 million—nearly four times the original contract price. Will the cabinet secretary guarantee that that will be the final payment that taxpayers will have to make to complete the vessel? What discussions have she and her ministerial colleagues had with Ferguson Marine to ensure that Scottish taxpayers are not, again, placed on the hook to deliver the vessel?

Shona Robison: As the Deputy First Minister has said, the news of the further delay and increased cost to deliver MV Glen Rosa is “unacceptable” and deeply frustrating. Our island communities rely on a resilient and reliable ferry service, and they deserve better. We have made it clear—the Deputy First Minister has made it very clear directly to Ferguson Marine—that the situation cannot continue and that strong leadership and urgent delivery are now non-negotiable. That could not be clearer.

Paul Sweeney (Glasgow) (Lab): The project issues with the Glen Rosa are well rehearsed, but does the cabinet secretary recognise that the fundamental problem is the insufficient volume of work that is going through Ferguson Marine? It is carrying an overhead and has not enough demand signal. What is the cabinet secretary doing to reform public procurement to include social value clauses, so that we can get more shipbuilding work through public procurement contracts?

Shona Robison: Paul Sweeney has highlighted an important issue, although it is quite a difficult one, as he will be well aware. Under public procurement rules, direct awards are possible only in very strict and limited circumstances. Public procurement rules cannot just be set aside; there are rules and laws and, potentially, legal challenge governing the way in which those rules are applied. We absolutely want a bright future for Ferguson Marine. We want it to win contracts. However, that has to happen in a way that is above legal reproach.

Jamie Greene (West Scotland) (LD): I have a straightforward question: are there any circumstances whatsoever under which the Scottish Government would refuse more money, if asked for it, to complete the Glen Rosa, or is it the case that we have simply passed the point of no return and that the vessel will be finished, whatever the cost?

Shona Robison: As I said in response to Sue Webber, the Deputy First Minister could not have been clearer that the situation is unacceptable and that strong leadership and urgent delivery are now non-negotiable. It is very important for our island communities that the vessel is delivered, but Ferguson and its leadership have to deliver the ferry within the timescale and the budget allocation that have now been agreed. The Deputy First Minister has been very clear about that point.

The Deputy Presiding Officer: Humza Yousaf joins us remotely.

Public Procurement (Alignment with International Law Obligations)

7. Humza Yousaf (Glasgow Pollok) (SNP): To ask the Scottish Government how it ensures that public procurement aligns with its obligations under international law. (S6O-04782)

The Minister for Public Finance (Ivan McKee): Such matters are, of course, reserved. The United Kingdom has a number of international agreements that feature chapters on public procurement and is a member of the World Trade Organization agreement on government procurement. When it comes to procurement by devolved Scottish authorities, the terms of those agreements are given effect principally by the relevant provisions of the Public Contracts (Scotland) Regulations 2015, the Concession Contracts (Scotland) Regulations 2016 and the Utilities Contracts (Scotland) Regulations 2016.

Humza Yousaf: Israel is committing genocide in Gaza. That is not only my view but the view of hundreds of legal experts in genocide studies. Every state has an obligation to prevent genocide. Although the UK is the state party to the United Nations Convention on the Prevention and

Punishment of the Crime of Genocide, we in Scotland must do what we can to ensure that we are in no way complicit in that genocide or in the continued illegal occupation of the West Bank.

In the light of that, will the minister make it clear that no taxpayer-funded contract from the Scottish Government will aid those war crimes? Will he confirm that the Government will undertake an immediate review to consider what action it can take to ensure that any company that operates in illegal settlements or is in any way complicit in the genocide in Gaza is prevented from bidding for future Scottish Government contracts?

Ivan McKee: The genocide that is taking place in Gaza must be of the utmost concern to us all. The Scottish Government is committed to the international rule of law, and we support any and all investigations into crimes against humanity and genocide.

We also expect the highest standards of our contractors. The awarding of public contracts is bound by international agreement and domestic regulations. Those regulations permit bidders to be excluded from tender exercises where they can be shown to have acted in a manner that constitutes grave professional misconduct. Scottish Government guidance that is issued to public bodies sets out a view that exploitation of assets in illegal settlements is likely to be regarded as grave professional misconduct. In light of the question that the member asked, I will undertake to ask officials to provide advice on how the Scottish Government could take forward such a review.

Multiyear Funding Settlements (Discussions with United Kingdom Government)

8. Stuart McMillan (Greenock and Inverclyde) (SNP): To ask the Scottish Government what discussions it has had with the United Kingdom Government regarding multiyear funding settlements. (S6O-04783)

The Cabinet Secretary for Finance and Local Government (Shona Robison): We were optimistic that the spending review would deliver a reset of the relationship with the UK Government that was promised by Labour, but we have had very limited opportunities to engage with the Chief Secretary to the Treasury. That is symptomatic of a wider approach by UK ministers.

We made extensive representations on our priorities for the spending review, and although some aspects of the spending review are to be welcomed, we have seen only limited progress. That comes on top of the UK Government's failure to fully fund the employer national insurance increase, and the concerning welfare reforms.

Stuart McMillan: Although it is too early to provide a full analysis of the chancellor's announcement today, and although some it is positive, the spending review has reaffirmed that Labour's priorities are to slash support for disabled people and to double down on the jobs tax, which is already increasing unemployment. Can the cabinet secretary provide details of any engagements that she plans to have with the chancellor to highlight the ways in which today's spending review lacks ambition to help many people and households in my Greenock and Inverclyde constituency and Scotland as a whole?

Shona Robison: The next opportunity to engage will be at the meeting of the finance interministerial standing committee, which involves all finance ministers and which will take place at the end of this month. Of course, we will highlight a number of issues that we want to see resolved and on which we want more information.

As I said in an earlier answer, the headline from today is a modest average real-terms growth rate in day-to-day spending of 0.8 per cent per year, which is lower than the average for UK departments. One concerning aspect is the continuation of the use of the United Kingdom Internal Market Act 2020 to deliver funding that should be routed through devolved Governments. That is one of the issues that I will raise with the Chief Secretary to the Treasury at the FISC meeting at the end of June.

The Deputy Presiding Officer: That concludes portfolio questions on finance and local government. There will be a very short pause before we move to the next item of business to allow front-bench teams to change over.

Medical and Nursing Workforce

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is a debate on motion S6M-17869, in the name of Jackie Baillie, on addressing Scotland's medical and nursing workforce crisis. I invite members who wish to speak in the debate to press their request-to-speak buttons.

14:53

Jackie Baillie (Dumbarton) (Lab): Our national health service is on its knees. There are thousands of vacancies for doctors and nurses, and yet we are turning them away as posts lie unfilled or, even worse, are cut.

When 860,000 Scots are on a waiting list for tests or treatment, delayed discharge remains stubbornly high, the number of general practitioners is reducing instead of increasing, and there are shortages in almost every area of the NHS—from nurses to allied health professionals—the fact that we are training people to end up unemployed is, frankly, a disgrace.

The Cabinet Secretary for Health and Social Care (Neil Gray): Will the member take an intervention?

Jackie Baillie: No—I think that you should listen.

It costs £300,000 to train a single doctor to the point at which they can land a specialty training place, and we are also training nurses at a cost of £60,000. We are throwing that down the drain—what a waste, not just of taxpayers' money, but of those people's futures.

Today, the British Medical Association Scotland published a survey of its resident doctors that shows that a staggering 70 per cent of them have concerns about their employment—all that while the vacancy rate for consultants is at 14.4 per cent. To put that into context, that is 1,000 vacant consultant posts, which is enough to fill two large hospitals.

These are the voices of resident doctors who have trained for years, but, in today's Scotland, are not able to get jobs:

"It feels like a complete dead end ... completely soul crushing after seven years of dedication".

"I do not know if I will be able to pay my rent come August and, if I am unable to secure enough work, I will have to move back in with my parents".

"It is literally giving me sleepless nights."

Some are considering moving to England or, indeed, abroad. Others are forced to choose between their family life and a job on the other side of the country, and others still are considering

a new career. That is the reality of being a resident doctor in the Scottish National Party's Scotland. For the individuals concerned, it must be a crushing blow to realise that the stable career that they chose is anything but.

However, the SNP's failure to come up with a proper workforce plan is also a betrayal of all of us. As Susan, a resident doctor in Hamilton, asked,

"Why are we spending money increasing university places for medical students, when there are not enough jobs, or training posts, to continue their career in Scotland?"

The Scots who cannot get an appointment should rightly be outraged at the idea that they cannot see a doctor when, somewhere nearby, an unemployed qualified doctor is sitting on their hands. Douglas, a resident doctor, said:

"I would love to be an anaesthetist, I would love to help bring down waiting lists but I can't."

The SNP Government will say all the right things about how important NHS staff are—and they are—but its actions betray it. I have today been sent information that shows that the SNP has cut the number of specialty training places for resident doctors in core surgical training, general surgery, neurosurgery, ear, nose and throat, urology, obstetrics and paediatrics.

It is not just doctors whose places are being cut. Last year, the Royal College of Nursing Scotland warned that newly qualified nurses could not find jobs, despite more than 2,600 whole-time-equivalent nursing and midwifery vacancies being unfilled. Hundreds of nurses graduated without jobs to go to. One mother, whose daughter is about to graduate this year as a paediatric nurse, contacted me to say that she and her fellow graduates could not find jobs in Scotland, despite working on short-staffed wards during their training. Her daughter is now preparing to move to Leicester.

All that must be mind boggling to the patients who are queuing at accident and emergency or just waiting for a test, diagnosis or treatment. It is no wonder that more and more people with means are going private because they can no longer cope with waiting in pain.

The SNP Government says that it wants to fix our NHS, but do you know something? After 18 years, if it had any idea of how to do so, we would have seen it by now. We all know that our NHS is nothing without its staff, but, instead of using them as a human shield, as this Government does, the SNP must get its head out of the sand and take action, because every month that the SNP drags its feet is another month when unemployed resident doctors do not know where to find the money for rent. It is another month for Australian

headhunters to recruit them and another month that patients have to continue to wait for treatment.

That is why the Scottish Government has to act now—not next year, but right now. It needs to provide jobs for those resident doctors this August or risk losing them from the NHS completely. The Scottish Government needs to expedite its future medical workforce project and report back to Parliament by 1 September. It must also undertake a wider review of workforce planning, with independent modelling and projections, to report back by 1 December, because there is an urgent need for a proper workforce plan. Those would be important first steps towards that and, frankly, we cannot afford to wait any longer.

I will finish with another quote from a doctor who was surveyed by BMA Scotland. They said:

"My colleagues and patients love me, the feedback I get is great, but the system simply doesn't care. I am betrayed by the career and country I loved, and the worst part is: I know I'm not alone."

This is Parliament's chance to speak up for the young, talented, hard-working people who have spent years training to work in our NHS as doctors, nurses and allied health professionals. They cannot get a job, and that is the fault of this Government and nobody else. This is the time for ministers to commit to changing the system, so that qualified doctors and nurses can do the jobs for which they trained.

I move,

That the Parliament recognises the scale of the crisis in Scotland's NHS, with almost one in six people in Scotland on NHS waiting lists for tests or treatment, and private hospital admissions in Scotland reaching record levels in 2024, all while patients struggle to access a GP appointment; is concerned, therefore, regarding reports that resident doctors are unable to secure speciality training places in Scotland's NHS, while newly qualified nurses cannot get jobs despite over 2,600 unfilled whole-time equivalent nursing and midwifery vacancies; regrets that inadequate NHS workforce planning by the Scottish National Party administration is forcing highly skilled clinicians to seek employment elsewhere, and calls on the Scottish Government to expedite its reported Future Medical Workforce project, and to report back to the Parliament by 1 September 2025, and undertake a wider review of workforce planning, with independent modelling and projections, and to report back by 1 December 2025, so that there is the required level of workforce to staff Scotland's NHS.

The Deputy Presiding Officer: I call the cabinet secretary, Neil Gray, to speak to and move amendment S6M-17869.2.

15:00

The Cabinet Secretary for Health and Social Care (Neil Gray): In this chamber, I have always been candid about the challenges that our NHS faces, and today will be no different.

Once again, I put on record my deep appreciation for all the hard-working staff without whom our NHS simply could not function. In the case of our agenda for change staff, I was delighted to be able to recognise their efforts through the recent agreement of a two-year pay deal, which will feed through into pay slips later this month.

We continue to invest heavily in our workforce, and the latest NHS Scotland workforce statistics, which were published last week, demonstrate 13 consecutive years of growth. There were other causes for optimism in those statistics, most notably the 62 per cent reduction in nurse agency staffing that was achieved over 2024-25.

Through our on-going work to implement the recommendations of the nursing and midwifery task force, we will take further action that is designed both to attract and retain our nursing workforce, listening to the feedback that we have gleaned directly through conversations with staff on the ground.

I note Jackie Baillie's concern around newly qualified nurses who are unable to secure posts. I am aware that a limited number of newly qualified children's nurses and midwives had challenges in identifying suitable posts in their local area last year. My understanding is that vacancies are often available across nursing disciplines, and geography can impact fill rates. Indeed, the latest statistics indicate that there are historically high levels of nursing and midwifery staff, and that more than 1,000 band 5 nursing and midwifery vacancies across Scotland are open to newly qualified practitioners.

Sandesh Gulhane (Glasgow) (Con): How many newly qualified paediatric nurses have found vacancies that enable them to take up a job?

Neil Gray: I am aware that a limited number, on a geographical basis, have found that a struggle, but, as I have just said, a wide range of vacancies are available for newly qualified nurses to go into.

I am also aware of similar reports of resident doctors having difficulty in securing specialty training places; that has been part of our discussions with the workforce and with the First Minister and wider partners.

As I am sure that Jackie Baillie is aware, specialty training places are recruited for on a United Kingdom-wide basis and then allocated according to where the greatest service needs lie. Entry to specialty training is through a competitive application process that is run on a four-nations basis.

Contrary to Jackie Baillie's assertion, we have funded the creation of hundreds of additional specialty training posts across all specialities,

including 47 that were added in 2025. We are ensuring that we train the number of consultants that we need for the future, which is why we have funded the creation of hundreds of additional posts across specialties.

I recognise the calls for greater workforce planning to account for what patients and the public want from their health service and, importantly, to ensure that medical careers remain attractive. That is why the Scottish Government is taking forward the work that Jackie Baillie mentioned in her motion—to think 15 and 20 years into the future and gain an understanding of the needs of the future medical workforce.

Brian Whittle (South Scotland) (Con): Will the cabinet secretary give way?

Neil Gray: Would I be able to get the time back, Presiding Officer?

The Deputy Presiding Officer: There is very limited time.

Neil Gray: I give way briefly.

Brian Whittle: I appreciate the cabinet secretary giving way, because I have a genuine question. When my daughter qualified as a midwife, there were 10 times as many applications as there were places. Now, midwifery places at universities are going through the clearing house. Does that cause the Government any concern?

Neil Gray: I recognise that there are areas in our health service that are particularly attractive, such as paramedicine, midwifery and paediatric nursing. We want to ensure that the number of people who come through training is married to the number of positions that are available on a wider geographical basis, and that we have staff in the areas where we need them in order to respond to patients' needs across the country.

The work that is under way to consider the future needs of the medical workforce will consider questions such as what the role of a doctor will be, what will look different for them in the way that they deliver care and, importantly, what steps we need to take now in order to deliver against that. The project has been welcomed by doctors at all stages of their careers, as well as by NHS employers, the royal colleges and the British Medical Association. Listening and dialogue will be key, and all doctors will have an opportunity to contribute their views.

In order to do that work well, the process cannot be rushed. That is why the report on that conversation will be published by the end of this year, alongside our assessment of the demand for medical services and the possible future supply of the medical workforce. Consultation on any future policy changes will also need to be informed by the outcomes of NHS England's review of

postgraduate training, which will have an impact, as there are benefits to all four nations if some of our systems and processes are developed in lockstep. That consultation will take place in 2026.

Even with continued effort and investment to grow and support our NHS Scotland workforce, the system can function effectively only if it operates as part of an integrated health and social care system. Therefore, I must take this opportunity to highlight my significant and grave concern about the recently published UK Government white paper on immigration and the Labour Government's intention to close the social care visa to new applications from abroad. The implications of that will be catastrophic for our social care sector and will undoubtedly have an impact on the entire system.

The Deputy Presiding Officer: Cabinet secretary, I have been generous with your time, but you need to conclude.

Neil Gray: A vast amount of work is under way, both from a workforce perspective and from a reform and renewal perspective. The population health framework and the health and social care service renewal framework, which will be published soon, will build on those initial steps, setting the trajectory for the years ahead and demonstrating our ambition for the NHS in Scotland. I look forward to collaborating with the workforce as we seek to implement those new ways of working for the benefit of our patients and staff across the country.

I move motion S6M-17869.2, to leave out from "recognises" to end and insert:

"acknowledges the challenges facing the NHS and the critical contribution of its workforce; thanks the dedicated NHS staff for their hard work and professionalism in times of enormous pressure; notes with concern that too many people are waiting too long for treatment and welcomes, therefore, additional funding to reduce patient waits and deliver 150,000 extra appointments and procedures in 2025; acknowledges the challenges in primary care and community health settings, where too many people face difficulties making a GP appointment; recognises the calls for greater workforce planning to account for the changing landscape of delivering healthcare, building on historically high levels of staffing; notes the Scottish Government's commitment to develop future workforce planning in response to the forthcoming population health and service renewal frameworks; believes that it is important that this work is informed by doctors working in the NHS through the Future Medical Workforce project, which will report on the planned dialogue, alongside an analysis of workforce demand and supply, by the end of 2025, while continuing with implementation of the Nursing and Midwifery Taskforce over the course of the year, and regrets deeply the UK Labour administration's reckless decision to close the health and care worker visa to adult social care, which will lead to acute workforce challenges and the closure of services, and have a devastating impact on both those receiving care and staff providing care."

15:07

Sandesh Gulhane (Glasgow) (Con): I declare an interest as a practising NHS general practitioner and a former chair of the BMA GP trainees committee.

In my experience in my GP surgery, I see not statistics, but real-life stories that tell me that our workforce is stretched to breaking point. Behind every delayed scan or missed appointment is a patient who has been left in pain or desperately worried, and a clinician who has been left exhausted. Let us call that what it is: a workforce crisis that has been created in Bute house and presided over by a revolving door of Scottish National Party health secretaries who have failed to plan, failed to lead and failed Scotland's patients.

As a consequence of those failures, junior doctors are finishing years of training only to find that there are no jobs. GPs who are being trained here are forced to leave Scotland to work; the SNP is training doctors for Australia. Newly qualified nurses and paramedics are joining the ranks of the unemployed, all at a time when patients are struggling to get appointments. That is happening right now outside the chamber in the real world.

The Royal College of Radiologists has laid bare the scale of the crisis. Scotland faces a 25 per cent shortfall in radiologists and a 19 per cent shortfall in clinical oncologists, which is the highest figure in the UK. By 2029, those shortfalls are projected to grow to 35 per cent and 31 per cent respectively. What does that mean for everyone out there and for our patients? It means that there will be longer wait times for cancer diagnosis, delayed treatments and worsening outcomes. In some parts of Scotland, the gaps are even more severe, which will deepen regional inequality. That is truly scary. The Scottish Government needs to get a grip and stop trotting out the kind of platitudes that are in the SNP's amendment.

The problem extends beyond cancer care. In cardiology, more than 6,000 patients have been waiting more than a year for an echocardiogram. That is a vital test for heart disease, but not according to the SNP. Shockingly, the Scottish Government does not consider that to be one of its key diagnostic tests. It is omitted from workforce planning, routine reporting and serious political attention. After 18 years in Government, the SNP still has not got its head around the basics.

The waiting list for that test is more than double the combined total for the eight key tests that the Government tracks. Clearly, patients with suspected heart disease are having to wait for that test. There is a lack of trained cardiac physiologists. The only degree programme in

Scotland for that specialty is ending and no replacement is in place for 2025. That profession, which is crucial to saving lives, is being allowed to wither from neglect. That is the SNP in a nutshell.

I turn to GPs. What I witness there is not isolated strain but the visible symptom of a deeper workforce crisis that the SNP has long ignored. Poor planning, a lack of vision and political complacency have left our NHS hollowed out even as demand continues to soar. There is what has been announced and then there is reality. The SNP promised 800 more GPs by 2027 but, lo and behold, GP numbers instead fell from 4,514 in 2022 to 4,438 last year. The BMA and the Royal College of General Practitioners have warned that general practice is in danger of collapse. However, under the slick management of the SNP, we find ourselves in the absurd position in which doctors are underemployed yet demand is soaring.

It is time for change and leadership rather than slogans and excuses. Our NHS staff and patients deserve better.

I move amendment S6M-17869.1, to insert after “vacancies,”:

“acknowledges that Scotland is experiencing a paradox of underemployed GPs who remain unable to find sufficient work despite widespread demand, as well as unemployed paramedics graduating from universities and paediatric nurses unable to secure roles; highlights that the Scottish National Party administration promised to increase GP numbers by 800 by 2027, but that this target is unlikely to be met as GP numbers are declining and junior doctors are struggling to find jobs; acknowledges that the Royal College of Nursing has claimed that current nursing staffing levels are inadequate, noting that, while the number of nurses employed by NHS Scotland has increased, levels of staff absence and agency use remain unsustainably high; references the report, *The Nursing Workforce in Scotland 2025*, which shows demand outstripping supply, and calls for better data to enable sustainable workforce planning; recognises that the Royal College of General Practitioners has criticised the Scottish Government’s plan to provide 100,000 extra GP appointments, as Scotland’s NHS currently does not have the workforce capacity to deliver this plan;”.

15:11

Lorna Slater (Lothian) (Green): Everyone in Scotland, including everyone in the chamber, recognises the challenges that our NHS is facing. Of course, we are fortunate to still have a fully public NHS in Scotland. Scotland has taken a very different approach to NHS reform compared with England, especially since devolution. While NHS England underwent market-oriented reforms, starting with Tony Blair in the 1990s and then with the Conservative Health and Social Care Act 2012, Scotland focused on integration and collaboration, and not on competition.

Maintaining a fully public NHS while Scotland’s purse strings are held by a Government in London

that prefers a market and profit-driven model is the subject of one of the many frustrations that I have with the devolution settlement. There is a limit to what Scotland can do, given where we sit in this unequal union.

Pam Duncan-Glancy (Glasgow) (Lab): Will the member acknowledge that hundreds of her constituents are going private because they cannot get appointments on the NHS in Scotland?

Lorna Slater: I do not disagree that there is a crisis in NHS Scotland. I will come to that, but the member will also acknowledge that many of the problems that we face in Scotland are made at Westminster. For example, the persecution of asylum seekers, who are not allowed to work, takes valuable people out of our workforce, and there is the persecution of immigrants and the hostility to people who come here. I will come to those points.

Scotland has a crisis in our medical and nursing workforces, as the member says. Everyone is aware of that. We are all aware of the absurd rigmarole that we go through when we try to get a GP appointment and we have to call over and over at 8 am or 2 pm to get through. We have all done that. It is quite a challenge to anyone who has a job or daytime responsibilities. Increasing the number and availability of GPs and expanding and enhancing general practice facilities and premises must be an urgent priority, and there are some things that we need our Governments to do to fix that.

We need the UK Government to let up on its hostility to foreigners and immigration. Some 40 per cent of GP trainees across the UK are international medical graduates—IMGs. The Labour Government at Westminster should offer them all indefinite leave to remain upon successful completion of GP speciality training. The Royal College of General Practitioners Scotland agrees with me on that.

The Scottish Government could help by creating a national umbrella body that was capable of sponsoring IMG visas to remove the bureaucracy and costs from GP practices. Of course, the UK Home Office could remove that at the stroke of a pen, but here we are.

The UK Government should also rethink its unworkable fiscal rules, commit to taxation of the most wealthy and of polluting industries and reverse the increase in employer national insurance contributions, which were its only options after making self-harming promises on taxation during its election campaign.

There is a great deal of anxiety among GPs about the risk of underemployment due to constrained practice finances. The recent increase in employer national insurance contributions has

led many GP practices to freeze or scale back their recruitment plans. The Scottish Government must work to deliver the future medical workforce project urgently and to complete the implementation of the nursing and midwifery task force as soon as possible.

The Scottish Government must increase the general practice workforce and, just as important, increase capital investment in general practice premises to expand and enhance facilities and infrastructure. A 2022 survey by the Royal College of General Practitioners found that 62 per cent of respondents considered that their premises were not fit for purpose, with issues such as a lack of consulting rooms.

We see that in East Calder, where my Lothian region colleagues Sarah Boyack and Foysol Choudhury have led the campaign to expand the local health centre. The East Calder health centre was originally built for 4,000 patients but now serves up to 16,000, as the towns and villages in the area have expanded rapidly, which has led to challenges for medical staff and for patients who are trying to access those services. The lack of investment in infrastructure has left patients and staff in limbo.

GP surgeries are only one aspect of the health service, but they play a crucial role at the front line and in preventative care. If we help them, we help to unburden our emergency rooms and our hospitals.

15:16

Alex Cole-Hamilton (Edinburgh Western) (LD): I am pleased to speak in the debate, although I am tired of saying that there is an NHS workforce crisis, as we do so repeatedly. It is a crisis, and that fact is self-evident to those who work in our NHS and those who rely on it. The crisis is plain to see in waiting times and hospital pressures and in the workforce that our system depends on.

Let us be absolutely clear at the outset that the crisis is caused by years of complacency by the SNP Government, which has now been in power for almost two decades. One in six Scots is on a waiting list. People are forced to go private for healthcare, not as a choice but in desperation, and patients are waiting weeks just to get an appointment to see their GP. I am sure that I am not alone among members in this, but not a week goes by when I do not get a constituent visiting me or getting in touch to tell me the impact that the situation is having on them or someone they love.

I turn to the workforce. We have more than 2,500 unfilled nursing and midwifery vacancies, but newly qualified nurses are still struggling to find work. How can that be? How can it be that, in

this chamber, we passed legislation to ensure that our nurses should never go to a shift that is not safely staffed, yet none of them reports confidence in the safety of the shifts that they are asked to staff? We have resident doctors who are unable to get on to specialty training programmes despite investing years of study and service in our NHS. That is not just a tragic waste of talent; it is an insult to those who are waiting for placements, but also to the staff and patients who desperately need their expertise on the front lines.

What is the point in increasing training places without ensuring that jobs exist at the other end? There is no proper bridge between training and practice, and the few bridges that exist are now bottlenecked, leaving exhausted senior clinicians to oversee more trainees with yet fewer resources. I have spoken with experienced locum doctors in my constituency who have told me that they cannot find work in Edinburgh—our capital city—where demand for healthcare, including primary care, has never been higher. That is how broken the system is. Patients are crying out for care, yet qualified clinicians are left on the sidelines because GP practice budgets are so stretched that they cannot reach for the luxury of sickness cover.

That is not just mismanagement; it is a direct result of a Government that has failed to take responsibility for national workforce planning. The Government has pushed responsibility on to local boards without the long-term modelling tools that are needed to deliver. It is clear that the Government's future medical workforce project is not working. There are issues with the Government's 2018 contract that expected GPs to work on a multidisciplinary model, and the demand for GP appointments has gone up significantly since then.

Neil Gray: Will Alex Cole-Hamilton take an intervention?

Alex Cole-Hamilton: I am afraid that I must make progress.

The NHS does not need more pilot schemes. It needs action and genuine change. It needs conversations—difficult conversations—and it needs innovation and reform.

One aspect of the Government's amendment that I agree with is the point that the UK's decision to close the health and care worker visa route to adult social care is short sighted and deeply damaging and risks worsening an already acute staffing crisis in our NHS and social care workforce. However, let us be clear that the recruitment and retention crisis that we have in Scotland's care sector has been years in the making and is entirely of the SNP's design. It is driven by low pay, poor workforce planning and a

Scottish Government that consistently fails to value those who are on the front lines.

Here in Scotland, we can achieve change only if the Government chooses to act. It must match our ambition and give care workers the pay and recognition that they deserve. At Westminster, we are calling for an end to crippling Home Office visa fees that threaten to push services to the brink. Our message is simple: whether care workers grew up here or came here, they deserve fair pay, job security and respect. The Government needs to stop dragging its heels and act before the crisis deepens.

The Deputy Presiding Officer (Liam McArthur): We move to the open debate.

15:20

Carol Mochan (South Scotland) (Lab): I am pleased to speak on an issue that concerns the very backbone of our NHS: its workforce. I begin by echoing other members' points about the value of our NHS workforce. It is the beating heart of the NHS and, without it, services and care would collapse, which is why it is so important that we discuss the matter openly and honestly in the Parliament. I thank all those who work tirelessly in Scotland's NHS. Scottish Labour recognises the contribution and value of workers and understands the pressure and strain that they face daily.

When I speak to constituents, one of the many things that I hear is how difficult it is to see a local GP, and I hear about how long NHS waiting lists are. Ambulances are stacked up outside accident and emergency, patients are waiting hours for treatment and those who are ready to be discharged are forced to remain in hospital while waiting for appropriate care packages. Everything has stagnated, but let us be clear that people understand that it is not the staff's fault. In fact, people speak very highly of the staff; the issue is the system, and the responsibility lies with the Government.

At the centre of the Government's stagnation is our workforce, which is struggling to keep up with demand in a fundamentally broken system. After 18 years in power, the SNP has presided over a workforce crisis in which staff shortages not only risk patient safety but put additional pressure on the existing workforce, which impacts their mental and physical health.

Our healthcare system is crying out for additional staff, but newly trained doctors and nurses, who are highly motivated and ready to serve, are meeting with disappointment when they are being told, after years of training, that there are no jobs, although that is not true. The system is crying out for highly professional, trained staff. If we want safe staffing, the NHS must fill more

posts, and the Government knows it. How can it be right that newly qualified nurses are being forced to find jobs outside Scotland, despite completing their training at Scottish universities and hospitals, where they see the pressures day in, day out? There are currently more than 2,600 unfilled whole-time-equivalent nursing and midwifery vacancies. We hear from nurses daily that going through and completing the recruitment process in the NHS is agonising.

Since 2013, the number of registered nurses who are employed in care homes has decreased by 28 per cent. That issue is important because those nurses greatly contribute to keeping hospital admissions down, so we must take the statistics seriously. Delivering and supporting a sustainable nursing workforce across Scotland is crucial to improving overall patient care and experience, yet our nurses report feeling undervalued and overlooked. When it comes to issues such as corridor care, poor planning has left staff feeling ashamed, demoralised and distraught.

Our NHS workforce deserves better, and things cannot continue as they are. The Government is aware that urgent work is needed to attract and retain a sustainable workforce, yet there is no obvious plan. There is a disconnect between what the Government promises to do and what it actually delivers. Delivery is essential.

Neil Gray: Will the member give way?

The Deputy Presiding Officer: The member is concluding her speech.

Carol Mochan: I am closing—I apologise.

I hope that members will support Labour's motion, which recognises the on-going workforce crisis and calls on the Government to undertake a wider review of NHS workforce planning, which must be reported on by the end of the year. Our NHS workers and patients deserve better. The status quo of this Government is no longer an option, and Scottish Labour is ready to deliver the whole-scale change that our NHS needs and deserves.

15:24

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): First, I do not accept that the NHS in Scotland is in crisis. It avoided being in crisis even at the height of the Covid pandemic, which was due, in the main, to its extraordinary staff. Yes, it is in challenging circumstances, but to say that it is in crisis is scaremongering—not that Labour is known for that. If the NHS were in crisis, one would have thought that Labour would have assigned all its debating time to that subject, instead of holding this very short debate.

I will try my best to make the following points in the paltry four minutes that I have for my speech. In relation to pressures, Covid continues to have an impact. Research by the University of Strathclyde states:

“The challenges faced by NHS Scotland are not unique and reflect broader global trends within healthcare systems.”

In relation to demographics and the ageing population, it was estimated that a million Scottish residents were aged 65 years or older in 2020, but that number will rise to an estimated 1.4 million by 2040, which will represent 25 per cent of our population. I am one of those people. As we age, we require to use our medical services, including GP surgeries, pharmacies and hospitals, more and more. At 80, I can testify to that. An ageing population also means that there is a depleted available workforce.

In relation to policy interventions, the Scottish child payment, which has cost £1 billion since 2021, supports more than 326,000 families and mitigates Labour’s two-child benefit cap. Poverty equals disadvantage equals ill health. There are many Scotland-only preventative measures that will, in time, reduce pressures on our healthcare system. That is why the U-turn on the winter fuel payment by UK Labour—which was shamed into the change by pensioners and the Scottish Government—is welcome, before another Scottish winter hits home and hearth. It is a pity that we cannot shame Labour into ditching the two-child benefit cap. *[Interruption.]* I have four minutes—of course I will not give way.

In relation to staffing, there are fewer people in the working population, but UK visa restrictions, Brexit and Labour’s policy to increase employer national insurance contributions, which will cost NHS Scotland an additional £191 million in one financial year, all have an impact on staffing pressures across the entire health landscape. That includes general practices and pharmacies, which I know are not recruiting because of the added NI burden—it is a tax on jobs.

In relation to pay and conditions, NHS nurses, midwives, paramedics and other healthcare staff across Scotland have voted to accept an 8 per cent pay deal over two years. The figure in the Scottish deal is significantly higher than the 3 per cent that was recommended by pay review bodies in England and Wales, where pay negotiations are continuing and strike action is a real threat.

The hospital at home service has a role in reducing the time that people spend in hospital and leads to better recovery. All such interventions, preventative measures and modern ways of treating people are reducing—and will, in time, further reduce—pressures across our healthcare landscape. We need a wider review,

given the value and cost of interventions to reduce health pressures.

The Labour Party has to be honest about the impact of the labour gaps that have been exacerbated by Brexit, which Sir Keir Starmer is now embracing, even though he used to oppose it. The visa restrictions and the dreadful burden on employers through the increase in their national insurance contributions are all UK Labour policies to which I have referred in this very short debate, which, as I anticipated, is only about chasing tabloid headlines—it has nothing to do with reality.

15:28

Monica Lennon (Central Scotland) (Lab): In securing the debate, Scottish Labour is confronting the crisis that is gripping the NHS in Scotland. That crisis is not simply measured in statistics; it is felt in the lives of patients, nurses, doctors and families across our nation.

We heard that clearly on the doorsteps and streets of Hamilton, Larkhall and Stonehouse during the recent by-election. I congratulate Davy Russell, Scottish Labour’s winning candidate, and I know that he is already working hard to represent his constituents. Frankly, they, like people across Scotland, are sick of the excuses. I know that there are very few SNP MPs left in the House of Commons, but that is the place to hold the UK Government to account. This is the Scottish Parliament. Responsibility for the NHS is devolved.

Unlike the Greens, we will not let the SNP off the hook any longer, because, as you heard from the emotion in Jackie Baillie’s voice, this is personal to every one of us. We care about the staff and our constituents, and we will not put up with complacency.

Lorna Slater: Will the Labour Government be changing its policies on allowing asylum seekers to work and on hostility to immigrants in order to support the NHS in Scotland?

The Deputy Presiding Officer: Please speak through the chair.

Monica Lennon: Lorna Slater made some relevant and important points at the start of her speech, but she failed to address the purpose of the motion, which is to take the opportunity in the chamber to hold the Scottish Government to account for its broken promises, because I—

Neil Gray: Will the member give way?

Monica Lennon: Hold on a second. I heard the cabinet secretary say that he hears the calls for workforce planning. I have been here for nine years, and for even longer than that—for the whole of the 18 years of this Government—we

have been calling for better workforce planning. Why can the Government not do its job?

Neil Gray: In our amendment, we set out the timescale for delivering that planning. I really resent the suggestion—Monica Lennon is better than this—that, somehow, SNP ministers do not care or do not have the same care for our health service, which brought my four children into this world and has saved and improved the lives of my family members as well as those of everybody else across the chamber. We need a bit more cross-party consensus on our joint support for the health service, as opposed to what Monica Lennon just suggested.

The Deputy Presiding Officer: I can give Monica Lennon some of that time back.

Monica Lennon: I am not going to take those patronising comments and the emotional blackmail from the cabinet secretary, because no one doubts what is in his heart and his compassion, but this is about competence. Why has there been no proper workforce planning? That is what people were asking during the by-election campaign, and that is what they are asking as we face the polls next year.

I admit that I have some skin in the game because, today, my daughter successfully completed her first year as a medical student, and my son-in-law is a resident doctor. We are not making these things up. People are coming into the healthcare profession because they care, but the opportunities are not there—that is the reality. *[Interruption.]* The cabinet secretary can chunter away all he likes, but we need solutions.

One of the things that we heard clearly on doorsteps during the by-election campaign is that people are not going to stand for the Government downgrading the neonatal unit at University hospital Wishaw. That is why Davy Russell was elected. The staff have been ignored; the families have been ignored. The cabinet secretary can shake his head—I will take an intervention, if he wishes to make one. That is the absolute denial of an award-winning service for the most vulnerable, the sickest and the smallest babies in the country. Babies in Lanarkshire should not be sent away to Aberdeen for critical care at the most vulnerable time in their lives. That is the reality. That is not a UK Government problem. It is the responsibility of the Scottish Government, and we are not going to apologise for bringing these arguments to the chamber.

The Deputy Presiding Officer: I encourage front benchers not to carry on a discourse while a member is on their feet.

15:32

Finlay Carson (Galloway and West Dumfries) (Con): How many times have we sat in this chamber and listened to successive health secretaries assure us that Scotland's NHS is safe in their hands? Now we hear the First Minister making similar promises, claiming that, under his leadership, things will be different and that the NHS will be a priority in the coming months. Really?

Let us not forget that this out of touch SNP Administration has been in charge for nearly two decades, yet our health service continues to lurch from one crisis to the next. That alone speaks volumes about the Government's abject failure to address the workforce crisis—the cause of our problems. Yes, the pandemic added pressure, but the truth is that Scotland's workforce planning was in disarray long before Covid. Despite repeated promises to bolster front-line support and staffing, the stark reality is that that simply is not happening. I know it, members know it and the public certainly know it. If members were to knock on any door in my constituency of Galloway and West Dumfries, they will hear the same concerns: a lack of GP appointments, a shortage of NHS dentists and long waits for hospital treatment. These are not isolated issues; they are systemic failures across Scotland.

Now we face a paradox that lays bare the dysfunction that is at the heart of this Government's workforce strategy: we have underemployed GPs who, despite widespread vacancies, are unable to find sufficient work, and we have newly qualified paramedics and paediatric nurses who are struggling to secure roles, even as vacancies remain unfilled. The SNP promised to increase GP numbers by 800 by 2027, but that target is slipping further out of reach as GP numbers decline and junior doctors struggle to find jobs.

The Royal College of Nursing has made it clear that current staffing levels are inadequate. Yes, the number of nurses employed by the NHS in Scotland has increased, but so have staff absences and reliance on costly agency workers. That is not sustainable; it is a sticking plaster on a gaping wound. "The Nursing Workforce in Scotland 2025" report shows that demand is outstripping supply. We urgently need better data and more robust planning to ensure a sustainable workforce for the future. Without it, we are simply guessing—and guessing wrong.

Meanwhile, the Scottish Government's plan to deliver 100,000 extra GP appointments has been criticised by the Royal College of General Practitioners, because the workforce simply is not there to deliver it. It is a headline-grabbing promise with no substance behind it.

In my constituency, the consequences are painfully clear. Mothers in Wigtownshire still have to face a journey of more than one and a half hours along the treacherous A75 to give birth in Dumfries, despite the presence of a fully equipped maternity unit at the Galloway community hospital in Stranraer. That is because NHS Dumfries and Galloway lacks the resources to staff the community hospital. That is not just inconvenient—it is dangerous.

The same goes for care beds. The local integration joint board promised 31 flexible beds, rather than reopening four cottage hospitals—something that the community overwhelmingly supported. However, the number has been paused at just 22 beds; in fact, the board has not even reached that as it tries to manage a £14 million overspend. The Government continues to ignore the unique needs of rural areas such mine, which has one of the largest ageing populations in the UK.

Let us not forget the human cost. One of my constituents has been told that he must wait 52 weeks for a cataract appointment, which is far beyond the 12-week target. It was suggested that he should take private treatment at a cost of £3,000, but he cannot afford to. Now his job is at risk. That is not just a statistic—it is someone's livelihood and someone's future.

Despite the tireless efforts of health and care staff, they are stretched to breaking point. It is a tragic irony. Waiting lists in Dumfries and Galloway are at record highs, with just 31 per cent of patients being seen within 12 weeks, a staggering 763 waiting longer than one year and 10 waiting more than two years.

Scotland's NHS is not just under pressure; it is on life support. We need immediate, decisive action to address the workforce crisis. We need a Government that listens to the professionals, that plans for the future and that delivers on its promises. The people of Scotland deserve better, and it is time that the Government delivered.

The Deputy Presiding Officer: We now move to the final speaker in the open debate.

15:37

Emma Harper (South Scotland) (SNP): The group leader of the Labour Party told the Parliament two weeks ago that

"There are now 860,925 people on an NHS waiting list".—
[*Official Report*, 29 May 2025; c 12.]

Jackie Baillie repeated that in her opening speech. However, Public Health Scotland—which, as I assume the Opposition parties understand, does not work for the SNP and is utterly politically impartial—has said that

"figures for the number of ongoing waits of patients waiting ... should not be added together to determine the proportion of the total population waiting".

Mr Sarwar and his allies in the other parties were caught out on that last year, when the Full Fact organisation said of his misuse of statistics:

"Politicians and the media must take care to use the best evidence available and describe it accurately, so people are not misled about the state of public services."

I could not agree more. If they cannot even get the basic facts of their attack lines right, why would anyone trust a word that they have to say about our health service?

Neil Gray: It is misleading—[*Interruption.*]

The Deputy Presiding Officer: Ms Harper, I ask you to resume your seat. Can members please spare me the back and forth—and not just those on the front benches, as they have encouraged back-bench members to join in.

I can give you the time back, Ms Harper.

Emma Harper: Thank you, Presiding Officer.

If they cannae even get their attack lines right, why would we trust their word on our health services? No one in our national Parliament has denied the scale of the challenges facing our national health service. I know about those challenges, given my background as an NHS nurse and a former employee of NHS Dumfries and Galloway, with friends and connections who tell me what is going on on the ground. I thank everyone who commits their time and effort to the amazing professional care that they provide to patients every day.

I believe that the Scottish Government has taken step after step, not just in our post-Covid world, with all the additional challenges that have been added to our health systems, but in the years before that, to get our NHS working at full efficiency. Scotland offers the highest nursing, midwifery and paramedic bursaries anywhere on these isles: a non-means-tested £10,000 a year here, whereas England offers just half that. Our NHS provides the highest pay out of all four UK systems—a state of affairs that was reflected in the vote to accept the agenda for change pay deal earlier this year.

Scotland has also led the way in the training of physician associates and anaesthesia associates in our NHS, which has increased assessment and treatment capacity. We have worked with medical schools to ensure that the training and education are in place to continue that programme in the future.

As an MSP for South Scotland, I am acutely aware of the particular challenges that our health service faces in rural areas. That is why the

uniquely Scottish ScotGEM—Scottish graduate entry medicine—programme is particularly welcome. It brings graduate training up to postgraduate medical degree level to NHS Dumfries and Galloway, to help to provide care in our part of Scotland.

I always find it interesting that I am the only person to big up ScotGEM and its success, and that the Opposition doesn't want to tell the good-news stories. The cabinet secretary and I have talked about that.

Again, the SNP is putting resources and money where it is needed, with bursaries funded for those who come to work in our rural communities. That is a Government that is acting when action is needed. What is more, we are committed to a public health service that remains free and in which medical need is the most important thing. It is for Labour members to explain why their health secretary down south has taken more than £370,000 in donations from profit-making private health businesses over the past decade. We are clear that our NHS will remain publicly owned and publicly accountable.

I do not doubt that Labour members are genuine about wanting a better national health service—I doubt that there are many people in the country who do not want that—but their words are not matched by deeds. Their attempt to weaponise the multiplicity of challenges that our NHS faces for electoral ends is an attempt to pull the wool over Scotland's eyes.

The Deputy Presiding Officer: We move to closing speeches. I am disappointed to note that Mr Cole-Hamilton is not in his seat; I expect an explanation and an apology.

15:41

Brian Whittle (South Scotland) (Con): In relation to workforce planning, I feel that we are stuck in a time loop. It seems as if, for all the time that I have been in the Parliament, and as Monica Lennon pointed out, we have been asking for some kind of credible workforce plan—and by credible, I mean one that actually addresses the need.

Back in 2018, the then Cabinet Secretary for Health and Sport, Jeane Freeman, decided that the Scottish Government would train an extra 800 GPs over a 10-year period, to address a shortfall of 860 in the number of GPs—the mathematicians among us may already see the flaw in that plan. However, as Audit Scotland pointed out, by the time those 800 new GPs are trained, some of the existing workforce will have retired—who could have foreseen that?—leaving an estimated deficit of 664 GPs in 2027.

Of course, the situation has got progressively worse than that: the Scottish Government is very keen to count the number of GPs, as opposed to the full-time equivalent number, which paints a really different picture of primary care.

The same applies to our stretched nursing and midwifery departments. “Burnout” is a word that is used increasingly often, as more and more of our NHS staff are either retiring early or off sick with stress. The Scottish Government often puffs out its chest and tells us about the record investment in the NHS and the record numbers of nurses, doctors, midwives and consultants. However, when we challenge that with the reality of record waiting lists and vacancy numbers, and continually growing ill health, we suddenly hear the words “Westminster”, “Brexit” and “pandemic”—anything other than “SNP responsibility”.

Both positions cannot be true, and the truth is that the Scottish Government's response is akin to trying to fill the proverbial bucket with holes in it. Staff retention should be tackled first: recognising the issues that our GPs and nursing staff face, and creating an environment that encourages them to stay and, crucially, encourages more people to take up those positions. That is an approach that I have pushed ever since I arrived in the Parliament.

Incidentally, something that the Scottish Government could do right now is reintroduce nursing and midwifery apprenticeships as an alternative route into the profession. More than 40 per cent of midwifery students are over the age of 30 and have probably had to give up another career to pursue that one. We should be making it easier for them to access it.

Neil Gray: Will the member give way?

Brian Whittle: I will, briefly.

Neil Gray: I refer Mr Whittle to the nursing and midwifery task force, which is looking to implement alternative routes into nursing and midwifery training.

The Deputy Presiding Officer: I will give you that time back, Mr Whittle.

Brian Whittle: I appreciate that.

That brings me to the way to tackle the pressures that have been put on our healthcare system and, specifically, our GPs and nurses. There are two elements to dealing with the pressure on hospitals and GP surgeries: increasing the head count and, crucially, reducing need. However, all I have ever heard the Scottish Government talk about is increasing the head count and the fact that we have record numbers of staff per head of population.

There are reasons for that need. Scotland's rurality is one of them, but the poor health of our nation is the huge elephant in the room. As a result of ill health, we have high levels of economically inactive people, and there has been an alarming rise in poor mental health. If we focus only on increasing the head count, we will forever need to increase the head count. Preventative health has been the poor relation in that equation.

The deployment of a technology-agnostic interoperable solution is absolutely essential if we are serious about bringing our NHS into the 21st century. Apparently, the Minister for Social Care, Mental Wellbeing and Sport and her team did not understand the term "technology-agnostic interoperable solution", so they decided to google the meaning of it—it appears that that is how the Scottish Government now decides policy—and were confused by the answer. Therefore, I thought that I would google the term. Here is what I got:

"A technology-agnostic interoperable solution is one that can work with various technologies and systems, allowing for flexibility and integration without being tied to a specific vendor or platform. This approach promotes interoperability, scalability and future-proofing, enabling businesses to adapt to evolving needs without being constrained by a single technology or vendor."

If I was cynical, I would suggest that the minister was trying to avoid scrutiny.

The SNP Government is not a serious Government. It has no idea how to deal with the issues that we are debating today, and while it remains in office, the health of our nation and the support that our NHS needs will continue to slide.

15:46

Neil Gray: I thank colleagues across the chamber for participating in the debate. I am grateful to everyone for their contributions. The way in which the debate has been conducted has been disappointing at times, but I want to close in a more consensual manner. As the Presiding Officer knows, I like to bring people together.

In my opening remarks, I did not have time to reflect on the immediate work that we are doing to improve the performance of NHS Scotland through the operational improvement plan and the investment that we are making to reduce waiting times and accident and emergency waits, and to increase access to the NHS. Those improvements will undoubtedly benefit people who are in need of care and treatment, but—crucially, in the context of this debate—they will, ultimately, alleviate the pressure on and support the wellbeing of members of our NHS Scotland workforce, who are the key focus of today's discussion.

The greatest gift that we can all give is to bring about those service improvements and reductions

in waiting times, and—I say this candidly—to reduce the potential for moral injury that is presented by the inability of our staff to respond to situations in the way that they would wish, to which colleagues have referred. We owe it to them to drive improvements and set the system up for future success, and I guarantee to colleagues that that is my top priority.

In my opening remarks, I also touched on our plans to bring forward our population health and service renewal frameworks in the very near future. The speeches that I have heard today have reinforced the importance of making the changes that will be enacted as a result of those frameworks.

When I talk about renewal, I am not talking only about changes in systems or plans for the benefit of patients, I am clear that the changes must also deliver for staff.

Jackie Baillie: What can the cabinet secretary do for junior doctors this August? They face not having jobs this August.

Neil Gray: Funding is in place for local boards to make employment decisions. That is for them to do, and we will continue to work with the BMA on those matters. Indeed, I will meet the BMA resident doctors committee very soon to discuss some of those issues.

In relation to the points that Sandesh Gulhane made, I can tell members that I met the Royal College of General Practitioners, and I will meet the BMA general practice committee tomorrow morning. I met the consultants committee and representatives of the speciality doctors committee today. The discussions are on-going.

Several colleagues picked up on the fact that Scotland faces serious and growing health challenges. More people are expected to be affected by disease in years to come, and too many lives are still being cut short by poverty and inequality. Addressing those challenges is not solely the task of people who work in acute and community health settings. Instead, we need to shift our focus from treating illness to preventing it. By taking that approach, we can reduce the burden on our healthcare system and the staff who operate it.

Alongside the population health framework, we will publish the service renewal framework, which is our long-term plan to reshape health and social care services. The framework is shaped by five key principles. The first of those, prevention, involves focusing on early intervention and reducing the burden of disease. The second principle, people, involves designing care around individuals, not systems. The third principle, community, involves shifting more care closer to home. The fourth principle, population, involves

planning services based on real population needs rather than organisational boundaries. The fifth principle, digital, involves using technology to improve access, co-ordination and outcomes.

Brian Whittle: Will the cabinet secretary give way?

Neil Gray: If I still have time, Presiding Officer?

The Deputy Presiding Officer: Brian Whittle, briefly.

Brian Whittle: I am grateful to the cabinet secretary for giving way. I know that he wants to deploy technology in the way that it can be, but the reality is that it is not happening. I had a look at the app that is being deployed in South Lanarkshire, and all that can be accessed is dermatology. We are miles behind. What is preventing the Scottish Government from adopting technology in the first place?

Neil Gray: That is the first iteration—the first pilot part—of the NHS digital front door, which is operating not only in South Lanarkshire but in the entirety of NHS Lanarkshire. We will build a product that goes beyond what Mr Whittle suggested, for the reasons that he has outlined, which I agree with.

I believe that the framework can and will support staff to work more flexibly and collaboratively across teams by enabling better access to the right digital tools that make their lives easier and the healthcare that they deliver better. More of the care that they deliver will be in the community, with hospitals' capacity targeted towards those with the most complex needs. The service renewal framework will provide a blueprint for delivery and mark a step change in the way that we deliver healthcare.

Those frameworks represent a comprehensive package of reform, but they will be successful only if they have the support of Parliament. I therefore want to use today's debate as an opportunity to restate my absolute commitment to working with colleagues across the chamber in the coming period to deliver the change that I believe we all want to see.

Through collaboration and consensus, I believe that we can set the system on the path for success. My door is always open to ideas about how we can deliver that change in a way that is as inclusive and as effective as possible, benefiting the entire Scottish population, including staff who deliver services across our health and social care system.

I will conclude by referring to the point in the motion about colleagues' concerns about the future medical workforce project that is due to report at the end of the year. Once the project has reported, I will invite colleagues to participate in a

cross-party panel to discuss its findings and to consider the onward reforms that are required, building consensus and showing our collective commitment to our NHS doctors in delivering real change and renewal.

15:52

Paul Sweeney (Glasgow) (Lab): It is a pleasure to close for Labour in today's debate.

Having listened to the debate, I am not sure what the Government's goal is. It seems that its instinct is to be defensive rather than to recognise an open scandal in our national health service. When discussing the issues with clinicians and doctors, junior doctors in particular, across Scotland, it is raised as a recurring and persistent matter. It does not seem that the tone of the debate—certainly from the Government benches—has been remotely concerned with that reality and the lived experience of our constituents or our medical professionals.

Neil Gray: I wonder whether Paul Sweeney reflected on my conclusion and my closing remarks, which were far from defensive. They were an opening to further talks and discussions about how we can reflect on the issues and build consensus. That was not defensive—it was about opening up and seeking to reach out to find consensus and a way forward.

Paul Sweeney: That is all well and good, but we need leadership from the health secretary in Scotland, not simply further commentary on the matter. I take the point, and I will give the health secretary the benefit of the doubt with regard to his willingness to build consensus. However, although he claimed in response to my colleague Ms Lennon that there is a workforce plan—which we have been calling for, for years—if we inspect the Government amendment, the reality is that it is about a

“commitment to develop future workforce planning in response to the forthcoming population health and service renewal frameworks ... which will report on the planned dialogue, alongside an analysis of workforce demand and supply, by the end of 2025”.

It does not feel as though there is a sense of urgency in Government, or a sense of grip.

That is why we lodged today's motion for debate, which comprises fairly scandalous data from BMA Scotland. For example, seven in 10 resident doctors who responded to the survey were concerned about possible unemployment. When surveyed on the issue of applying successfully for specialty training, most people said that they had not been able to get their desired job and 27 per cent said that they applied for specialty training unsuccessfully. Of those applying for clinical development new fellow roles,

34 per cent were successful, and just 19 per cent of those who applied for a locally employed doctor position did so successfully. Of our junior doctors, 10 per cent said that they were planning to locum extensively, introducing even more waste into the national health service. Further, 11 per cent said that they were applying for medical jobs abroad.

An 11 per cent bleed rate overseas is not good enough. There needs to be a much greater effort to stem that flow. When it comes to the NHS, we do not have an immigration crisis, we have an emigration crisis—to Australia—which is endemic. Almost all of my university peer group who were medical students are in Australia or New Zealand right now. That is not just anecdotal; it is met by the data. People are disappointed that they do not have the opportunity to get their first-choice training post, and they are going overseas while they have the opportunity to do so before settling down.

The competition ratios have got worse in the past few years. The average is five people chasing one specialty training post. The disappointment rate is too much, and it has come about because the number of posts has flatlined while demand has increased. It feels as though the plug is out of the bath; simply turning the tap on to a faster flow will not solve the problem if there is no investment in those specialty training posts.

The irony is that, at the other end of the process, there is an increasing outflow of consultancy positions. We hear from the consultants that more and more of them are looking to leave the NHS or reduce their hours.

At both ends of the system, therefore, there is incoherence at the heart of the issue that we are facing. It applies not just to doctors but nurses, as was ably put by speakers in the debate. Not only do we have a huge vacancy issue in the NHS, we have a vicious cycle of dependency on agency nursing and the costs of that to the NHS.

Even within the inflow, there is pressure on nursing students. Brian Whittle made an excellent point about looking at directly paid training courses through an apprenticeship programme such as we might have in the police or the armed forces.

Neil Gray: Last year, the agency nursing spend in Scotland was £94 million, which was down by 62 per cent. Would Paul Sweeney care to welcome that?

Paul Sweeney: I certainly welcome any improvement, but huge amounts of waste are still involved, and we need to tackle that vigorously. That is a massive issue, which we need to address.

Also mentioned was the issue of places and nursing shortages in care homes, and the

pressure that that places on primary and secondary care in the NHS.

Sandesh Gulhane: Does Paul Sweeney agree that those pressures create moral injury, which affects our staff, who feel burnt out then just leave?

Paul Sweeney: That was recognised across parties. It is a massive issue. However, the Government has not expressed the vigour that we would want in its addressing of that.

The sickness and absence rate across NHS Scotland has risen to 6.4 per cent, but we know that it is much higher in nursing, at more than 7 per cent across Scotland. To have that level of absenteeism across the NHS, due to that moral injury, burnout and sense of hopelessness—not to mention the mental health impacts that it has on staff—is atrocious.

We mentioned the inflow and pressure on training. Sixty-six per cent of nursing students have considered dropping out due to cost pressures. That is a massive waste of human potential and public resource.

We need to develop the workforce plan. The Government has had 18 years of incumbency in which to develop it. It is shocking that it is only now getting around to proposing getting together. The time has run out. We are less than a year away from the next election. The point of getting together to work it out has passed. The point of being held to account is now here. I hope that the people of Scotland, including the clinicians of Scotland—the people who work in our NHS every day—will hold the Government to account for its abject failure to meet the needs not just of that workforce but the whole population of this country.

The Deputy Presiding Officer: That concludes the debate on addressing Scotland's medical and nursing workforce crisis. There will be a brief pause before we move to the next item of business, to allow front benches to change.

Lomond Banks Planning Application

The Deputy Presiding Officer (Liam McArthur): The next item of business is a debate on motion S6M-17862, in the name of Jackie Baillie, on planning. I invite members who wish to participate to press their request-to-speak button.

15:59

Jackie Baillie (Dumbarton) (Lab): When Loch Lomond and the Trossachs became Scotland's first national park in 2002, it was after 60 years of campaigning. Generations of Scots wanted to protect its unique geology, history and beauty, and that still applies today. There is, after all, only one Loch Lomond, and we are the custodians of our environment for future generations.

When Sarah Boyack was the Minister for Transport and the Environment, the Parliament passed legislation to create national parks. I spoke in the stage 1 debate. We recognised then that there was no contradiction between protecting the environment and boosting the local economy, but we made it clear that, if there was a conflict, the principle of conserving the park's natural and cultural heritage came first.

Drawing on those principles, and considering the expert planning opinion on the application, the Loch Lomond and the Trossachs National Park Authority made a unanimous decision to reject the bid from Flamingo Land for a resort in Balloch. Flamingo Land appealed the decision, and I have to say that, in all my 25 years in the Parliament, the reporter's decision to grant the appeal and overrule everyone else was, frankly, extraordinary.

It is not often that an MSP lodges a motion and the Scottish Government caves in before a word has been spoken; I have certainly never experienced that before. Perhaps it was in anticipation of the quality and persuasiveness of the speeches to come that the Scottish National Party Government changed its mind. Perhaps it was because it counted the thousands of emails that were sent to ministers by people from my constituency and across Scotland and realised how angry people were about the proposed development. Perhaps it was because the SNP Government realised that the Scottish Labour motion had the support of the Conservatives, the Liberal Democrats and the Greens. Defeat for the Government was a certainty, so it sought to get ahead of the Parliament.

The Government will of course say that it was none of the above, so let us explore what has changed. Three weeks ago, the Lomond Banks proposal was raised by Ross Greer during topical

question time. I, too, asked the minister, Ivan McKee, to call the application in, as did Pam Gosal. In response, he said:

"I have no intention of recalling the appeal".—[*Official Report*, 20 May 2025; c 5.]

Two weeks ago, the First Minister also refused to intervene. Yesterday, there was a spectacular U-turn. Now, according to the minister, there are "issues of national significance" that justify the call-in. What are those issues? What has changed during the past two weeks?

Loch Lomond and the Trossachs remains an area of outstanding natural beauty. It is Scotland's first national park and the jewel in our crown; that has not changed during the past two weeks. The national planning framework 4, which was published in 2023 and voted for by this Parliament, notes problems with flooding across Scotland. Part of the area for development is subject to flooding. That has not changed in the past two weeks.

I would be happy to take an intervention from the minister so that he can explain what has changed. No? I can see that I am not going to get anywhere with that, so let me welcome the SNP's U-turn and tell members why the application should be called in for ministerial determination. First, the decision being made by a single unelected reporter—no matter how good he might be—is a democratic affront. The national park board, which was appointed by ministers, and some members of which were elected by their local community, was unanimous in its rejection of the application.

The Scottish Environmental Protection Agency—one of the Government's own expert agencies—recommended rejection because of flooding. The Woodland Trust, the National Trust for Scotland and countless other expert bodies all rejected the application. Ross Greer's petition of 155,000 people rejected it. My local survey of 3,000 households in Balloch, Jamestown, Tullichewan, Levenvale and Haldane saw 65 per cent of local residents rejecting the application. All that local knowledge and expert opinion surely counts for something. The Scottish Government appointees on the board or the planning officers at the national park should surely be listened to, with their years of experience.

I will give a small local example. I invite the minister and his colleagues to come out and visit on a sunny day at the weekend. If they were to try getting up Loch Lomondside in a car, they would be stuck on the A82 all the way from Milton at the start of my constituency in Dumbarton right up to and beyond the Stoney-mollan roundabout, and it would be the same in reverse. There is also the McDonald's roundabout on the A811, which backs up on to the A82, causing gridlock. If you live

locally, as I do, you stay at home or head in the opposite direction if the sun is shining, because the A82 becomes a car park, with traffic at a standstill. Adding 250 to 280 additional cars a day would add to the existing infrastructure problems.

Bob Doris (Glasgow Maryhill and Springburn) (SNP): Will Jackie Baillie give way?

Jackie Baillie: I am happy to, if Bob Doris is brief.

Bob Doris: As someone who hails from that part of the world, I concur with Jackie Baillie's point. My mum and dad were in Levenvale until they passed away. We need more people stopping off in Balloch, with its high-quality tourist amenities, but the scale of the Lomond Banks development is beyond what the infrastructure can currently support.

Jackie Baillie: I agree absolutely with Bob Doris. I am not against development at the site, but we need to think carefully about the size and appropriateness of any development in the context of the surrounding environment.

In closing, I ask about the timescale for consideration and which minister will make the decision. It is clear that Ivan McKee has taken a view, and I do not believe that it would be appropriate for him to consider the matter. I note that others in Government—for example, ministers involved with Scottish Enterprise—have taken an interest before, as ministers first instructed Scottish Enterprise to dispose of its assets, including this land, and have been involved in discussions since. I would be grateful for confirmation on those points.

This has been the most controversial planning application in my constituency and, indeed, probably the whole of Scotland. We must ensure that, whatever decision is arrived at, it is fair, transparent and democratically accountable. I hope that ministers will recognise that Loch Lomond is the jewel in Scotland's crown and act accordingly, because anything less would be an utter travesty.

I move,

That the Parliament agrees that the Lomond Banks planning application for a development at Balloch should be called in for determination by the Scottish Ministers.

16:07

The Minister for Employment and Investment (Tom Arthur): As required by the Scottish ministerial code, all ministers are restricted from commenting publicly on live planning applications, as doing so could potentially prejudice the final decision. Members will therefore appreciate that I am very limited in what I am able to say in the debate. However, I can confirm that the Minister

for Public Finance has decided to recall the appeal, as the proposed development raises issues of national significance in view of its potential impact on Loch Lomond and the Trossachs national park.

I am aware that, on 16 May, an independent reporter issued a notice of intention to allow the appeal and grant planning permission in principle, subject to 49 planning conditions and a legal agreement being reached, including the Lomond promise, with a commitment to community benefits and fair work. The reporter's notice-of-intention letter is publicly available to view.

I have the greatest respect for the integrity of the planning system, and I am sure that members will agree that we must allow decisions to be made in a fair and transparent way. It is for the planning system to remain objective and to take into account all views on applications so that decisions are well informed.

Daniel Johnson (Edinburgh Southern) (Lab): Will the minister give way?

Tom Arthur: I am afraid that I am restricting my comments in the debate to my prepared remarks, given that the matter concerns a live planning application.

It remains the case that all planning applications and appeals should be determined in accordance with the development plan for the area affected, unless material considerations indicate otherwise. There have been significant reforms to the Scottish planning system in recent years. The statutory development plan includes the national planning framework 4 and the relevant local development plan. The primary responsibility for determining planning applications rests with the relevant local authority in the first instance.

I remind members that appeals have an important role to play in our system, too, and ministers use their powers to call in applications and appeals very sparingly. As a matter of law, all planning applications must be determined on the planning merits of the case, taking full account of all submissions that are made by parties involved in the case, including representations from members of the local community.

Once again, I recognise that members have spent a great deal of time considering the appeal and that their views are strongly held. It is, in fact, usual for the planning system to balance competing interests, and it is important that the Parliament recognises that the system is designed to deal with a wide range of views and issues in an objective manner.

Members will appreciate that, as the planning appeal remains live, it would not be appropriate for me to comment further so as not to prejudice the

decision-making process and to maintain the integrity of the planning system. With that, I conclude.

I move amendment S6M-17862.1, to insert at end:

“, and that any subsequent decision on the planning application should be made in a fair and impartial way that takes into account all relevant legal requirements and maintains the integrity of the planning process.”

16:10

Ross Greer (West Scotland) (Green): Thank you, Deputy Presiding Officer—

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

Ross Greer: I hear that this desk is not working, Deputy Presiding Officer. If you give me a second, I will move.

The Deputy Presiding Officer: We have a little bit of time in hand, so I can give you the time back.

Ross Greer: I will try again. Grand.

I thank Jackie Baillie for giving us the opportunity to have this debate and for forcing the move to recall this afternoon.

For a decade, now, many of us have been involved in the campaign to save Loch Lomond from Flamingo Land, and we had won at every step of the way until three weeks ago, when the reporter made the recommendation that the application should go ahead. At that point, we were told that it was over. I thank everyone who has proved the doubters wrong and who has spent the past three weeks campaigning relentlessly to put pressure on the Government and to force the recall decision. It was a community campaign, but it went national.

For the 2019 Flamingo Land application, we lodged 60,000 objections. For the 2024 application, we lodged 155,000 objections. In the past three weeks alone, more than 51,000 people have emailed the planning minister, demanding that he recall the application. That demonstrates the strength of feeling not just in the local community, but across Scotland. We have all fought so hard for that because we know how special Loch Lomond is. It is world famous for a reason, and Balloch is the gateway to the loch, so I am genuinely glad that ministers have listened.

There are two reasons why the application should have been recalled and why it is right that ministers have made that decision: it is a significant application in a national park, and it would set a precedent for the whole planning system in the interpretation of NPF4. It is significant precisely because Balloch is the gateway to our national park, and it is not just a

local issue—it is a major development, and it was unanimously rejected by the national park's board. It is unquestionably in the public interest that ministers make the final decision.

However, it also points to a wider issue. Any appeal on a major development within our national parks should go straight to ministers—it should not go through a reporter. Any major development in an area of Scotland that we, as the Parliament, have designated as being of national significance should ultimately be decided on by ministers.

Martin Whitfield (South Scotland) (Lab): Will the member take an intervention?

Ross Greer: I am afraid that I do not have time at this point, but I would be happy to take the member's intervention in closing.

Why is it a major development? We are talking about two hotels, a water park, a monorail, 372 parking spaces, 100 lodges, restaurants, shops, service buildings and more. The developer's own impact assessment showed that there would be more than 250 additional car journeys per hour on local roads at peak times. Those local roads are already gridlocked the second that there is a crack of sunshine between the clouds, and, as Jackie Baillie highlighted, the developer was proposing only two minor roundabout adaptations to compensate for that.

The minister said that the planning process needs to “balance competing interests”, but I point out that the aims of our national parks are set out in law, including the Sandford principle that greater weight must be given to the protection of natural heritage over other aims, including economic benefit. I think that the economic benefits of the application are dubious at best, but they are cancelled out by the environmental and community harms that the application itself concedes would happen. Those harms are well evidenced by the Woodland Trust and by the national park's own planning team in particular. The loss of ancient woodland, in and of itself, should have resulted automatically in the reporter dismissing the appeal.

The law is absolutely clear when aims conflict, which is the key reason why the national park board rejected the application, and it is to the credit of all who have campaigned locally and nationally over the past decade—and, in particular, over the past three weeks—that we have forced the decision. I also thank ministers for the change in their decision.

Flamingo Land's application is of national significance because of the scale of the proposed development, the damage that it would do and its location, but also because of the precedent that it would set for our whole planning system. I look forward to setting out in detail the decade's-worth

of evidence against the mega resort. I am sure that, when ministers see the damage that it would do, they will reject the application, end the sorry saga and, once and for all, save Loch Lomond from the greed of the developer.

I move amendment S6M-17862.2, to insert at end:

“; believes that the significant public interest in this application and its location within a national park make it a matter of national interest, and asks that ministers assess the application’s compatibility with National Planning Framework 4, as approved by the Parliament in 2023, and with the statutory aims of the national park.”

The Deputy Presiding Officer: We move to the open debate. I advise the chamber that, unusually, we have a little bit of time in hand, so members should get time back for brief interventions.

16:15

Pam Gosal (West Scotland) (Con): I am pleased to open such an important debate on behalf of the Scottish Conservatives, and I thank Jackie Baillie for bringing this important issue to the chamber. I am speaking on behalf of the residents and businesses of Balloch and the surrounding areas, in my West Scotland region, on the Lomond Banks development, which is commonly known as Flamingo Land. I make it clear that I am not against development. If anything, I am very much for investment and job creation. However, development has to be in the right place and must take local residents and businesses into consideration. It certainly cannot come at the cost of ruining our beautiful and world-famous Loch Lomond.

Although I am pleased that the SNP Government has U-turned on the decision, one must wonder why it happened at the 11th hour. Could it be that the Scottish Conservatives joined forces with Opposition parties, resulting in a defeat for the SNP Government, or have the mailboxes of SNP MSPs and ministers been filled with a tsunami of emails from very unhappy locals? Like Jackie Baillie, I would like to give the minister an opportunity to respond. The minister has said that he cannot speak about live planning applications, but it would be great to hear why, at last, at the 11th hour, you have decided to change your mind.

The Deputy Presiding Officer: Through the chair, Ms Gosal.

Pam Gosal: I am sorry.

Although I welcome the decision, it is important to know why it was made.

Flamingo Land’s development has been unpopular since day 1 and has received more than 150,000 objections. It was unanimously turned down by the Loch Lomond and the Trossachs

National Park Authority, and it was opposed by expert organisations such as SEPA, the National Trust for Scotland, the Woodland Trust and Ramblers Scotland, yet it somehow managed to receive the Government’s approval.

Two weeks ago, I attended a vocal meeting of around 200 residents, which was organised by the Balloch and Haldane community council. Residents were very angry and outraged, more so because they felt that their voices had not been heard. Their submissions and protests have fallen on deaf ears in the Scottish Government. The Government is making decisions while sitting in Edinburgh, miles away from where the impact of Flamingo Land would be felt. Residents are feeling ignored and powerless. Where is the democracy in that?

Let us mention some of the factors that would be at play. The developer’s job creation figures listed 80 full-time and 120 seasonal part-time jobs, which would be minimum-wage jobs with no real prospects of career advancement or opportunities for growth. The site’s natural sensitivity makes development environmentally unacceptable. Approving the Lomond Banks development would push future flood mitigation costs on to public agencies and would normalise developers’ intrusion into protected landscapes.

Last but not least, let us not forget about the congestion that would be caused on the A82. Just imagine the A82 being jammed on a summer’s day, or the problems if somebody was drowning in Loch Lomond. I spoke with volunteers from the Loch Lomond Rescue Boat organisation who came to Parliament last week. They are not a blue-light service, and they highlighted the fact that the increased traffic would cause delays if they were called to provide help. That is not a scenario—it is the reality, and it is just one example of many.

The SNP has made a habit of intervening in planning applications. The Scottish Conservatives have obtained figures showing that, following 151 planning application appeals in 2022-23, 80 decisions, or 53 per cent, were overturned. Clearly, we know that the Scottish Government can step in, and it has done so in many other controversial decisions.

This is the fourth time that I have stood in the chamber to speak about this issue. I truly hope that it will be the last, but that might just be wishful thinking. It is our duty to protect the area for future generations. I hope that the Scottish Government has now learned its lesson when it comes to listening to the voices of communities.

16:20

Jamie Greene (West Scotland) (LD): The proposed development at Loch Lomond has definitely filled my inbox more than any other planning issue over the years. My office has dubbed it the “Loch Lomond monster” in the past couple of weeks, such is the great strength of feeling around it.

This long-standing saga is symptomatic of a much wider issue: how planning decisions are made in Scotland; how they are consulted on; how objections are dealt with; how long decisions take; and whether we need a wider root-and-branch review of the entire planning regime—which, incidentally, we do.

I do not want to linger on the very well-rehearsed arguments for and against the development. A lot has already been said about that and, dare I say it, there has been a fair amount of political opportunism. There seems to be a very live competition about who is taking credit for bringing the topic to the chamber the most times.

However, on the substance of the debate, there are people who are in favour of the development, and I think that it is fair to comment on that. Perhaps those are the 35 per cent of people who responded to Jackie Baillie’s survey who believe that the development will deliver jobs and investment.

There are claims—and they are claims—that the development will lead to up to £40 million of investment across the west of Scotland, provide up to 200 new jobs and bring around £3.4 million to the local economy. Job creation or economic growth in the west of Scotland is not to be sniffed at, and the reporter seemed to agree.

However, we cannot ignore the great number of those who were opposed to the development. They had valid concerns about road capacity on the A82 and environmental concerns about the effect on wildlife and ancient woodland. They also had many suspicions about the true economic or employment value of the whole project.

The minister is right to say that this is a matter of national significance, particularly given the polarisation of views, although the nature and location of the development are important, too. I believe that, in this instance, calling in the application is probably the right thing to do. My natural instinct is to keep ministers as far away from planning decisions as we can, but, nonetheless, escalating such decisions is an appropriate part of the planning process.

I have a bit of a problem with today’s debate, because the Government’s 11th-hour announcement that it will call in the application is

quite an embarrassing one. The Government was staring down the barrel of a defeat at decision time today and the minister has caved accordingly.

Initial proposals for the development were brought back on 1 January 2018. Since then, they have been withdrawn, rejected, appealed, approved and again face potential defeat. The problem with that uncertainty is that it is not fair on either local residents or the developer, which I am surprised did not walk away from the project ages ago.

I will explain what I am nervous about. If every proposed major development in Scotland results in a seven-year-long battle, which has to end in a debate in its national Parliament, good luck in attracting any future investment. For future investment to happen, two things must happen in parallel. First, local communities must be confident that planning, consultation and appeals processes are truly fit for purpose—and we all know that many do not believe that to be the case. Secondly, future investors must know that Scotland is open for business and that applications will be treated fairly and squarely, free from rhetoric and falsehoods.

This long, drawn-out saga has damaged confidence in investing in our tourism sector just as much as it has damaged confidence in our current planning processes.

I am uncomfortable with leaving a decision such as this to the Government, which is bereft of consistency when it comes to overturning local decisions. I am just as uncomfortable with leaving a major multimillion-pound investment decision to sit on the desks of ministers when they already have a lengthy backlog of decisions to make, including, for example, on the Loch Long salmon farm. Those are decisions that ministers deem are far too controversial to go ahead with.

My one ask of ministers today, which is perhaps naive in an election year, is simply this: please do not let politics get in the way of sensible evidence-based decision making in making this decision. The Scottish Government will have to carry the can, and it will have to own any decision that it makes. I wish the Government good luck—it is going to need it.

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

16:25

Pauline McNeill (Glasgow) (Lab): The Flamingo Land development clearly resonates across the country as a national concern, and the Scottish Government only just seems to have realised that. Like other members, I have had many emails objecting to the proposed huge

theme park. There is widespread public dismay at the prospect of a theme park on the shores of one of Scotland's national treasures and in an area of great beauty and a national park that the Parliament fought for.

The application is no ordinary one, and it is a pretence to suggest otherwise. Whether people are for or against it, it is clear that it will restrict full access to activities for people who visit Loch Lomond for the day. As Ross Greer said, the scale of the project is the most important consideration, against the backdrop of something that the country loves. That is the primary reason why the Government should have paid more attention to the issue—there is a lot to lose. According to a poll of *Radio Times* readers, Loch Lomond is the sixth-greatest natural wonder in Britain—and I can see that Jackie Baillie agrees with that.

It is questionable whether the proposal should have been given the go-ahead by the Scottish Government's reporter after the plans were unanimously rejected by the national park board and opposed by the Scottish Environment Protection Agency, the National Trust for Scotland, the Woodland Trust and members of the local community. That the proposal met the planning criteria in the first place is questionable. Stuart Pearce, the director of place for the Loch Lomond and the Trossachs National Park Authority said that it created an "unacceptable risk" of flooding of the River Leven. Why was that ignored? More than 178,000 people signed a petition against the project. Of course, under planning law, those people have no right of appeal.

The scale of the objections should have told the reporter how controversial the development is. The objections also demonstrate that the decision needs to be properly justified, rather than, as has happened, leaving it open to question whether it is in fact a commercial one and not a planning one.

A single person was, perfectly lawfully, able to overturn all those objections from respected organisations, and in particular the national park board, as well as a large public petition. That begs a question about planning law. I think that it would have been perfectly competent to have a planning inquiry instead of a single decision maker, and that would have been more transparent. A public inquiry would have told us what the primary considerations were in coming to any conclusion. Now that the Government has called in the application, it has an opportunity to make the final decision more transparent and to show the public that it has listened to all the voices that have objected to what is, in my opinion, a dreadful proposal.

I had a look at Flamingo Land in North Yorkshire. Last year, a survey found that people thought that it was quite a disappointing theme

park. If people turn up on the day, a family ticket for two adults and two children is £224. This is just my guess, but I suggest that, if the proposal gets the go-ahead, because the theme park will be in Loch Lomond and the Trossachs national park, the charge will be more than £224. Some reviews of the North Yorkshire park on Tripadvisor from May this year read quite grimly. Many people say that the park is overpriced and in need of upgrading—of course, it is a bit older—and, apparently, the animals look "tired" and "bored". That made me laugh a bit.

There is a lot to think about. It might be appropriate for the development to be placed somewhere else rather than next to a national treasure.

It is clear that most people reject such a theme park being developed on the shores of Scotland's best-known and most iconic loch. I realise that the issue is not only whether a majority is for or against the development. If the Government grants consent after bringing it in, it must show the public that it has fairly and transparently looked at the criteria for the application, which I look forward to reading.

16:30

Bob Doris (Glasgow Maryhill and Springburn) (SNP): In this short debate, I will give voice to many of my constituents who have raised concerns over the reporter's decision on the Lomond Banks application. I do not represent the Balloch area, but my Maryhill and Springburn constituents who have contacted me want to ensure that their voices are also heard. They see the potential development at Balloch as nationally significant, and I agree.

Along with many others, my constituents have concerns about the proposed development's scale, the impact of potential flooding, the loss of ancient woodland, traffic and the wider impact on the local area. They are right to have concerns, but they do not believe that the report has adequately addressed them. Having read the 80-page document issued by the reporter—it took some going, let me tell you—after he arrived at his decision, I think that it is fair to say that, although it is detailed, it is not drafted to make it easy for interested parties to consider its findings in a speedy and accessible fashion. I know that the findings need to be detailed, but they also need to be accessible and straightforward for readers, who are not necessarily always planning professionals or experts. Ensuring confidence that a robust decision has been arrived at transparently is important for the integrity of any planning system, and it is reasonable to say that confidence is quite low among many.

Given the clear national interest and the substantial widespread concerns, the Scottish Government is correct to call in the plans. Doing so is an important check and balance in the system, and it is required in this instance.

Another group of people who have reached out to me and other parliamentarians—this is really quite important—is the community around Balloch. There appears to be a complete disconnect between many members of that community and the developers. Community buy-in is hugely important, but it appears to be missing, which is a significant weakness for our national park, as well as the developer.

I was born and brought up in the Vale of Leven, which is only a stone's throw from Balloch, so I am particularly disappointed at the lack of buy-in. In his findings, the reporter said:

"The planning authority's reasons for refusal raise no objections to the principle of developing the appeal site for the types of development that are proposed, and the report to the planning authority's Board advised its members that the proposed development, both within the areas that have been allocated for development in the LDP and elsewhere, is supported by the LDP."

That is important. I see from the national park website that the new local development plan is being developed. I hope that that will involve meaningful strategic community consultation.

It would perhaps be far better to allow the new local development plan process to run its course before taking a decision on a new development of such significant scale. The reporter noted that there were no significant objections from the community when the LDP was first drafted, but it was drafted to cover 2017 to 2021, and consultation started long before 2017. A decade had probably passed before the community was properly consulted on the matter. Asking a community whether it is okay to expand tourism through the development of a high-quality amenity is very different from proposing a development of such sheer scale.

I will raise two specific concerns. First, my reading of the 80-page document is that the reporter appears to be confident about active travel infrastructure. Yes, there would be a monorail close to Balloch train station, but we all know that people would bring cars and use Lomond Banks as a gateway to the Highlands, and the monorail would not take visitors to Luss, Arrochar or Inveraray.

Secondly, much has been made of the destruction of ancient woodland, and I am genuinely unclear as to whether those concerns have been appropriately addressed. The developer has taken control of Drumkinnon wood, which is not part of the proposed development but beside it, and I am concerned that it could be used

for compensation and enhancement when woodland and biodiversity are lost elsewhere, if I have captured the report's findings accurately. I am bemused as to how not developing on ancient woodland can be considered to be compensation and enhancement—surely that is just the status quo.

We need to consider whether the current proposals are in Balloch's interest or the national interest.

16:35

Martin Whitfield (South Scotland) (Lab): It is a pleasure to contribute to the debate. I go back to an interesting question that was posed in the previous debate. Yet again, it rests with Opposition parties to bring really important current questions to the chamber so that the Government can reach decisions.

In relation to the timetable of what has happened since Labour's motion was lodged, as Jackie Baillie rightly pointed out, there has been a complete and utter U-turn. As Tom Arthur found in his opening speech, the challenge is that ministers, in their role in making such decisions, potentially bring problems upon themselves.

I want to pick up on a number of issues. First, I absolutely agree with Bob Doris on the accessibility of published reports on decisions within the planning framework, not just at reporter level but at other levels. A serious discussion has to take place on the accessibility and transparency of our planning system, so that people who are directly affected can, without having to seek expensive advice, understand decisions that are taken. As Pam Gosal rightly said, such people feel that their voices are not being heard.

Daniel Johnson: Does Martin Whitfield share my reflection that, in a debate in which people have questioned whether the planning system gives confidence to investors and, at the same time, have said that it does not provide confidence to communities, one ends up asking who the planning system is for? It does not seem to be for anyone. Does he agree with that sentiment?

Martin Whitfield: Perhaps the planning system is for the Scottish Government rather than for any of the parties that Daniel Johnson mentioned.

I will comment on section 46(1) of the Town and Country Planning (Scotland) Act 1997 and the ministerial statement that was made in 2023. Ministers can call in applications when they consider that important issues are at stake that should be determined by them. Interestingly, in this case, the Minister for Public Finance stated:

"I have decided to recall the Lomond Banks appeal"—

the Flamingo Land appeal—

“as the proposed development raises issues of national significance in view of its potential impact on Loch Lomond and the Trossachs National Park”.

However, previously, the minister said that there were some “technical planning issues” and that there should be an “objective planning judgment”. The Scottish Government has to address the point that those are two contradictory statements. If the situation has changed since the initial statement was made, what has changed that has made the issue of national importance? I do not doubt that the issue is of national importance, as a lot of members have said, but that point needs to be picked up.

We need to remember that reporters are appointed by the Scottish Government—a reporter has looked at the issue—and that a Scottish Government minister, who was appointed by the First Minister, will now have to take the decision. Given the duplicity of that situation, there is a danger that people outside the Parliament will wonder whether a fair and transparent decision will be made.

In closing, I ask the minister a pragmatic question not about this individual proposal but about generic decisions that are taken by ministers when applications are called in: what test do ministers apply?

The Presiding Officer (Alison Johnstone): Before I call David Torrance, I note that we still have a little time in hand.

16:39

David Torrance (Kirkcaldy) (SNP): I welcome the opportunity to contribute to today’s debate on planning and to respond to the motion on the Lomond Banks development at Balloch. The proposal from Flamingo Land Ltd would undoubtedly bring a significant leisure and tourism development to Balloch but, although investment and tourism are always welcome, we have to ask ourselves what kind of development we want in our national parks and what we are willing to sacrifice in the process. Scotland’s planning system must balance development and investment with our commitments to leadership on the climate, biodiversity and the integrity of our natural environment.

Loch Lomond, which is the largest inland stretch of water in Great Britain by surface area, has long held a cherished place in the heart of Scotland’s natural and cultural heritage, and nowhere can that be seen more than in the loch’s immortalisation in the traditional Scottish ballad “The Bonnie Banks of Loch Lomond”—a poignant song that has become a proud symbol of Scottish identity worldwide.

The loch’s natural beauty is unparalleled. With more than 30 islands dotting its vast expanse and the majestic Ben Lomond rising from its eastern shore, the scenery captivates visitors all year round. Rich woodlands, tranquil waters and diverse wildlife create a haven for outdoor enthusiasts, nature lovers and artists. However, Loch Lomond’s importance goes beyond tourism and natural splendour. It embodies Scotland’s spirit: resilient, welcoming and proud.

It is fair to say that the proposed Lomond Banks development by Flamingo Land Ltd has drawn considerable public attention since the application was first submitted. Eliciting a record 155,000 objections that raised significant and wide-reaching concerns, it ignited a wave of concern that extends far beyond Scotland’s shores. Tens of thousands have spoken out—locals and environmentalists alike—all driven by a deep love for one of the most iconic landscapes in the world. Their voices all echoed the shared truth that Loch Lomond is much more than just a place; it is a symbol of natural beauty, heritage and national pride. This passionate response shows just how deeply people care and why the area must be safeguarded for future generations.

Although my constituency sits many miles from the banks of Loch Lomond, the response there has been just as ardent. I have received countless emails from constituents, which universally express outrage at and condemnation of the proposals. I strongly believe that the proposed development would be an overdevelopment of the site that would have a disproportionate impact on the landscape and the environment. There could be a sympathetic planning application that would lead to the restoration of the grade A-listed Woodbank house, which is a central feature of the site that is on the buildings at risk register, in addition to the reuse of other listed buildings on the site, but I do not believe that this is the application to do that.

I very much welcome yesterday’s announcement confirming that the appeal regarding the Lomond Banks proposal has been recalled by the Scottish ministers. It is our duty not merely to weigh the merits of the planning application in isolation but to consider its wider consequences for the natural world, future generations and Scotland’s national identity. It is vital that our planning system earns and keeps the public’s trust. People need to know that their views matter, that environmental concerns are being heard and that planning decisions are always fair, open and unbiased. Recalling the appeal is about ensuring exactly that.

The escalation to ministers for thorough reassessment will allow fresh consideration of environmental safeguards, flood risk management,

infrastructure capacity and community sentiment. Their engagement with statutory bodies, including SEPA, Loch Lomond and the Trossachs National Park Authority and local authorities, will ensure that every technical and local concern is rigorously evaluated.

We are here to support responsible development, we believe in sustainable tourism and we stand for a planning system that is built on fairness, justice and long-term care for our country. Recalling the Lomond Banks appeal reflects those values, and it shows that Scotland is serious about protecting our most iconic places and making the planning system work for people and nature.

The Presiding Officer: We move to the winding-up speeches.

16:43

Ross Greer: I said in my opening speech that one of the reasons why it was right to recall the application is the precedent that it sets for the whole planning system. I want to elaborate on that, because it is one of the key issues that ministers now need to consider.

The national park board cited two key grounds for refusal of the application: flood risk and net loss of nature and biodiversity. The protections in relation to both of those grounds were strengthened by this Parliament in NPF4 just two years ago, and the reporter's interpretation is simply not what the Parliament thought that it was voting for. On flood protection, if the reporter's interpretation was applied nationally as the precedent, it would in effect exempt vast amounts of land from those protections. That was not the Parliament's intention, and it was certainly not the national park's understanding of that part of the national planning framework.

NPF4 includes specific exemptions from flood protections for previously developed land, and exemptions in planning are narrow by default. The interpretation is the broadest possible interpretation of that particular exemption, and the reason is that part of the site had a railway line on it more than 40 years ago. As anyone who has been there knows—any local will certainly know this—it has been a park for decades. It is not developed land, and it is not land that we intended to exempt from the flood protections when the four specific exemptions were included in NPF4.

As part of the process, ministers will need to clarify how the exemptions from the flood protection provisions in the planning framework are to be used. Frankly, any field that has had a bus stop in it at any point in the past century could essentially have no protections from flooding.

On nature, we simply cannot compensate for the loss of ancient woodland. However, as Bob Doris laid out, the reporter granted the application on the basis that it is possible, at Drumkinnon wood, to compensate for the loss of ancient woodland elsewhere. The Woodland Trust, in both its written submission and its contribution to the hearing, spelled out in incredible detail why we simply cannot do that. By the very nature of ancient woodland, we cannot, for example, compensate for it with new plantings.

I ask ministers to ensure that, as part of their consideration of the application, they are inclusive of all the parties that have been involved in the process up to now. That is not something that the reporter did. The reporter was within their rights to look purely at written submissions and to do an individual or sole private site visit. However, they did not even speak to the national park's expert planning officers. I think that they badly misunderstood the incredibly valuable contribution that that expert team made, and I urge ministers to engage with that team in particular.

The community needs to be heard, too. It has attempted to develop alternatives for various parts of the site over the past decade, but it has essentially been locked out because Flamingo Land has an exclusive agreement with Scottish Enterprise for the whole site, apart from the parts that it already owns. I ask ministers to outline the process that they will take as soon as possible in order to give the community confidence.

It is not the case that we want to see no development whatsoever on the site. There should absolutely be redevelopment at Woodbank house, which is a grade A listed building, as David Torrance mentioned. It was only at the appeal stage, in Flamingo Land's written submission to the reporter, that we found out that redevelopment of Woodbank house was to be the last part of a 10-year construction process. Flamingo Land did not disclose that to the community or, as far as we are aware, to the national park authority when the application was initially considered. Members may call me cynical but, given the developer's behaviour so far, I sincerely doubt that it will ever get round to the redevelopment of Woodbank house, because it is not the part of the site that it would profit from the most. However, we want to see development at that particular part of the site.

On the other hand, there is simply no way to develop at scale on the west riverside. It is a flood plain and the ground is contaminated. Any work that could be done to compensate for the flood risk would resurface the contaminants, which are only 25cm below the surface, as Flamingo Land confirmed in its impact assessment.

The point about developing on some parts of the site but not all of it relates to Bob Doris's issue

with the local development plan and how out of date it is. The site should never have been packaged together as a single site for development. It is between two and five separate sites, which should have been considered individually, with different invitations being made to developers.

Before I close, I will touch on the economic issues that have been raised. We are not talking about an economic opportunity for the area; it is an opportunity for a private developer to extract wealth from the local area. The existing businesses in the area are overwhelmingly small businesses owned by local residents who reinvest their profits in the area. As Flamingo Land's economic impact assessments have shown over the past decade, it would put many of those businesses out of business. That would cost local jobs, and their profits would disappear from the community.

I am really proud of the save Loch Lomond campaign and everything that we have done to prevent Flamingo Land over the past decade. It has tried to drag things out and exhaust us, using its deep pockets, but the community has never given up. The stakes are simply too high. I ask ministers to listen to the people across the country, but especially the people in Balloch, who are demanding that they save Loch Lomond and end this saga.

The Presiding Officer: I call Craig Hoy. We have a little time in hand, so you have a very generous four minutes, Mr Hoy.

16:49

Craig Hoy (South Scotland) (Con): Thank you, Presiding Officer. Many residents of Loch Lomond and the Trossachs will have been watching this debate closely and with interest, albeit that it was usurped at the 11th hour by Ivan McKee yesterday. Mr McKee is not in the chamber today, but I see that the Minister for Employment and Investment is. I am used to looking over at the SNP front bench and seeing ministers looking embarrassed. Today, I saw ministers looking chastened, and rightly so, because they were going against the huge body of opinion, of residents and others, who had expressed that this was the wrong development in the wrong place.

Scotland's first national park, in Loch Lomond and the Trossachs, provides a wealth of space for outdoor pursuits and enjoyment of nature. It contributes hugely to Scotland's tourist economy. At the same time, it is home to around 15,000 people, many of whom live and work within the national park. I pay testament to them and I thank Jackie Baillie for securing this debate, because it gives us an opportunity to commend them for their

efforts. I also commend my colleague Pam Gosal, not only for her speech but for the work that she has done to oppose the project. Having worked with her for the past four years, I understand that it is better to be on the same side as her than to be against her, and I am glad that ministers have now seen that as well.

Although the plans to establish a Flamingo Land resort in the national park promised to bring some benefits such as job creation and some economic activity and growth, there have also been—quite rightly—numerous significant concerns, and they cannot and should not be ignored by ministers or the planning system. I am minded to recount that a representative of the Balloch and Haldane community council said that the proposals

“go against the very will of the people who live in the area.”

She also indicated that the development is unwanted and that it would create a “living hell” for locals. That was a living hell that ministers were willing to overlook right up to the point at which it was obvious that the Parliament was going to defeat them.

However, it was not only local residents who were against the development. As we have heard, the Loch Lomond and the Trossachs National Park Authority said that the plans created an unacceptable risk of flooding and the Government's environment agency, SEPA, warned that there were concerns about the irreversible loss of woodland. As members have mentioned, the national park authority rejected the proposals. More than 150,000 people lodged objections to them, warning that the entire vista of Loch Lomond would be negatively affected, which would in turn impact the scenery and increase traffic and could have the perverse effect of deterring environmentally friendly tourism. Those are all legitimate and reasonable concerns that the Government was apparently ready to set aside to allow the appeal to go ahead.

I recognise that it is vital that we develop the local economy, but we should also look at the figures. In 2022, visitor and tourism businesses in the national park generated nearly £450 million for the local economy. That is already a significant sum. The Government must ensure, for both this project and future ones, that it does not undermine such tourism numbers by developing projects that will deliver negative economic repercussions.

Graham Simpson (Central Scotland) (Con): Does Craig Hoy agree that it is troubling that we have a system whereby one person can overturn a democratic decision such as the one that was taken here or ones that are taken in councils, especially against such a weight of public opinion?

Craig Hoy: Absolutely. That speaks to the work that I and colleagues have been doing in relation

to the planning system, particularly in relation to large-scale energy development, where the voices of local people are often crowded out.

Until yesterday, it looked as if the Scottish Government's reporter was going to go against the will of local people and the concerns of experts and approve the plans. It is welcome that common sense has prevailed, but I echo Jackie Baillie and Pam Gosal in wondering what on earth it was that changed in ministers' heads—other than that they were about to be defeated in the chamber, as they will be in the next five or 10 minutes.

I am concerned that the Government is following a worrying pattern of ignoring the concerns of those who would be directly impacted by large-scale planning proposals, in pursuit of what can at times be read as agenda-backed plans. I welcome the fact that Ross Greer has been supportive of the efforts to campaign against the proposal and has, in many respects, helped to lead that campaign. However, if we listen to the residents in Loch Lomond, we should also listen to residents in the Scottish Borders and the north-east when they oppose large-scale energy developments that the Government insists it must push through in order to meet its net zero and energy targets.

For example, the Government recently gave consent to plans for the replacement of overhead power lines between Fort Augustus and Skye. Although that will bring greater connectivity, the opposition of local people appears to have been ignored, as were the objections from Highland Council.

Ross Greer: Will the member take an intervention?

Craig Hoy: I am afraid that I do not have time.

The Presiding Officer: Mr Hoy must conclude.

Craig Hoy: I welcome the fact that, in the case of the Galloway national park proposal, local opposition was taken on board, but ministers must ask why there was such a crucial failure in the consultation process, which lacked transparency and left many people in Dumfries and Galloway and Ayrshire in the dark and concerned about the proposal, which I am glad to say was rejected last week.

If the SNP learns anything from those examples, it ought to be that listening to local people—those who will be directly affected by developments—must now form a more intrinsic and influential part of the planning process.

On that basis, I am glad that the Government has called in the Flamingo Land application, but it must now reject the proposals. It must ensure that it brings common sense to the planning process; listens to the concerns of local people, not only in

this case but in others; and stops unwanted plans going ahead in Scotland's communities today.

The Presiding Officer: I call Tom Arthur. You have a generous five minutes, minister.

16:56

Tom Arthur: Presiding Officer, you will appreciate the need for me to keep my remarks brief, given that the motion that we are debating relates to a live planning case and in view of the need to respect the ministerial code and to avoid prejudicing future planning decisions.

The views that have been expressed today indicate that—

Jackie Baillie: Will the minister take an intervention on a factual point?

Tom Arthur: I am afraid that I will not. I set out my position in my opening remarks.

The views that have been expressed today indicate that there are strong views on the proposal. As I said in my opening remarks, planning is, by its nature, something that can attract strong views and in relation to which competing considerations must be balanced. I am fully aware that members across the chamber will regularly receive correspondence from constituents about planning cases and that the integrity of our planning system is of great importance to us all.

That is why it is vital that we maintain the integrity of our planning system by ensuring that decisions are taken in accordance with our policy and legislative frameworks, in the proper way. I have no doubt that members will note the decision by the Minister for Public Finance to recall the appeal, and I trust that members will now allow the minister the time and the space that he requires to make an informed and robust decision.

The Scottish ministers remain committed to the role and purpose of national parks in Scotland. Our national parks in Loch Lomond and the Trossachs and the Cairngorms bring significant economic, social and environmental benefits to their local areas and the communities within them.

However, I cannot comment further on the matter in the context of a live planning appeal.

The Presiding Officer: I call Daniel Johnson to wind up the debate.

16:57

Daniel Johnson (Edinburgh Southern) (Lab): Presiding Officer, I take it that I have a generous 12 minutes, thanks to the generosity of the minister.

In a sense, what we have just heard says it all. We have had no commentary on what has changed or why what has happened has happened, or on why, just two weeks ago, the planning minister said that the application would not be called in, that there was nothing to see here and that the development was going to go ahead, yet now it is not. There was not even the suggestion of a commentary on the SNP's own amendment—the minister did not mention it once.

So, I will say only this. I do not know about you, Presiding Officer, but, to me, "SNP planning policy" sounds like an oxymoron right now. We should not be surprised, because it comes from a Government that has brought us a few such phrases, including, "Ferries delivered on time and on budget", "NHS recovery plan", "Government transparency and data retention", and "Delivering a national care service". My current favourite phrase, which, if reports in the newspapers are to be believed, follows secretive meetings on Monday night and plots, is "John Swinney's continued and stable leadership of the SNP". That is a self-contradictory statement.

The fact of the matter is that the Government's decision is a panicked U-turn that has been forced on it because of imminent defeat in this Parliament.

Bob Doris: Will Daniel Johnson give way?

Daniel Johnson: I am happy to give way to Bob Doris. I was going to be very complimentary about him later on in my speech, so he might want to bear that in mind.

Bob Doris: I thank Daniel Johnson for giving way. Crikey—he might want to hold on a minute there.

Does Daniel Johnson not think that he has done a little bit of a disservice to the communities and campaigners who have fought against the application by overly politicising the issue? I am keen to hear from Daniel Johnson about the material considerations that will give the leverage for the matter to be dismissed by the Scottish Government and for the development not to proceed. I think that that is better than politicking.

Daniel Johnson: This is not politicking. If Bob Doris does not want to listen to me, maybe he should listen to one of his own esteemed colleagues:

"This issue has been handled in the most cack handed way possible by the Scottish government and is seriously damaging its credibility."

Those are not my words, but the words of Alex Neil—a former Scottish National Party minister, who was responsible for planning for the Scottish Government. If he is saying that, perhaps we need

to consider whether this has been cack-handed and has damaged the Government's credibility.

Let us take a moment and take a step back, because we do not need to be planning experts or intimately aware of the ins and outs of planning to wonder whether this is the right thing to do. This is Loch Lomond—a loch so bonnie that they created a song for it, and the place where we decided to create our first national park, in 2002. As to the thought that this is the place to create a theme park, Flamingo Land, with a private zoo operator and theme park operator, where they would create two hotels, 100 lodges and more than 300 parking places, in a national park designed to protect an area's natural heritage and beauty—come on. We do not need to think about that for too long to realise that there are things to see here, which is why we have heard many contributions setting out the length of time that this has taken and the saga that this has been, and asking how on earth we have got here.

My colleague Jackie Baillie set out in some detail the issues around flooding and road capacity. Believe me, you do not need to be local to know about the issues around the local roads. Many of us will have been stuck in traffic jams and gridlocks around Loch Lomond. The thought that we could install 100 additional lodges and the additional road requirement without batting an eyelid, with a couple of changes to a roundabout, is a nonsense. Then there is the loss of natural habitats and forests. This simply is not credible, and it should not have got this far before it was called into question.

The thought that a reporter—one person—can overturn a decision that was made unanimously by the park authority is also not credible. A number of contributors made that point.

Martin Whitfield: I also note that the reporter was appointed by the Scottish Government, which has now taken in this decision. The approach taken by the Scottish Government in tonight's debate may raise far more questions for people watching than it has in any way answered.

Daniel Johnson: Martin Whitfield is quite right. Planning decisions are important, and the minister has stood up and said that it is important that they have integrity and transparency—I believe that those are the words that he used. However, where is the transparency in what has just happened? What is the difference—

Finlay Carson: Will the member give way?

Daniel Johnson: I will complete this point.

What has changed in the past two weeks? To repeat the point that my friend raised earlier, what test will the Scottish ministers apply now that they have called it in? Ultimately, who will make the

decision? Which minister? Those are vital questions, and their answers would not prejudice the outcome of the decision. Transparency and integrity demand that the Government answer them, but we have had no answer at all from the Scottish Government.

Finlay Carson: When it comes to planning, transparency and confidence in this Government are completely out the window. There was overwhelming public opposition to a power line upgrade in Dumfries and Galloway, and the reporter suggested that it should not go ahead, because of the damage to the environment—yet this Government overturned that decision. There is no transparency whatsoever in the position that the Scottish Government takes regarding planning.

Daniel Johnson: Finlay Carson raises a good point. The issue is that we have to make some very difficult decisions. Indeed, the years to come will require even more difficult decisions. There is a real tension.

This is where I am going to be complimentary about Bob Doris, as I thought that some of the most interesting points were raised by Jamie Greene and Bob Doris. We need a planning system that maintains community confidence and whose decisions, when they are made, are robust and thorough and are made in a clear and efficient manner. The reality is that, for many communities, the planning system feels like a war of attrition. On the flipside, we need investment. Jamie Greene raised that difficult balance.

Of course, in order to get investment, we need a predictable planning system that produces clear results. This is a case study of a lack of such clarity, which does a disservice to communities and to the investment that we seek in our country. It is a bourach that was created by this Scottish Government, which has had 18 years to provide clarity in a planning system that enables the investment that we need in the future while protecting community interests. However, what we have in front of us—when it comes to both the materiality of the decision and the lack of clarity about why the Government has changed its mind—serves as a case in point about the problems that we have in our planning system overall.

Ross Greer made an excellent contribution both on the technical point and on this: the planning proposal has gone on for years; tens of thousands of people have written; there have been hundreds of thousands of objections; and one reporter has overturned all of that, summing up on highly dubious grounds in his interpretation of what the Parliament had passed.

The Government will vote for our motion today because it got it wrong.

The Presiding Officer: That concludes the debate on planning.

Business Motion

17:06

The Presiding Officer (Alison Johnstone):

The next item of business is consideration of business motion S6M-17894, in the name of Jamie Hepburn, on behalf of the Parliamentary Bureau, setting out a business programme.

Motion moved,

That the Parliament agrees—

(a) the following programme of business—

Tuesday 17 June 2025

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Ministerial Statement: Tackling Child Poverty Delivery Plan - Annual Progress Report 2024-25

followed by Ministerial Statement: Delivering Reform and Renewal for Health and Social Care

followed by Stage 3 Proceedings: Scottish Languages Bill

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

6.00 pm Decision Time

followed by Members' Business

Wednesday 18 June 2025

2.00 pm Parliamentary Bureau Motions

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

followed by Scottish Conservative and Unionist Party Business

followed by Business Motions

followed by Parliamentary Bureau Motions

followed by Approval of SSIs (if required)

5.10 pm Decision Time

followed by Members' Business

Thursday 19 June 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

followed by Portfolio Questions: Social Justice

followed by Ministerial Statement: A Public Services Reform Strategy for Scotland

followed by Scottish Government Debate: Progressing NACWG Recommendations on Equality

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

Tuesday 24 June 2025

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Stage 3 Proceedings: Education (Scotland) Bill

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

10.00 pm Decision Time

Wednesday 25 June 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 Stage 3 Debate: Education (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 26 June 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: Education and Skills

followed by Scottish Government Business

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 16 June 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

The Presiding Officer (Alison Johnstone):

The next item of business is consideration of Parliamentary Bureau motion S6M-17895, on approval of a Scottish statutory instrument. I ask Jamie Hepburn to move the motion on behalf of the Parliamentary Bureau.

Motion moved,

That the Parliament agrees that the Town and Country Planning (Marine Fish Farming) (Scotland) Amendment Order 2025 [draft] be approved.

17:06

Ariane Burgess (Highlands and Islands)

(Green): I acknowledge that we all share a common goal: to manage our marine environment in a way that is responsible, non-polluting and forward looking. The aquaculture sector is an important part of Scotland's economy, particularly in rural and coastal communities, and I support its development—but only when that is evidence led and environmentally sound.

I have serious reservations about approving this SSI today. Although I understand that the intention behind it is to clarify consenting powers, we cannot ignore its wider implications. This is a significant geographical and regulatory shift that risks getting ahead of the science and the processes that we need to support it, and it raises more questions than answers.

The Rural Affairs and Islands Committee was clear that any relocation of farms to more exposed or offshore locations must be based on a full understanding of environmental, animal welfare and social impacts. Concerns were raised about stronger tidal conditions, colder waters and more extreme weather, all of which could harm fish welfare and increase the risk of escapes. The committee called on the Scottish Government to commission new research and consider the development of dedicated research pens before taking such a step. I believe that the SSI moves ahead of any of the evidence on that. That is why I called for a pause to allow proper research, strategic planning and safeguards to catch up before further expansion proceeds.

Jamie Halcro Johnston (Highlands and Islands) (Con): The Scottish Conservatives, too, will be voting against the SSI. Does Ariane Burgess agree that these regulatory changes are premature and that we need to see the evidence first—as, I think, she hinted—so as not to replicate the inshore industry's issues offshore? As the Scottish Fishermen's Federation set out in its evidence to the committee, there has been no investigation into what impact extending the

boundaries will have on wild fish stocks and on migratory salmon.

Ariane Burgess: I agree with Jamie Halcro Johnston on the issues that he has raised.

The welfare of farm fish in offshore conditions is still largely unknown. As the Royal Society for the Prevention of Cruelty to Animals and others have highlighted, we do not yet understand how strong currents, wave heights or offshore husbandry practices affect fish health. That is not a minor detail; it goes to the heart of responsible aquaculture.

We also face a clear gap in regulatory oversight. Licences under the Scottish Environment Protection Agency's controlled activities regulations currently do not extend beyond 3 miles, which means that environmental monitoring of discharges and pollution risks falling through the cracks. That is not acceptable in relation to the marine environment, and it is not acceptable to communities that are being asked to trust the process.

Local authorities, too, are being asked to carry responsibilities that they are not yet resourced or equipped to deliver. Planning for offshore sites that are more complex, more technical and more interconnected with national priorities should not fall solely to overstretched councils. Even industry experts have acknowledged that that is a broader capacity issue. All of this comes in the same week as the United Nations ocean conference in Nice and the release of the film "Ocean", which reminds us of the global urgency to work with—not against—our seas.

I am not arguing against offshore aquaculture in principle; I am calling for a more joined-up, evidence-based and strategic approach that brings national oversight, robust science and proper resourcing together.

17:11

The Cabinet Secretary for Rural Affairs, Land Reform and Islands (Mairi Gougeon): Marine planning zones define the boundaries of designated planning authorities' responsibilities for planning controls of marine fish and shellfish farms in Scottish waters. The purpose of the order is to update existing marine planning zone boundaries to deliver on principles that were already established in the Town and Country Planning (Scotland) Act 1997.

In 2007, the definition of "development" in the Town and Country Planning (Scotland) Act 1997 was amended to include fish and shellfish farming out to 12 nautical miles, meaning that any proposed marine fish or shellfish farm that is located between 0 and 12 nautical miles requires

planning permission from a designated local planning authority. However, the Town and Country Planning (Marine Fish Farming) (Scotland) Order 2007 limited marine planning zone boundaries out to 3 nautical miles, primarily as a result of the extent of the powers that were used at the time to designate marine planning zones. In practice, that has resulted in a legislative gap, as there is no designated planning authority to which a developer may submit an application for a farm that is located between 3 and 12 nautical miles from the coast.

In recent years, there has been increasing interest from aquaculture businesses to move further from the coast into more dynamic regions of the marine environment, with developments in technology making farms in those regions feasible. Indeed, they have already allowed businesses to locate farms outside sheltered lochs in more exposed locations.

Finlay Carson (Galloway and West Dumfries)

(Con): It is important to understand that my colleagues and I believe that we need to push some fish farms further offshore to reduce their impact, but does the cabinet secretary appreciate that we want the industry to learn not from mistakes but from good practice? Putting the SSI in place is effectively putting the cart before the horse, and the Government runs the risk of making the same mistakes offshore as it did inshore.

Mairi Gougeon: I do not quite understand the member's point. If I may focus on the SSI, we are trying to close a gap in legislation, which I think is the perfectly right thing to do.

As I said, in recent years there has been increasing interest from aquaculture businesses to move further from the coast. The intention behind the order is therefore to create a consistent approach to the assessment of planning applications of any proposed development within the 0 to 12 nautical mile zone in Scotland by extending marine planning zone boundaries out to 12 nautical miles.

The provision supports the Scottish Government's commitment to clarify the consenting process for aquaculture development between 3 and 12 nautical miles, as set out in our programme for government. I am confident that the enactment of the provision will provide certainty to businesses and stimulate investment in Scotland, while offering reassurance to other stakeholders that the planning process for aquaculture is consistent and robust.

The Presiding Officer: The next item of business is consideration of six Parliamentary Bureau motions. I ask Jamie Hepburn, on behalf of the Parliamentary Bureau, to move motions

S6M-17896 and S6M-17897, on approval of SSIs; S6M-17898, on approval of a laid document; and S6M-17899, S6M-17900 and S6M-17901, on designation of lead committees.

Motions moved,

That the Parliament agrees that the Restitution Fund (Scotland) Order 2025 [draft] be approved.

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

That the Parliament agrees that the Scottish Public Services Ombudsman: Statement of Complaints Handling Principles (SPSO 2025/01) be approved.

That the Parliament agrees that the Rural Affairs and Islands Committee be designated as the lead committee in consideration of the Crofting and Scottish Land Court Bill at stage 1.

That the Parliament agrees that the Net Zero, Energy and Transport Committee be designated as the lead committee in consideration of the Ecocide (Scotland) Bill at stage 1.

That the Parliament agrees that the Standards, Procedures and Public Appointments Committee be designated as the lead committee in consideration of the Freedom of Information Reform (Scotland) Bill at stage 1.—
[*Jamie Hepburn*]

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

Decision Time

17:14

The Presiding Officer (Alison Johnstone):

There are eight questions to be put as a result of today's business. I remind members that if the amendment in the name of Neil Gray is agreed to, the amendment in the name of Sandesh Gulhane will fall.

The first question is, that amendment S6M-17869.2, in the name of Neil Gray, which seeks to amend motion S6M-17869, in the name of Jackie Baillie, on addressing Scotland's medical and nursing workforce crisis, 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.

17:15

Meeting suspended.

17:17

On resuming—

The Presiding Officer: I remind members that if the amendment in the name of Neil Gray is agreed to, the amendment in the name of Sandesh Gulhane will fall.

We come to the vote on amendment S6M-17869.2, in the name of Neil Gray, which seeks to amend motion S6M-17869, in the name of Jackie Baillie, on addressing Scotland's medical and nursing workforce crisis. Members should cast their votes now.

For

Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)

Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)
 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, 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)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 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)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Greene, Jamie (West Scotland) (LD)
 Griffin, Mark (Central Scotland) (Lab)

Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)

The Presiding Officer: The result of the division on amendment S6M-17869.2, in the name of Neil Gray, is: For 65, Against 53, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The next question is, that motion S6M-17869, in the name of Jackie Baillie, on addressing Scotland's medical and nursing workforce crisis, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)

Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)
 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, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 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)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Greene, Jamie (West Scotland) (LD)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)

Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McLennan, Paul (East Lothian) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)

The Presiding Officer: The result of the division on motion S6M-17869, in the name of Jackie Baillie, on addressing Scotland's medical and nursing workforce crisis, as amended, is: For 62, Against 53, Abstentions 0.

Motion, as amended, agreed to,

That the Parliament acknowledges the challenges facing the NHS and the critical contribution of its workforce; thanks the dedicated NHS staff for their hard work and professionalism in times of enormous pressure; notes with concern that too many people are waiting too long for treatment and welcomes, therefore, additional funding to reduce patient waits and deliver 150,000 extra appointments and procedures in 2025; acknowledges the challenges in primary care and community health settings, where too many people face difficulties making a GP appointment; recognises the calls for greater workforce planning to account for the changing landscape of delivering healthcare, building on historically high levels of staffing; notes the Scottish Government's commitment to develop future workforce planning in response to the forthcoming population health and service renewal frameworks; believes that it is important that this work is informed by doctors working in the NHS through the Future Medical Workforce project, which will report on the planned dialogue, alongside an analysis of workforce demand and supply, by the end of 2025, while continuing with implementation of the Nursing and Midwifery Taskforce over the course of the year, and regrets deeply the UK Labour administration's reckless decision to close the health and care worker visa to adult social care, which will lead to acute workforce challenges and the closure of services, and have a devastating impact on both those receiving care and staff providing care.

The Presiding Officer: The next question is, that amendment S6M-17862.1, in the name of Tom Arthur, which seeks to amend motion S6M-17862, in the name of Jackie Baillie, on planning, be agreed to.

Amendment agreed to.

The Presiding Officer: The next question is, that amendment S6M-17862.2, in the name of Ross Greer, which seeks to amend motion S6M-17862, in the name of Jackie Baillie, on planning, be agreed to.

Amendment agreed to.

The Presiding Officer: The next question is, that motion S6M-17862, in the name of Jackie Baillie, on planning, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast]

by Ross Greer]

Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Marra, Michael (North East Scotland) (Lab)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 O'Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Slater, Lorna (Lothian) (Green)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Thomson, Michelle (Falkirk East) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Constance, Angela (Almond Valley) (SNP)

Abstentions

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 McAllan, Màiri (Clydesdale) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)

The Presiding Officer: The result of the division on motion S6M-17862, in the name of Jackie Baillie, on planning, as amended, is: For 91, Against 1, Abstentions 21.

Motion, as amended, agreed to,

That the Parliament agrees that the Lomond Banks planning application for a development at Balloch should be called in for determination by the Scottish Ministers; that any subsequent decision on the planning application should be made in a fair and impartial way that takes into account all relevant legal requirements and maintains the integrity of the planning process; believes that the significant public interest in this application and its location within a national park make it a matter of national interest, and asks that ministers assess the application's compatibility with National Planning Framework 4, as approved by the Parliament in 2023, and with the statutory aims of the national park.

The Presiding Officer: The next question is, that motion S6M-17895, in the name of Jamie Hepburn, on behalf of the Parliamentary Bureau, on approval of a Scottish statutory instrument, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Siobhian (Ayr) (SNP)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)

Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 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]
 Marra, Michael (North East Scotland) (Lab)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 O'Kane, Paul (West Scotland) (Lab)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Con)
 Briggs, Miles (Lothian) (Con)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Maggie (North East Scotland) (Green)
 Dowey, Sharon (South 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)
 Greer, Ross (West Scotland) (Green)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast

by Ross Greer]
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Simpson, Graham (Central Scotland) (Con)
 Slater, Lorna (Lothian) (Green)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)

The Presiding Officer: The result of the division on motion S6M-17895, in the name of Jamie Hepburn, on behalf of the Parliamentary Bureau, on approval of a Scottish statutory instrument, is: For 85, Against 32, Abstentions 0.

Motion agreed to,

That the Parliament agrees that the Town and Country Planning (Marine Fish Farming) (Scotland) Amendment Order 2025 [draft] be approved.

The Presiding Officer: Unless any member objects, I propose to ask a single question on six Parliamentary Bureau motions.

As no member objects, the final question is, that motions S6M-17896 and S6M-17897, on approval of Scottish statutory instruments; motion S6M-17898, on approval of a laid document; and motions S6M-17899, S6M-17900 and S6M-17901, on designation of a lead committee, in the name of Jamie Hepburn, on behalf of the Parliamentary Bureau, be agreed to.

Motions agreed to,

That the Parliament agrees that the Restitution Fund (Scotland) Order 2025 [draft] be approved.

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

That the Parliament agrees that the Scottish Public Services Ombudsman: Statement of Complaints Handling Principles (SPSO 2025/01) be approved.

That the Parliament agrees that the Rural Affairs and Islands Committee be designated as the lead committee in consideration of the Crofting and Scottish Land Court Bill at stage 1.

That the Parliament agrees that the Net Zero, Energy and Transport Committee be designated as the lead committee in consideration of the Ecocide (Scotland) Bill at stage 1.

That the Parliament agrees that the Standards, Procedures and Public Appointments Committee be designated as the lead committee in consideration of the Freedom of Information Reform (Scotland) Bill at stage 1.

The Presiding Officer: That concludes decision time.

Scottish Law Commission (60th Anniversary)

The Deputy Presiding Officer (Annabelle Ewing): The final item of business is a members' business debate on motion S6M-17249, in the name of Stuart McMillan, on the 60th anniversary of the Scottish Law Commission. The debate will be concluded without any question being put.

Motion debated,

That the Parliament congratulates all of the commissioners and staff of the Scottish Law Commission, past and present, on its 60th anniversary; notes that the Commission was established under the Law Commissions Act 1965, and that the Commission is Scotland's law reform body tasked with recommending reforms to simplify, modernise and improve Scots law; considers that outdated or complex laws can be inefficient, and do not serve the interests of the public or justice well; recognises that the Commission provides independent advice to the Scottish Government, often examining entire areas of law and making recommendations; notes that the Commission's work has led to a number of bills in the Scottish Parliament, including reforms abolishing feudal tenure and protecting adults incapable of managing their affairs; values the contribution of the Commission over the last 60 years, and notes that, since 2013, part of the Delegated Powers and Law Reform Committee's remit has been to scrutinise certain Scottish Law Commission Bills that comply with the Scottish Parliament's Standing Orders Rule 9.17A and the associated criteria determined by the Presiding Officer, with the Committee leading on four such bills so far in Session 6.

17:27

Stuart McMillan (Greenock and Inverclyde) (SNP): It is my great pleasure to open the debate, and I thank colleagues who signed the motion and those who will speak in the debate. I also welcome the commissioners and staff of the Scottish Law Commission who are in the public gallery. In particular, I acknowledge Lady Paton, the chair of the Scottish Law Commission.

I lodged the motion as a member but, as colleagues will know, I convene the Delegated Powers and Law Reform Committee. I think that it is fair to say that we have greatly enjoyed our engagement with the Scottish Law Commission during this parliamentary session and in the previous session. I am sure that the committee's former convener, Graham Simpson, will also acknowledge that in his comments.

Folk in the chamber will know that, within the past year or so, the Law Commission has moved its offices in Edinburgh from Causewayside up to Parliament house. It is very nice to welcome the commissioners and staff to the Scottish Parliament and to the public gallery.

I also welcome Michael Clancy from the Law Society of Scotland, who is also in the public

gallery. With regard to today's debate, he sent me an email at the beginning of the week that said that the Law Society

"congratulates the Scottish Law Commission on achieving such a milestone and also on all its significant work to reform the law of Scotland for the improvement of the lives of people in Scotland."

I thought that it would be useful to put that on the record, and I am sure that colleagues from the Scottish Law Commission will be pleased with those comments.

Today, we mark a significant milestone: 60 years since the Scottish Law Commission was established under the Law Commissions Act 1965. As Scotland's law reform body, the commission's mission, which is to simplify, modernise and improve Scots law, is essential. Outdated or unnecessarily complex laws lead to inefficiency, injustice and a legal system that does not serve the needs of ordinary people. The commission has continuously worked to address those challenges.

As members will know, the commission operates through five-year work programmes that are approved by Scottish ministers. Those are informed by judges, lawyers, Government departments, interest groups and the general public. It is a collaborative effort that ensures that Scots law remains fit for purpose and is brought up to date.

The Government can refer areas of work for review, and projects can be undertaken jointly with the Law Commission for England and Wales and the Northern Ireland Law Commission, such as the recent work on self-driving cars, which culminated in the Automated Vehicles Act 2024. Since 2013, part of the Delegated Powers and Law Reform Committee's remit has been to scrutinise specific Scottish Law Commission bills that comply with parliamentary rules. So far this session, we have led scrutiny on four such bills, and we anticipate a fifth before the end of the session: a bill on contracts, as announced in the programme for government. The committee has consistently been impressed by the commission's diligence, research and consultative approach, notwithstanding some of our helpful recommendations in our stage 1 reports.

The commission's proposals are thorough, thoughtful and widely supported by legal stakeholders. Crucially, the commission does not have a party-political stance. The Delegated Powers and Law Reform Committee is very much a non-party-political committee, which cannot be said for all committees in the Parliament. I am pleased that members of the committee tend to approach the activities that we undertake without a party-political bias.

Recent SLC bills that have been scrutinised by the committee and that are now law include the Moveable Transactions (Scotland) Bill, which was about improving access to secured lending; the Trusts and Succession (Scotland) Bill, which updated key legislation dating back to 1921; and the Judicial Factors (Scotland) Bill, which modernised Victorian-era law. In addition, the Leases (Automatic Continuation etc) (Scotland) Bill is currently under review, and our committee recently signed off our stage 1 report on it.

Although some of those bills are technical in nature, their real-world impacts should not be understated. The Moveable Transactions (Scotland) Bill was one bill that people in the legal fraternity were quite happy to talk to me about at various events in the Parliament that I attended over the years. They knew how important that legislation was and how it affected business operations. Likewise, succession law reform touches the lives of many, as it governs the distribution of estates after death.

Beyond technical updates, the commission's work has shaped areas such as family law and defamation, contributing to fundamental legal improvements for the public. The high rate of implementation is testament to the commission's ability to drive positive change through consensus and diligent research. This Friday, 13 June 2025, the commission will hold a conference at the University of Edinburgh, reflecting on "Law Reform: Shaping Society?" The keynote speaker, Lord Hodge, deputy president of the Supreme Court of the United Kingdom, will be joined by Lady Wise, Dr Alisdair MacPherson, Professor James Lee and many other esteemed guests. I am sure that all of us in the chamber wish to extend our thanks to them. I hope that the event on Friday is a great success, and we can look forward to discussions on how legal reform continues to improve and shape our society. I am sure that we—certainly the Delegated Powers and Law Reform Committee, but the Parliament as a whole—will have feedback from the event.

I express my gratitude to the Scottish Law Commission's past and present members for their contribution to Scots law over six decades. Their work ensures that our legal framework evolves to meet modern needs and remains efficient, fair and just.

The Deputy Presiding Officer: We now move to the open debate. I call Christine Grahame.

17:34

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): Oh! You have caught me on the hop, Presiding Officer—not for the first time.

"What on earth is the Scottish Law Commission?" I hear you ask—or perhaps not. I say that even knowing that commissioners and staff are in the public gallery. Is that a brave or a foolhardy move? I leave that to the jury.

As for Michael Clancy, we go back a long way, especially as I twice convened the Justice Committee—I will leave it at that; my lips are sealed.

Quietly and effectively in the background, understated to the point of invisibility—that is a compliment—the Scottish Law Commission recommends reforms to improve, simplify and update the law of Scotland. It constantly keeps its eye open to the development of the law and ensures that it keeps pace with changes in the way that we live and work.

Outdated or unnecessarily complex law makes for injustice and inefficiency and leads to law being out of step—or even being bad law—instead of fulfilling the needs of ordinary people. That is bang on.

The Scottish Law Commission offers the Scottish Government independent—I stress the word "independent"—advice on law reform. Public consultation is an essential step in the process to ensure that the recommendations are workable and acceptable. For example, as we have heard, the Scottish Parliament has passed legislation to implement the commission's recommendations on the abolition of feudal tenure of land and on the protection of the rights and interests of adults who are incapable of managing their own affairs.

The commission has issued reports over many decades, such as the report in 2000 on real burdens. In 2010, the commission established links with the Malawi Law Commission, and, in 2020, it conducted a review of cohabitation law. In addition, the commission ran a social media campaign entitled, "60 bills for 60 years"—I do not know whether it deliberately made sure that it had one for every year, but that is how it has worked out.

The Scottish Law Commission must be distinguished from the Law Society of Scotland, the professional body for more than 13,000 Scottish solicitors, which was established in 1949. It aims to be

"a world-class professional body, understanding and serving the needs of its members and the public."

I took that straight from the society's website, so I am not making any comment about it.

The Scottish Law Commission is completely different from that. Quietly working off stage, in the wings, out of the spotlight of political dramas, the commission is invaluable in seeking out solutions to changing legal requirements, casting its

collective beady eye over Scottish Government-proposed changes in the law or, indeed, suggesting changes that the Government ought to be considering—or not considering, as the case may be.

Politicians are often in too much of a hurry, driven by tabloid headlines and public clamour—of course, I exclude myself from that; my deliberations are measured. In contrast, the Scottish Law Commission, with its expertise, takes its time. Although it is ultimately the politicians who decide what form laws are to take, it is wise for the Scottish Government and, indeed, the United Kingdom Government to pay heed to the Scottish Law Commission's comments.

On its 60th anniversary, I hope that I have helped to publicise the real, in-depth significance of the Scottish Law Commission to Scotland's everyday life. I hope that I have also made it sound a wee bit sexy.

17:38

Graham Simpson (Central Scotland) (Con): I am not sure that I can be as sexy as that.

I congratulate Stuart McMillan on securing the debate. It would be remiss of the convener of the Delegated Powers and Law Reform Committee not to congratulate the Scottish Law Commission on reaching the age of 60. As a former convener of that committee, and as someone who is around the same age as the commission, I had to add my voice to Mr McMillan's.

It has been my pleasure to visit the commission—although I have not yet been to its new offices; perhaps there will be an invite—to chat to the commissioners and to meet the current chair, Lady Paton. It is good to see them all here today.

I want to mention a couple of pieces of work of the commission. One is current and one is past. The current one, which shows that we can achieve things in this Parliament if we work together and engage with the Government, is the work that the commission is doing on tenement law. That directly followed on from a report that was produced by the cross-party working group on tenement maintenance. The group was established in 2018, with Ben Macpherson as its first chair—I took over when he, justifiably, became a minister. We produced a series of recommendations for the Government, including a requirement for tenements to be subject to a building condition inspection every five years, the establishment of compulsory owners associations and the establishment of building reserve funds.

The Law Commission was tasked by the Government with looking at the owners

association issue. It has been working on that since 2022, and it hopes to be in a position in the future to provide the Government with a report detailing its recommendations and to produce a draft bill by the spring of next year. I thank Professor Frankie McCarthy, who is leading on that, and her small team for their diligent work and for keeping us informed. It is likely that, by the time we see legislation, it will have been 10 years, spanning three parliamentary sessions, since MSPs first got together to tackle the issue, and that is a frustration.

I have also been involved in scrutinising Law Commission bills on judicial factors, moveable transactions and prescription and title to moveable property. However, I finish by mentioning an important piece of work that I was not in Parliament to work on but in which I had a small part, and that is the work that led to the Double Jeopardy (Scotland) Act 2011.

For those who do not know, the 2011 act means that people can now be retried in Scotland for serious offences for which they have been cleared, if new and compelling evidence—such as DNA evidence—is found. The matter was raised in the Scottish Parliament by Annabel Goldie after a speech that I made at a party policy conference, in which I told how the man who was accused of killing my sister in England could be retried because the law there allowed it, but the law in Scotland, where she was born, would not. New evidence was found in that case, and he was retried and is still behind bars. I am pleased that the 2011 act has been used in Scotland.

The Law Commission deals with difficult areas of the law. Its work is vital, and we should all be thankful to the current commissioners and to those who have gone before. I will not be around—I am afraid to say—in another 60 years, but I very much hope that the 2085 version of Stuart McMillan will lodge a similar motion for a debate in the Parliament to celebrate the Law Commission's 120th anniversary.

17:42

Rhoda Grant (Highlands and Islands) (Lab): I congratulate Stuart McMillan on securing the debate and congratulate the Scottish Law Commission, its staff and its commissioners on its 60th anniversary. I, too, welcome Michael Clancy to the gallery—he has provided a lot of really good advice to members of this Parliament for many years.

The Scottish Law Commission's work is valuable, taking ancient legislation and updating it so that it is fit for modern circumstances. The commission builds trust not only across the Parliament but across society, because it does not

have a political axe to grind; it is independent of Government. Its sole purpose is to have good law. The law is there to serve the people, but it needs to make sense in the modern age, and it needs to be transparent and understandable for people.

The motion highlights some of the Scottish Law Commission's work, but there is much more that it has done. Many of its interventions relate to property and contract law that was drawn up many decades ago and needed to be modernised to reflect current practices. For example, the Succession (Scotland) Act 2016, which was based on a proposal from the commission, simplified inheritance rules.

The Scottish Law Commission works to ensure that the law keeps pace with modern innovations. Case law can interpret to an extent, but we should have law that is clear and fit for purpose. There are aspects of law that are so old that they have fallen out of use but are still on the statute book, and laws that have been adapted through case-law interpretation of modern circumstances. All those things need to be dealt with, and the law amended. The commission's work deals with those aspects, making the law clear and accessible to everybody.

A large number of commission reports have not yet been actioned. That has been an issue for many years, and we need to find a way of tackling all those reports, because they have a purpose. They might not have political impetus, but they will provide a valuable service to the Scottish people. Sometimes, those niggly issues make life hard for people and use up their resources and energy, but they are not headline grabbing, because they might not have an impact on many people. For example, the Succession (Scotland) Act 2016 simplified inheritance rules, which was very important to people.

Those issues are, as I said, never headline grabbing, and they do not find their way into manifestos, but they are essential to good governance. I wonder how we might bring forward those issues. In the Scottish Parliament, committees can introduce legislation, but that process has been used on only a small number of occasions. Perhaps the Delegated Powers and Law Reform Committee could have a role in introducing some of the Scottish Law Commission reports as legislation in the future—that might be an issue for the next session of Parliament.

The debate not only gives us an opportunity to pay tribute to the Scottish Law Commission's work; it provides us with an opportunity to explore solutions to ensure that its work reaches fruition, thereby allowing the Scottish people to see, and experience in practice, the benefit of its work.

17:46

Maggie Chapman (North East Scotland) (Green): I thank Stuart McMillan for securing the debate, and I am grateful to have the opportunity to add the voice of the Scottish Greens to the shared congratulations to the Scottish Law Commission on its 60th anniversary.

As Stuart McMillan outlined, the SLC has undertaken, and continues to undertake, vital work to ensure that our law is fit for purpose and that it serves the interests of both the public and our justice system.

It is perhaps no great surprise to learn that the establishment of the Scottish Law Commission was an afterthought; it was only included once the plans of Harold Wilson's Labour Government for a law commission for England and Wales were well under way. We in Scotland are used to that, however, and our commission, despite struggles to obtain the resources and staffing that it needs, has carried out hugely valuable work, quietly and without fuss or fanfare. It well deserves its 60th birthday wishes.

I believe that the Scottish Law Commission enhances our collective life in three principal ways. First, it recognises and continues Scotland's distinctive legal tradition. That tradition is rightly celebrated as a unique combination of elements, representing our connections to the classical world, to European perspectives and to local histories, relationships, rights and responsibilities. In the early years of the two law commissions, there were suggestions that cross-border consolidation might ensue, with the formulation of a so-called British law. That was resisted—rightly, I believe—although there has, of course, been ongoing and positive engagement between the two bodies.

Secondly, the commission enables the law to develop in ways that build and support our shared wellbeing. Legal systems have traditionally been constructed in order to protect and give legitimacy to social hierarchies, patriarchal privilege, the accumulation of private property and the exclusion of dissent, but they do not have to do that. Law can be a means of liberation in place of oppression.

Stuart McMillan's motion refers to two examples of exactly how the Scottish Law Commission has facilitated that movement of progress, through the abolition of feudal tenure and the protection of vulnerable people. We could add many other examples, including the introduction of no-fault divorce in 1976 and the Legitimation (Scotland) Act 1986. Recently, we have seen the commission undertake valuable work on issues including remedies for domestic abuse, surrogacy and cohabitation breakdown.

Finally, the work of the Scottish Law Commission helps us to build a secure foundation for law and justice for the independent Scotland to which so many of us aspire. When we get there, we will begin not with a blank slate, nor merely with the legacy of Westminster, but with our own tradition, informed and expanded by our values, our priorities and our vision.

When we are able to make all our own decisions, and to make justice real in all those areas that are currently denied to us, we will need the wisdom and expertise of the Scottish Law Commission to guide us on the path forward. This evening, we gather to thank the current commission for its work, to remember the past 60 years of valuable contributions and to acknowledge that, although so much of that valuable work goes unnoticed, it is not unappreciated. We value and appreciate it, and I reiterate our congratulations and good wishes to the commission.

The Deputy Presiding Officer: I call the minister to respond to the debate.

17:50

The Minister for Victims and Community Safety (Siobhian Brown): I thank Stuart McMillan for securing this important debate to mark the extensive work of the Scottish Law Commission over the past 60 years. The Scottish Government supports the motion and associates itself with members' warm and positive words. I am delighted that the chair of the SLC, Lady Paton, is here, along with a number of other commission members, to hear in person what has been said. I give a very warm welcome to them and to Michael Clancy from the Law Society of Scotland.

As we all know, on the 15 June, it will be 60 years since the Scottish Law Commission came into existence under the Law Commissions Act 1965. The act was introduced to Parliament on 20 January 1965, received its second reading on 8 February and gained royal assent on 15 June—a remarkably fast passage for a bill, which is something that I am sure that we all aspire to in respect of Scottish Law Commission bills, too.

The commission is now delivering its 11th programme of law reform, and, over the past 60 years, it has examined around 30 broad areas of Scots law. In addition, it has worked with its counterparts in England and Wales to examine a range of reserved areas of law, including insurance, surrogacy and automated vehicles. As part of its duties under the 1965 act, the commission also continues to examine the law for anomalies or defects that appear to it to call for changes to the law. It has also carried out extensive and detailed but essential work on

statute law revision and on the consolidation of Scots law.

After only its first year, the commission concluded that one of the requirements should be that, as far as possible, its work should be

“intelligible and acceptable to the general public, in whose interests, fundamentally, all its work is done.”

It was as important then as it is now that the public are aware that recommendations of an apparently technical or even abstract nature will, if adopted, have the effect of improving and modernising the law in such a way as to directly affect them. That theme has been very much sustained, and it is no coincidence that the title of the conference that the commission is holding to mark its 60th anniversary is “Law Reform: Shaping Society?” Ensuring that Scots law effectively meets society's needs has always been at the heart of the commission's work.

Clearly, the Scottish Law commission does not operate in a vacuum or an ivory tower. There would be little point in expert commissioners taking the time to carry out detailed, thorough and thoughtful work that results in recommendations if those recommendations were not then given careful consideration and taken forward. Implementation of law reform is a challenge that many jurisdictions face, and I was interested to hear that, at this year's Commonwealth Association of Law Reform Agencies conference, which was held in Malta in April, Lady Paton delivered, remotely, a reflection on the commission at 60 years in which she spoke about the collaboration and focus that are needed to ensure that recommended law reform happens.

As is noted in the motion, in May 2013, the Parliament agreed a change in standing orders to allow certain SLC-derived bills to be considered by the Delegated Powers and Law Reform Committee. That change was intended to improve the implementation rate of SLC bills by ensuring that the workload of the Justice Committee, and its successor committees, within whose remit SLC bills invariably fall, would be less of a blockage to delivery.

The work to improve the implementation rate did not stop there. In May 2019, the DPLR Committee agreed to the remit of a working group to review the Presiding Officer's criteria for designating bills as Scottish Law Commission bills that may be referred to the committee for scrutiny. The working group comprised officials from the Scottish Government, the Scottish Law Commission and the Scottish Parliament, and it was a great example of collaborative working with a clear goal. It made important recommendations on what further steps it might be appropriate to take to improve implementation.

On Rhoda Grant's points about implementation, there are sometimes good reasons for not progressing something. For example, there has been a shift in societal expectations as a result of the removal of the time bar for victims of historical childhood sexual abuse. In other cases, a different policy approach might be developed—for example in relation to adults with incapacity. That speaks to the independent status of the Scottish Law Commission and its relationship with the Government. In addition, not all reports are for the Scottish Government to implement; some sit with the United Kingdom Government. The most recent examples of such reports related to surrogacy, electoral law and automated vehicles. Therefore, the implementation rate is good, but it is important to note that, over the past 10 years, we have been getting significantly better at implementation. In this parliamentary session, commission bills will account for around 9 per cent of the legislation that has gone through the Parliament.

I wish to place on record my thanks to the Scottish Law Commission for its sterling work over the past 60 years. Its work has transformed, through law reform, the lives of individuals and the operations of businesses across Scotland. I am sure that the commission will continue its excellent work for the next 60 years.

The Deputy Presiding Officer: Thank you, minister. That concludes the debate.

Meeting closed at 17:56.

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

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

All documents are available on
the Scottish Parliament website at:

www.parliament.scot

Information on non-endorsed print suppliers
is available here:

www.parliament.scot/documents

For information on the Scottish Parliament contact
Public Information on:

Telephone: 0131 348 5000

Textphone: 0800 092 7100

Email: sp.info@parliament.scot



The Scottish Parliament
Pàrlamaid na h-Alba