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Thursday 30 October 2025

CONTENTS

	Col.
GENERAL QUESTION TIME	1
Scottish Fire and Rescue Service (Modernisation)	1
NHS Boards (Winter Resilience)	2
Scottish Fire and Rescue Service (Service Delivery Review).....	4
Social Care (Fife).....	5
NHS Greater Glasgow and Clyde.....	6
Creative Scotland (Funding Awards).....	7
Local Cultural Activities and Festivals	8
FIRST MINISTER'S QUESTION TIME	10
Justice System.....	10
Justice System.....	12
Wealth Taxes.....	16
Fishing and Coastal Growth Fund	18
Babcock (Fife).....	19
McCloud Judgment.....	21
Fireworks and Pyrotechnic Articles (Scotland) Act 2022.....	22
Nuclear Waste (Dounreay)	24
Vandalism Charges (For Women Scotland).....	25
Family Protection Plan (Maiden Life).....	25
National Health Service (Investment).....	26
Offshore Wind Park (Community Representation)	26
Sheku Bayoh Inquiry	27
POINT OF ORDER	28
BANK CLOSURES	29
<i>Motion debated—[Craig Hoy].</i>	
Craig Hoy (South Scotland) (Con).....	29
Jamie Hepburn (Cumbernauld and Kilsyth) (SNP).....	32
Liam Kerr (North East Scotland) (Con).....	33
Davy Russell (Hamilton, Larkhall and Stonehouse) (Lab)	35
Tim Eagle (Highlands and Islands) (Con)	36
Paul McLennan (East Lothian) (SNP)	37
Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con)	39
Kenneth Gibson (Cunninghame North) (SNP)	40
Jamie Halcro Johnston (Highlands and Islands) (Con).....	42
Meghan Gallacher (Central Scotland) (Con).....	44
The Minister for Business and Employment (Richard Lochhead).....	45
BUSINESS MOTIONS	49
<i>Motions moved—[Martin Whitfield]—and agreed to.</i>	
Douglas Ross (Highlands and Islands) (Con)	51
Martin Whitfield (South Scotland) (Lab)	52
PARLIAMENTARY BUREAU MOTIONS	55
<i>Motions moved—[Martin Whitfield]—and agreed to.</i>	
Graham Simpson (Central Scotland) (Reform)	55
PORTFOLIO QUESTION TIME	58
CLIMATE ACTION AND ENERGY, AND TRANSPORT	58
Glasgow to Kilmarnock Rail Service.....	58
Ardrossan Harbour	59
Rural Community Transport	61
Moray Firth FLOW-Park	61
Wildfire Summit.....	63
2026 Commonwealth Games (Public Transport)	64
Energy Infrastructure Projects (Objections)	65
NATURAL ENVIRONMENT (SCOTLAND) BILL: STAGE 1	67
<i>Motion moved—[Gillian Martin].</i>	

The Cabinet Secretary for Climate Action and Energy (Gillian Martin)	67
Finlay Carson (Galloway and West Dumfries) (Con)	71
Tim Eagle (Highlands and Islands) (Con)	73
Sarah Boyack (Lothian) (Lab).....	76
Mark Ruskell (Mid Scotland and Fife) (Green)	79
Beatrice Wishart (Shetland Islands) (LD)	81
Alasdair Allan (Na h-Eileanan an Iar) (SNP)	83
Jamie Halcro Johnston (Highlands and Islands) (Con)	85
Emma Harper (South Scotland) (SNP)	88
Rhoda Grant (Highlands and Islands) (Lab).....	91
Evelyn Tweed (Stirling) (SNP).....	93
Jackie Dunbar (Aberdeen Donside) (SNP)	95
Lorna Slater (Lothian) (Green)	97
Mercedes Villalba (North East Scotland) (Lab)	99
Maurice Golden (North East Scotland) (Con).....	101
The Minister for Agriculture and Connectivity (Jim Fairlie).....	104
NATURAL ENVIRONMENT (SCOTLAND) BILL: FINANCIAL RESOLUTION	109
<i>Motion moved—[Gillian Martin].</i>	
PLANNING AND INFRASTRUCTURE BILL	110
<i>Motion moved—[Gillian Martin].</i>	
The Cabinet Secretary for Climate Action and Energy (Gillian Martin)	110
Edward Mountain (Highlands and Islands) (Con).....	112
Sarah Boyack (Lothian) (Lab).....	113
Gillian Martin	115
ASSISTED DYING FOR TERMINALLY ILL ADULTS (SCOTLAND) BILL: FINANCIAL RESOLUTION	116
<i>Motion moved—[Neil Gray].</i>	
Pam Duncan-Glancy (Glasgow) (Lab).....	116
Rona Mackay (Strathkelvin and Bearsden) (SNP)	117
Bob Doris (Glasgow Maryhill and Springburn) (SNP)	118
Douglas Ross (Highlands and Islands) (Con)	120
Carol Mochan (South Scotland) (Lab).....	122
Edward Mountain (Highlands and Islands) (Con).....	122
The Cabinet Secretary for Health and Social Care (Neil Gray).....	123
DECISION TIME	125
CHOLANGIOCARCINOMA	129
<i>Motion debated—[Marie McNair].</i>	
Marie McNair (Clydebank and Milngavie) (SNP).....	129
Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP).....	132
Sandesh Gulhane (Glasgow) (Con)	133
Carol Mochan (South Scotland) (Lab)	135
Jeremy Balfour (Lothian) (Ind).....	136
Jackie Dunbar (Aberdeen Donside) (SNP)	137
The Minister for Public Health and Women’s Health (Jenni Minto).....	138

Scottish Parliament

Thursday 30 October 2025

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

General Question Time

The Presiding Officer (Alison Johnstone): Good morning. The first item of business is general question time. As it is the shortest question session that we have in the week, concise questions and responses would be appreciated.

For question 1, I call Richard Leonard.

Scottish Fire and Rescue Service (Modernisation)

1. Richard Leonard (Central Scotland) (Lab): Thank you, Presiding Officer. I hope that you were not getting at me.

To ask the Scottish Government whether it will provide an update on the modernisation of the Scottish Fire and Rescue Service. (S6O-05074)

The Minister for Victims and Community Safety (Siobhian Brown): The Scottish Fire and Rescue Service has conducted a public consultation on its service delivery review to consider how its services should best be configured to ensure that firefighters are in the right place at the right time. The responses are being independently analysed and will inform final decisions of the SFRS board.

The SFRS plans to redeploy resources that are freed up by any changes that it makes to provide a greater resource to its prevention and protection function, and to boost training provision to ensure firefighters can continue to keep all our communities safe from the changing risks that they need to respond to, while also investing in fire station facilities.

Richard Leonard: Two years ago, the minister admitted to me that the Scottish Government had handed over £1.7 million of public money to the French company Systel to set up a single command and control system, but it was botched. Now, Motorola, which was given the contract 12 months ago, is already running behind and, within six months, was £10 million over budget.

When will the minister get a grip of this latest information technology disaster at the Scottish Fire and Rescue Service, instead of threatening to cut the number of fire appliances, cut the number of front-line firefighters and cut fire and safety

emergency cover at fire stations and in communities across Scotland?

Siobhian Brown: I have to be clear that the primary driver for the Scottish Fire and Rescue Service's proposed changes is not financial. The chief fire officer has said publicly that, if he had all the resources that he needed, he would still be considering the changes.

I met Mr Leonard in 2023 to discuss these issues. I will ask for an update on the situation, and I am happy to meet him again to discuss the IT issues.

Alasdair Allan (Na h-Eileanan an Iar) (SNP): Although it is welcome that house fires have decreased by 20 per cent over the past 10 years, we have witnessed an emergence of new threats, such as the rise in wildfires. Can the minister say something about the importance of the fire service's ability to adapt to those new risks?

Siobhian Brown: It is welcome that dwelling fires have reduced, as have non-fatal fire casualties—by 33 per cent—and that fatal fire casualties reduced by 32 per cent between 2009-10 and 2023-24. That shows the value of the Scottish Fire and Rescue Service's prevention activities over the years.

The rationale behind the service delivery review is to ensure that the SFRS can better focus its resources where they are needed most—for example, on training and prevention—so that our firefighters are better located and prepared to deal with current and future risks, such as the record number of wildfire warning periods that we have seen this year.

I appreciate that service changes will always be a matter of concern for people in the immediate vicinity of the impacted fire station, but it is for the SFRS, as the expert in its field, to decide the best changes that can be made over time to ensure that firefighters are in the right place at the right time to deal with incidents when they occur.

NHS Boards (Winter Resilience)

2. Alexander Burnett (Aberdeenshire West) (Con): To ask the Scottish Government what discussions it has had with national health service boards regarding their winter resilience plans. (S6O-05075)

The Cabinet Secretary for Health and Social Care (Neil Gray): The Scottish Government continues to engage with NHS boards regarding winter resilience planning. Boards have been asked to provide assurance that robust plans are in place to manage system pressures. Those discussions focus on ensuring safe, effective services and maintaining system resilience during periods of pressure.

The forthcoming national planning priorities and principles will set out expectations and provide a consistent national approach, and boards are expected to align their local plans accordingly. That process supports co-ordinated planning across health and social care and ensures readiness to respond to increased demand over the winter period.

Alexander Burnett: NHS Grampian will be nearly £50 million over budget by the end of the financial year, and the Scottish Government has said that it will be allowed to go only £45 million over. KPMG has said that increases in staffing levels do not align with a decrease in the total number of beds. As we head into winter, there will be increased pressures on Aberdeen royal infirmary at a time when services are already stretched. NHS Grampian still has the lowest bed base in Scotland per head of population, and ambulance stacking is a major issue.

There are no beds and no money. Does the cabinet secretary have any solution for my constituents and NHS Grampian as we enter winter?

Neil Gray: I had a productive meeting with the chair and the chief executive of NHS Grampian a couple of weeks ago, as well as visiting ARI's emergency department and other parts of the hospital. I believe that they are bringing forward measures that will help to improve resilience and performance, as well as the financial picture.

However, I stress that the work that has been done through the assurance board, which has been delivered as a result of NHS Grampian's escalation, is, first and foremost, about improving performance and then the financial picture. We have put more money into NHS Grampian to assist with its unscheduled care pathway and emergency pathways, and I expect that to bear fruit in the coming period.

Carol Mochan (South Scotland) (Lab): The Scottish Government has tightened its criteria for Covid vaccinations in the NHS, which means that boosters will no longer be offered to adults who are under 75. I understand that that decision follows advice from the Joint Committee on Vaccination and Immunisation. However, as winter approaches, many people are concerned.

What reassurance can the Scottish Government offer those who are no longer eligible for the Covid booster? Is it not concerned that removing the booster from under-75s might lead to an increase in Covid cases, which will put pressure on services as we head into winter?

Neil Gray: As Ms Mochan has set out, we are guided in our vaccination programmes by the advice of the independent expert Joint Committee on Vaccination and Immunisation. Its advice is that

the groups that are eligible for Covid-19 vaccination this winter—not just in Scotland but elsewhere in the United Kingdom—are residents in care homes for older adults, those aged 75 and over, and those aged six months and over who have a weakened immune system.

I understand that the groups that are no longer eligible, which include the 65-to-74 cohort, those who are at wider clinical risk and front-line health workers, might feel anxious. To them, I say that the overall threat of Covid has, thankfully, diminished over time, due to high levels of vaccine-based immunity and naturally acquired immunity from infection.

Scottish Fire and Rescue Service (Service Delivery Review)

3. Annabelle Ewing (Cowdenbeath) (SNP): To ask the Scottish Government whether it will provide an update on the status of the Scottish Fire and Rescue Service's service delivery review, following the public consultation, which closed on 17 September 2025. (S6O-05076)

The Minister for Victims and Community Safety (Siobhian Brown): The Scottish Fire and Rescue Service received more than 3,500 responses to its review consultation and held more than 40 public meetings. The review was in reaction to the changing nature of emergencies that the Scottish Fire and Rescue Service responds to. For example, as I have already noted, dwelling fires have reduced by 20 per cent since 2013, and incidents such as flooding and wildfires have increased significantly. Therefore, it is right for the Scottish Fire and Rescue Service to carefully consider how to adapt to the changing risks, in order to remain effective and efficient, with firefighters in the right place at the right time.

Annabelle Ewing: In fact, the Scottish Fire and Rescue Service has refused to confirm whether, given the overwhelming support in local consultation responses for the retention of two appliances at Lochgelly fire station, it will act accordingly and keep both appliances. Therefore, for the benefit of my constituents and the chamber, can the minister clarify the purpose of the consultation? Surely such equivocation risks the entire process being viewed simply as a sham.

Siobhian Brown: As I have said, I believe that it is for the chief fire officer and his commanders across the service to make the decisions that are best for the service, in order to protect communities across the country and respond to the changing nature of risk. This is not a decision for the Scottish Government, and it is appropriate that decisions on fire appliances are best placed with the service.

As I have outlined, an independent analysis of the responses to the consultation will inform the Scottish Fire and Rescue Service's final decisions. Any changes that the service introduces will be made over the next five years. I meet the Scottish Fire and Rescue Service frequently, and it has confirmed to me that no decisions have been made.

Sharon Dowe (South Scotland) (Con): The Scottish Fire and Rescue Service's consultation proposes closing eight fire stations and changing several others from 24-hour, whole-time cover to day shift only. The minister says that that will put officers in the right place at the right time. However, given that the service's median emergency response time is the slowest for more than a decade, how does the Government expect those changes to improve response times or enhance public safety?

Siobhan Brown: Regarding the response time that the member mentioned, the Scottish Fire and Rescue Service continues to respond to every emergency incident with the appropriate level of resources. Its targeted approach to risk and the allocation of resources overtook the focus on response times some years ago, and I would also point out that we have seen an increase in response times across the whole of the United Kingdom.

The safety of our firefighters is of utmost importance, and the Scottish Fire and Rescue Service has in place strict health and safety policies that have evolved over the years. For example, changes to operational procedures to stop firefighters travelling under blue-light conditions while putting on personal protective equipment have added to response times in recent years. That is an essential change to protect firefighter safety.

Social Care (Fife)

4. Alex Rowley (Mid Scotland and Fife) (Lab): To ask the Scottish Government what action it is taking to address reported rises in waiting times for social care assessments and packages in Fife. (S6O-05077)

The Minister for Social Care and Mental Wellbeing (Tom Arthur): The Scottish Government acknowledges that there is a reported rise in waiting times for social care assessments. It has protected and prioritised additional investment in social care, despite an extremely challenging budget settlement. That includes almost £2.2 billion for social care and integration, which exceeds by almost £350 million our commitment to increase funding.

Under the Social Work (Scotland) Act 1968, local authorities and health and social care

partnerships have a duty to assess the social care support needs of people and give due consideration to those assessments in order to arrange suitable and timely services when required.

Alex Rowley: In Fife, over the past year, there has been a steady increase of 60 per cent in the number of people waiting for assessments. The number of people who have been assessed and need a care package has increased over the past year by 127 per cent. We talk about percentages, but those numbers relate to real people.

Does the minister accept that, unless we tackle that issue, we will not tackle the massive problems in acute care in our hospitals? Will he agree to look specifically at the issue in Fife, given that those sustained increases are causing major problems for the elderly and vulnerable across the area?

Tom Arthur: I thank Alex Rowley for the typically constructive spirit in which he raises the issue. I met senior leadership at Fife health and social care partnership yesterday, and I will follow that up. I recognise the excellent and innovative work that is taking place in Fife. I assure Alex Rowley that the Government absolutely recognises the importance of timely assessment and delivery of social care packages, including how that relates to the wider pressures that we face across health and social care.

A significant amount of work has been undertaken collaboratively, which has been led by the Cabinet Secretary for Health and Social Care, and we continue to engage closely. I will follow up on the engagement with Fife health and social care partnership, and I am more than happy to keep Alex Rowley informed of any developments.

NHS Greater Glasgow and Clyde

5. Neil Bibby (West Scotland) (Lab): To ask the Scottish Government when it last met with NHS Greater Glasgow and Clyde and what issues were discussed. (S6O-05078)

The Cabinet Secretary for Health and Social Care (Neil Gray): Both ministers and Scottish Government officials regularly meet representatives of all national health service boards, including NHS Greater Glasgow and Clyde, to discuss matters of importance to local people. My most recent engagement with the chief executive of NHS Greater Glasgow and Clyde was on Tuesday at Bute house, when we discussed, among other things, the fact that Scotland has falling waiting times, reduced waiting lists and higher planned care activity.

Neil Bibby: The Scottish Government is well aware of the concerns that Unison representatives and I have about the impact on vulnerable older

adults of the looming closure of ward 36 at the Royal Alexandra hospital. With winter coming up, now is clearly not the time to be cutting beds. In fact, I am told that Scottish Government money for winter pressures has been used to accommodate vulnerable adults in other parts of the hospital, while ward 36 admissions are limited. That is exactly what staff at the RAH warned would happen, and it is coming to pass, despite a petition with more than 7,000 signatures.

First, the Scottish National Party Government came for the children's ward at the RAH and closed it. Will it now let the ward for our older folk close too, and ignore the views of hard-working NHS staff and patients yet again?

Neil Gray: I remain of the view that such changes should be carefully considered and decided locally in a way that is consistent with national policy while being meaningfully informed by the views of local stakeholders, including staff and patients. As I have said when I have met and corresponded with Mr Bibby and Unison on the matter, NHS Greater Glasgow and Clyde has been clear that the changes are about providing appropriate, high-quality, safe and sustainable services for older adults in Renfrewshire. Ward 36 has, for some time, been used for patients awaiting home care or a care-home placement who are otherwise medically fit for discharge. In line with national policy on shifting the balance of care and minimising delayed discharge, the health board has been directing those resources to support local hospital-at-home services.

Creative Scotland (Funding Awards)

6. Michelle Thomson (Falkirk East) (SNP): To ask the Scottish Government, in light of reported concerns raised by the Scottish Music Industry Association about delays in and sufficiency of funding awards, how it will ensure that the additional £20 million allocated to Creative Scotland for its multiyear funding programme in 2025-26 effectively supports the growing number of music-specific organisations. (S6O-05079)

The Cabinet Secretary for Constitution, External Affairs and Culture (Angus Robertson): The Scottish Government has increased Creative Scotland's multiyear funding by £20 million this year, providing a major boost to Scotland's culture sector. That investment provides stability for organisations to plan and deliver high-quality programmes in theatre, visual arts, literature and music. Forty-six music organisations now receive multiyear support, which is more than double the previous number, and support for three more is potentially in development for 2026-27. Many multidisciplinary groups also include music, further strengthening the impact of our support.

Michelle Thomson: In the recent independent review of Creative Scotland, UK Music highlighted that Scotland's music sector generates more than £857 million and sustains more than 7,000 jobs. However, UK Music stressed that funding volatility threatens grass-roots talent, touring and economic sustainability.

I appreciate and understand budgetary pressures. However, how will the cabinet secretary ensure that Creative Scotland delivers strategic, predictable and resilient investment, in particular for emerging artists, self-releasing labels and rural organisations, through 2025-26 and beyond?

Angus Robertson: The good news for Michelle Thomson and the music sector is that the introduction of multi-annual funding puts an end to the volatility that many organisations have previously had to put up with. No other part of the United Kingdom has multi-annual funding such as this Government has introduced for the Scottish culture sector, and such funding has an important impact on the music sector.

If the member has specific examples of funding volatility at present, I would be grateful if she let me know. The new system has been introduced, so that should not be the case.

Local Cultural Activities and Festivals

7. George Adam (Paisley) (SNP): To ask the Scottish Government how it is supporting local cultural activities and festivals to encourage economic development and tourism. (S6O-05080)

The Cabinet Secretary for Constitution, External Affairs and Culture (Angus Robertson): The Scottish Government is investing an additional £34 million in Scotland's culture sector this year, which is moving us closer to fulfilling the First Minister's pledge to invest at least £100 million more annually by 2028-29.

The uplift strengthens Creative Scotland's multiyear funding programme, which supports 251 organisations across 27 local authority areas, and expands flagship initiatives such as the Culture Collective and creative communities Scotland. That investment boosts participation, supports jobs and drives cultural and economic growth nationwide. VisitScotland's latest survey shows that history and culture are one of the biggest attractions for visitors and help to secure Scotland's place as a world-class cultural destination.

George Adam: The cabinet secretary will be aware that, over the past weekend, Paisley had its annual Halloween festival, which is the largest of its kind in Scotland. It ensured that thousands of buddies were in Paisley town centre on Friday and Saturday night. During the same weekend, Paisley

received the award of Scotland's town of the year. Is Paisley leading the way as the perfect example of how cultural investment is an important part of town centre regeneration?

Angus Robertson: I am grateful to Mr Adam for highlighting the range of interventions and events that are taking place in Paisley. He underlines the fact that the Government is committed to supporting cultural and arts events right across Scotland. Paisley is a really important part of Scotland's cultural landscape, and I am grateful to him for highlighting the many great events that take place there.

The Presiding Officer: That concludes general question time.

First Minister's Question Time

12:00

Justice System

1. Russell Findlay (West Scotland) (Con): Claire Inglis was a loving and happy young mum who was tortured and murdered by a man whom she had just begun a relationship with. The judge described Claire's murder as "beyond sadistic". The serial criminal who killed her had 40 convictions and was a known danger to women and children, yet he was repeatedly bailed to the home that Claire shared with her young son. Claire's parents, Fiona and Ian, have spent four years fighting and pleading for information, and they are here today. It is their third time coming to the public gallery during First Minister's questions. Does John Swinney agree that no family should be forced into the media glare and on to the political stage to get answers from Scotland's justice system?

The First Minister (John Swinney): Mr Findlay has raised the tragic case of Claire Inglis with me before, and I had the pleasure—thanks to the assistance of Mr Findlay's staff—of being able to meet Mr and Mrs Inglis on their previous visit to the Parliament. I extend my sympathy to Mr and Mrs Inglis for the tragedy that they have experienced.

I agree with Mr Findlay that no family should have to suffer as Mr and Mrs Inglis have suffered. The issues in connection with the handling of the case surrounding the perpetrator of the murder of Claire Inglis are being explored by the Crown, and the Lord Advocate has taken independent decisions on the matter.

Russell Findlay: Ian and Fiona are here out of devotion to their daughter and a determination to force the full truth from the authorities. As a result of their pressure, the Crown Office instructed a social work expert to investigate the circumstances of Claire's murder. The expert's report is truly damning. It says that Claire Inglis and her son were "invisible in the system" and that the repeated granting of bail to Claire's home was "a major safeguarding lapse". The Crown asked the expert to establish whether system defects caused or contributed to Claire's murder, but Fiona and Ian have not been told the answer to that critical question. That is because the Crown gave them only a brief summary of the report. Will John Swinney back the release of the full report?

The First Minister: There will be issues in relation to the release of the full report that I am not sighted on today. The Lord Advocate has, in her period in office since 2021, brought to

Government an intense focus on the awful experience of victims in our criminal justice system. I pay tribute to her for the work that she has undertaken to bring the perpetrators of heinous crimes to justice. I will therefore ask her whether there can be further dialogue with Mr and Mrs Inglis on the contents of the report in order to ensure that the issues about which they remain concerned can be properly and fully aired.

There may well be issues in relation to data handling, with which Mr Findlay will be familiar, that constrain the release of the full report. If the report can be released, I am very happy for it to be released, but there may well be reasons why it cannot be. I will ask the Lord Advocate to engage further with Mr and Mrs Inglis to ensure that they can have a fuller understanding and to help them to come to terms with the tragic loss that they have suffered.

Russell Findlay: I agree that the Lord Advocate's focus is sincere and welcome, but the way in which the Inglis family is being treated is cruel and disrespectful. In 2022, Stirling Council held a serious incident review of Claire's murder, which concluded that a full review was not needed. The expert disagrees, saying that a comprehensive review is "absolutely necessary". However, to the astonishment of Fiona and Ian, the Crown Office says that it has still not decided whether their daughter's murder merits a fatal accident inquiry.

Fiona told me:

"When we came here last year, we looked John Swinney in the eye and took him at his word that our questions would be answered, but we are still being kept in the dark."

Will John Swinney back the family's calls for a fatal accident inquiry?

The First Minister: I am trying to be as helpful as I can. I hope that Mr Findlay understands the sincerity of my engagement on the issue. The calling of a fatal accident inquiry is a matter for the Lord Advocate independently. I understand that Mr Findlay is able to call for such inquiries but, as First Minister, I have to respect the independence of the Lord Advocate. For me to act otherwise would contravene my oath of office, which I will not do.

The process of investigation that was originally conceived of in Stirling Council was not acceptable—it was not good enough. That is why I asked the Crown to look at the matter again and why Mr Findlay has the report in his possession. That was at my instigation; I judged that the initial inquiries were totally unsatisfactory.

There is a matter of further consideration as to whether a fatal accident inquiry would shed any more light on the issue than the exercise on which Mr Findlay has the report. However, I will raise

these issues directly with the Lord Advocate and ask her for her consideration of the matter, to ensure that Mr and Mrs Inglis have as much support as possible to come to terms with the loss that they have suffered.

Russell Findlay: Another reason why an FAI is absolutely critical is that the Crown's report reveals a major flaw at the heart of Scotland's bail system. It says that

"social workers are not obligated to verify bail addresses",

which explains why a violent criminal who was a known danger to women and children was repeatedly bailed to Claire's home address. The report describes that as a "systemic flaw".

My party has published a paper today setting out changes that are needed to fix Scotland's justice system and to put victims first. Fiona and Ian have urged the Government to back that specific change so that courts must check the veracity and safety of addresses. They say that that could prevent another family from suffering such a tragedy. Will John Swinney commit to urgently ending the bail blind spot that is putting women and children in danger?

The First Minister: I am familiar with the points that Mr Findlay has raised and, as always with issues that relate to the criminal justice system, we will give them consideration.

I hope that this provides some degree of reassurance, but under the recent legislation that the Parliament approved, the single bail test makes it clear that the court should specifically consider the protection of the victim from the risk of physical and psychological harm before making a decision on bail. In my view, that would provide the type of protection that Mr Findlay is looking for, and it is already in statute.

I appreciate that that is of absolutely no comfort to Mr and Mrs Inglis in the loss that they have suffered, but I hope that it reassures members of the public that the Government is taking action to ensure that the type of experience that Mr and Mrs Inglis have faced will be mitigated in the future because of the steps that we have taken to change the law.

I will, of course, give consideration to the points that Mr Findlay has raised and, as always, I will be happy to see Mr and Mrs Inglis, if that would be of any assistance to them.

Justice System

2. **Anas Sarwar (Glasgow) (Lab):** John Swinney and the Scottish National Party are failing to keep Scots safe. On John Swinney's watch, our justice system is in crisis, as Scots are paying the price of SNP incompetence. This week, Scottish Labour revealed that there are 10,000 outstanding

warrants for arrest in Scotland. That includes seven warrants for murder, five for attempted murder, 40 for rape, 1,253 for assault, 72 for domestic violence and 605 for drug charges. There are potential murderers, rapists and drug dealers on our streets. With 10,000 outstanding warrants in Scotland and prison numbers outstripping capacity by several hundred, apart from letting criminals out early or not arresting them at all, what will John Swinney do to tackle the crisis?

The First Minister (John Swinney): The first thing that I would say, to give some context to the issue that Mr Sarwar is raising, is that Scotland is a safer place since this Government took office. Recorded crime remains below the position immediately prior to the pandemic in 2019-20 and is down 39 per cent since 2006-07, when this Government came into office.

I acknowledge that, at any moment, there will be outstanding arrest warrants. The execution of warrants is an operational matter for Police Scotland, which remains focused on the investigation of crime and on keeping communities safe. Police numbers are well supported in the country; the latest official statistics show that there were 16,427 police officers as of 30 June 2025, and there remains a healthy recruitment pipeline for police officers in Scotland.

The Government is taking action to address the size of the prison population, but there are significant constraints in relation to the proposals that the Government puts forward for which prisoners can be considered eligible for early release. Those standards will be rigorously applied in all that the Government takes forward.

Anas Sarwar: That is a woeful answer to the fact that there are 10,000 outstanding arrest warrants in Scotland. John Swinney is unable to admit to his Government's failure, but if he will not listen to me, maybe he will listen to people who are working on the front line. Only yesterday, the Prison Officers Association published a report that says that our prisons are at crisis point, with

"serious overcrowding and understaffing ... increased levels of violence, widespread drug misuse and self harm"

and

"plummeting staff morale".

Unbelievably, his justice secretary said yesterday that the SNP will not build any more prisons because, in her words,

"If we build them, they will come."

Angela Costner—sorry, I mean Angela Constance—thinks that having more prison places encourages crime, but letting criminals out early discourages crime. That might be one of the most incoherent and stupidest things that I have ever

heard in my life. What are they going to claim next—that building more hospitals will somehow make people in Scotland more ill? Who does John Swinney agree with: Angela Constance or prison officers?

The First Minister: One of the many flaws in Mr Sarwar's argument as he has just put it to me is that the Government is currently implementing the proposal to build HMP Glasgow to a design capacity of 1,344 prisoners, which will add 357 places to the overall prison estate. That debunks the nonsense that Mr Sarwar has just put to me in his diatribe.

There is a serious issue that the Parliament has to address, which is this: because of the successful prosecution of people who have committed serious crimes—many of them historic—in our society, people are serving longer sentences. Therefore, there are more long-term prisoners in our prison estate. Of the 8,000 or so prisoners who are currently in our prison estate, 2,000 are on remand. A proportion of those prisoners will not end up in the system on a long-term basis. Therefore, there are judgments to be made by the criminal justice system, independently, about the issues in relation to whether an individual should be on remand.

The other issue is about short-term sentences. There have been umpteen reports—indeed, a report that has been welcomed warmly by Mr Sarwar's colleagues in the United Kingdom Government was produced by David Gauke, who was a very imaginative Secretary of State for Justice in the Conservative Government. Mr Gauke's report indicates the issues that have got to be considered about short-term prison sentences.

There is a debate that must be had here in the Parliament—which my justice secretary is undertaking with numerous statements to the Parliament and a comprehensive committee appearance yesterday—about the appropriateness of prison in all circumstances for all prisoners.

I do not want my comments to be misunderstood. People who have committed heinous crimes and have been sentenced to long-term imprisonment should serve those sentences. However, there are debates to be had about the appropriateness of prison in all circumstances, because of the pressures on the prison estate. There must be appropriate disposals for individuals. Community justice authorities, the funding for which the Government has substantially increased, have a role to play. All those factors are relevant in a rational debate about the prison population, and I hope that Mr Sarwar is able to contribute to that.

Anas Sarwar: John Swinney and the Scottish National Party have been in charge of the justice system for 18 years—nobody else. On their watch, the entire justice system is in chaos. The fact that all the SNP has to offer is bizarre comments and rank incompetence proves that we cannot risk a third decade of this incompetent SNP Government.

We face rising levels of violent crime, the legalisation, in effect—*[Interruption.]*

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

Anas Sarwar: SNP members do not want to hear it, because that is their record.

We face rising levels of violent crime, the legalisation, in effect, of shoplifting and the existence of 10,000 outstanding arrest warrants, but what does the SNP do in response? It bills the taxpayer £1 billion for a prison that was supposed to cost £100 million; it allows hundreds of drug dealers to walk free; it cuts police numbers; it closes police stations across Scotland; it lets criminals out early; and it pushes our prisons to breaking point. So when will John Swinney finally admit that his record—the SNP's record—on justice is nothing short of criminal?

The First Minister: Mr Sarwar said that everything that has happened to date is the responsibility of my Government. I accept that responsibility. I am a First Minister who stands here every week and takes responsibility—I do not dodge it for a moment. *[Interruption.]*

We have listened to Mr Sarwar's explanation. On this Government's watch, the latest figures for 2023-24 show that recorded crime is at one of the lowest levels since 1974, and that it has gone down by 39 per cent since 2006-07. Police numbers are higher than when this Government came into office. Recorded crime is at one of the lowest levels since 1974. *[Interruption.]*

The Presiding Officer: Just a moment, First Minister. I point out that those who are attending in the gallery today wish to hear all questions and contributions.

The First Minister: I point out to members of the public in the gallery and to members of the public who are watching at home that, in all that diatribe from Mr Sarwar, six months before an election, he did not offer a single solution to the issues that we face.

In addition, when it comes to him putting his finger on the button to vote for a budget that would provide for police numbers, prison officers and prisons, Mr Sarwar does not vote for the Government's provisions. What we have heard from him is just rhetoric and hypocrisy. I am proud to defend a record that includes our having one of

the lowest levels of crime since 1974, and I will set that out to the people of Scotland.

Wealth Taxes

3. Ross Greer (West Scotland) (Green): Scotland is a monumentally unequal country. There are a small number of people who are sitting on more wealth than they could spend in 1,000 lifetimes. About 420 people own almost half of our private land, but, this morning, thousands of children will have gone to school hungry because of poverty. The Scottish Government's own recent report showed that the top 2 per cent have the same amount of wealth as more than half the population combined.

This month, Scottish National Party members instructed their leadership to begin discussions with the United Kingdom Government about wealth taxes, but Scottish Government ministers have repeatedly rejected opportunities to tax wealth using the powers that they already have. They have rejected proposals to end tax breaks for big landowners, they have rejected proposals to end the King's personal tax exemptions and they have rejected proposals to introduce a mansion tax. It is as though they are hoping that the public will not notice that, when push comes to shove, theirs is a Government that does not want to risk upsetting the rich and powerful. Can the First Minister name one proposal that he will bring forward before the election to tax wealth in Scotland?

The First Minister (John Swinney): Mr Greer will know from his detailed experience of engaging with the Government that we set out our tax proposals in relation to the budget, and that is exactly what the Government will do. We will give every consideration to those questions.

I am absolutely at one with Mr Greer's concern about inequality in this country. That is why my Government is driven by the determination to eradicate child poverty, in which, as a consequence of the tax decisions that we have made, we are making progress in being the only part of the United Kingdom to have a falling level of child poverty, when it is projected to rise in every other part.

On some of the suggestions that Mr Greer has made, as he knows from his previous engagement—indeed, I have been engaged with some of these questions personally—we have explored some of the practical aspects of the proposals that he has put to us, and we have not been able to find a pathway that would work effectively without consequences that would be damaging to the policy intention. We have used the land and buildings transaction tax, for example, to weight tax charges towards the higher end of the income spectrum.

As I say, we will consider those issues in the formulation of the Government's budget.

Ross Greer: I look forward to discussions with the First Minister about the budget, because, as he mentioned, we have options. The reason why the Government could not agree to remove the King's personal tax exemption had nothing to do with practical difficulties—I think that we can all understand why the Government did not support that.

There are options. Land and buildings transaction tax, non-domestic rates and council tax are all wealth taxes, and they are all entirely within the Scottish Government's control. The largest single form of wealth in Scotland is property. Property wealth has surged by almost £100 billion in the past decade, but council tax is still stuck in 1990, so the poorest pay more than they should and the wealthiest get off with an absolute steal.

In turn, our local services are at breaking point. Families cannot get social care packages for elderly relatives. Children with additional needs go without the support that they need at school because the staff are not there. Community centres and libraries have closed. The Government promised to scrap the council tax 18 years ago, and this week it launched another consultation. The First Minister knows that that farce cannot continue, so will he commit today that, whichever options find the most support through the consultation, the Scottish Government will introduce a bill to reform or replace the council tax after the election?

The First Minister: In relation to council tax, the Government made and consulted on proposals for replacing the council tax when we put the prospect to the public in 2007, and we were unable to command a parliamentary majority on those questions. That is why we are trying to take steps with other parties to create a broader political consensus in favour of council tax reform, and we will endeavour to do that.

In the previous budget, for which we appreciated the support of the Green Party, we were able to deliver a much better settlement that improved the financing of local government. I pay tribute to Green and Liberal Democrat colleagues for voting for the budget, unlike everybody else in here, who was not interested in giving a better settlement to local government—at least the Greens, the Liberal Democrats and the SNP were.

We will continue to engage constructively to support local services, because I share Mr Greer's view that we rely on local services to support the population in Scotland.

Fishing and Coastal Growth Fund

4. **Emma Harper (South Scotland) (SNP):** To ask the First Minister whether the Scottish Government has had any initial response from the United Kingdom Government in relation to the letter sent to the Minister of State for Food Security and Rural Affairs on 22 October regarding the fishing and coastal growth fund. (S6F-04404)

The First Minister (John Swinney): We have had no reply to that letter. Scotland previously received 46 per cent of the United Kingdom's European Union fisheries funding allocation, compared with just 7.78 per cent of the new UK fund, which is spread over 12 years, with no guarantees beyond the current UK parliamentary session.

We are told that the UK fund is specifically aimed at revitalising the fishing sector, so allocations should reflect the relative size and importance of Scotland's fishing sector. Scottish industry leaders have urged UK ministers to reconvene a meeting of the Scottish seafood industry action group to discuss the issue, and we plan to support that call in writing.

Emma Harper: The recent funding announcement is yet another example of a UK Government that does not understand or care about our fishing and coastal communities.

Fishing is a hugely important contributor to the local economy in south-west Scotland, including in Kirkcudbright, where landing and processing take place. Given that, and given the pressures that the sector faces, which range from proposed cuts to quotas to dealing with the on-going impacts of Brexit, does the First Minister agree that the deal, which is an insult to and betrayal of Scotland and our fishing sector, cannot stand and must be reconsidered? What further steps will the Scottish Government take to protect and support the Scottish fishing sector?

The First Minister: I very much agree with Emma Harper's point and reiterate to Parliament that Scotland previously received 46 per cent of the UK's EU fisheries funding allocation, but the figure has now gone down to 7.78 per cent, despite the fact that the overwhelming majority of fish in the United Kingdom are landed here in Scotland. That is completely and utterly inequitable.

I saw one of my parliamentary colleagues in the House of Commons asking whether the Secretary of State for Scotland had made any representations to ministers about that point. No answer was forthcoming, so it would be interesting to know whether the Secretary of State for Scotland actually bothered to stand up for Scotland or whether this is just another example of

the UK Government taking a decision that is prejudicial to Scotland.

I assure Emma Harper and colleagues who represent constituencies that have an interest in fishing that we will do everything that we can to get a different outcome for Scotland.

Beatrice Wishart (Shetland Islands) (LD): We know that 9 per cent of all fish landed in the UK comes through Shetland ports. Given that value, what percentage of the fishing and coastal growth fund can Shetland expect to receive via the Scottish Government?

The First Minister: If I have my numbers correct, Beatrice Wishart said that 9 per cent of the UK's fishing allocation comes into Shetland, but Scotland is getting only 7.78 per cent of the fund, which means that Shetland's contribution to fish landings exceeds the allocation of funding for the whole of Scotland and beautifully makes my point about the inequity of the situation.

We will engage constructively with Shetland Islands Council. I am seeing the leader of the council later this afternoon and I am sure that we will discuss the issue. I can assure Beatrice Wishart that we will work collaboratively with the industry in Shetland, but the fundamental inequity is in the UK Government's funding allocation, and that is the issue that must be remedied.

Babcock (Fife)

5. Roz McCall (Mid Scotland and Fife) (Con): To ask the First Minister what the Scottish Government's response is to reports that Babcock, in Fife, has had to hire workers from overseas as a result of reductions in some college courses. (S6F-04394)

The First Minister (John Swinney): The latest data shows that there are already more than 14,000 full-time-equivalent college students on engineering courses in Scotland. We are working to support colleges to meet Scotland's future skills requirements and are investing £750 million in colleges in the current year.

Roz McCall: Employers in Fife, such as Babcock, are crying out for investment in local skills to drive local growth and opportunities, but college budgets have been cut by a staggering 20 per cent over the past five years and the number of apprenticeships has sharply declined by as much as a third in the past decade. The truth is that the Scottish National Party Government has categorically failed to maintain investment in the skills that local employers need to fuel economic growth.

A local college source all but confirmed that, although there is the capacity to provide many more courses, colleges simply cannot afford to

offer those courses to students, given the financial situation that the Government has placed colleges in. This year's funding allocation included a £1.3 million cut on top of a 19.4 per cent reduction in the past three years, with the principal of the college stating that

"The scale of the challenge"

is now "precipitous".

Does the First Minister accept that the reduction in investment in skills is making it harder for young people in Scotland to access training and employment and for our businesses to recruit the local workers they need?

The First Minister: There are a number of issues in that question. I can confirm to the Parliament that more than 25,000 people started a modern apprenticeship in Scotland in 2024-25 and that 39,000 individuals were in training at the end of quarter 4 of 2024-25.

Regarding college funding, allocations from the Scottish Funding Council provide a 2.6 per cent sector increase in teaching funding for 2025-26 compared with the previous year, and no college had a reduction in teaching funding in 2025-26 compared with the previous year. In addition, the Government is supporting the funding of Fife College's new Dunfermline campus, which will be available to local people. [Interruption.]

Let me make a final point to Roz McCall, because I hear that I am being heckled by her and others. It is laughable for the Conservatives to come here and ask for more money for something if they will not vote for the Government's budget. It is hypocrisy in action. We get it every year from the Conservatives, and I will call it out every time the Conservatives ask for more money in this Parliament.

The Presiding Officer: I remind members that it would be helpful if we could hear one another.

Pam Duncan-Glancy (Glasgow) (Lab): The First Minister says that there has been a 2.6 per cent increase in funding, but a 2.6 per cent increase in one year does not undo a decade of underfunding of colleges in Scotland to the tune of 20 per cent. That means, as Colleges Scotland has said, fewer students being able to access a world-class college education. It is hardly a surprise, then, that we have a growing skills shortage and that firms such as Babcock are recruiting hundreds of welders from overseas just to keep work on track. All the while, nearly 250,000 young people in Scotland do not have jobs.

The Government's choices are denying young people chances. Can the First Minister not see that? Why is he content to manage the decline of Scotland's colleges and, in the process, deny

Scotland's young people the opportunities that they deserve?

The First Minister: We are, quite simply, not doing that, because the Government is allocating more funding to the college sector. We are investing in college infrastructure and, as I said to Roz McCall, we are just completing the investment in the new Dunfermline learning campus, with premises for Fife College.

The Government will sustain our investment in the college sector. We understand its importance. We see the significance of college funding in supporting the delivery of skills in Scotland, and that is at the heart of the Government's budget—which, I point out, Pam Duncan-Glancy did not vote for, either.

McCloud Judgment

6. Pauline McNeill (Glasgow) (Lab): To ask the First Minister what the Scottish Government's position is regarding the reported 200,000 public sector workers who are still waiting on their pension entitlement following the 2018 McCloud judgment on pension discrimination. (S6F-04397)

The First Minister (John Swinney): We recognise that the McCloud judgment affects the administration of pensions across the United Kingdom and that timelines have been extended to reflect the challenges of delivery. In Scotland, there are approximately 215,000 members of affected schemes that are administered by the Scottish Public Pensions Agency. We should note that the vast majority of those scheme members have not yet retired and will make their remedy choice on retirement. Of the 65,000 retired members who are affected, many will already be getting the best-value pension. For those who have a choice that enables a higher pension, they will receive any arrears, including interest, to be paid for by the United Kingdom Government. The Scottish Public Pensions Agency is working to ensure that all those who are awaiting their remedy receive it, with the bulk of statements being delivered by the end of 2026.

Pauline McNeill: This has been described by those who are affected as a national scandal, and that is what it is. Public sector workers including nurses, police officers, firefighters and local government workers are still to receive pension funds amounting to tens of thousands of pounds.

Seven years on from the McCloud judgment on pension discrimination, 55,000 people are still waiting on pension remedy statements, which must be received before any compensation is paid. Some people have died waiting for their pension remedy statement from the Scottish Public Pensions Agency. It has broken at least two statutory deadlines, and it will miss a third

deadline tomorrow. Delays are now expected to run until 2027. Every year in which a deadline is missed represents a cost to the taxpayer in interest payments of 8 per cent.

Does the First Minister agree that, after seven years, it is unacceptable that the SPPA has not put this right? Given that it is a Government agency, what action is the First Minister prepared to take to bring forward the work that is required to issue remedy statements and pay public sector pensioners on time? What further redress will he provide for those who are impacted by this debacle? Here, I am talking about those who have already retired on reduced pensions. He could at least agree—

The Presiding Officer: Thank you, Ms McNeill.

Pauline McNeill: —that there is a need for urgency.

The First Minister: I agree with that point. What I would provide as reassurance is that, when the remedy letters are issued, they will give a choice and, if a higher pension applies, the individuals will receive any arrears, including interest, which will be paid for by the United Kingdom Government. That issue has implications for the UK Government.

Work has been taken forward by the relevant minister, Ivan McKee. Colleagues know the assiduous way in which Mr McKee carries out his responsibilities. That has involved increasing the SPPA workforce by more than 30 per cent to ensure that experienced staff, who are necessary to calculate often complex recalculations of pension entitlement, are able to do so. I hope that that reassures Pauline McNeill that the Government has increased the SPPA's resources quite significantly to ensure that we can make timeous progress on the issue.

Fireworks and Pyrotechnic Articles (Scotland) Act 2022

7. Ash Regan (Edinburgh Eastern) (Ind): To ask the First Minister for what reason the Scottish Government has reportedly abandoned key provisions of the Fireworks and Pyrotechnic Articles (Scotland) Act 2022, including the proposed licensing system, as communities prepare for potential disorder during bonfire night. (S6F-04405)

The First Minister (John Swinney): The majority of the 2022 act has been implemented, including support for local authorities to implement firework control zones in order to tackle hotspots where disorder has been experienced. We have also introduced new offences of providing fireworks or pyrotechnics to children and of using fireworks to attack emergency workers.

The licensing system has been paused due to the cost of introducing it at present, but that will be kept under review. Anyone taking part in illegal activity or disorder can expect a robust response from Police Scotland, as demonstrated by the recent major seizures of fireworks.

Ash Regan: The Parliament passed that law more than three years ago to protect the public and our emergency services. There have been four bonfire nights since the law was enacted, and the constituents and emergency services that I worked with to introduce the law remain at their wit's end. With respect to the First Minister, I note that firework control zones do not work without controls on purchasing.

Only the United Kingdom Government can ban fireworks, but the public consultation on the issue was one of the most responded-to consultations that this Parliament has ever run. In constituencies across Scotland, communities on the front line—mine is one of them—have become annual bonfire night war zones. Those communities deserve the use by Scotland of all the powers that we have available to us to help them, but they are now bracing for impact. Firefighters, police officers and paramedics continuously put themselves in harm's way to protect the public, and they deserve more than warm words—they deserve the delivery of the law. The licensing system is still undelivered, and vital fire stations such as Marionville, in my constituency, face closure. Public trust is on the line, so will the First Minister commit to looking again at implementing the law in full?

The First Minister: I reassure Ash Regan that a number of the law's central provisions have already been implemented, including the prohibition on providing or making available fireworks or pyrotechnic articles to children, a new statutory aggravation for courts to use when sentencing offenders who have used fireworks to attack emergency service workers, the powers relating to firework control zones and new offences on possession of pyrotechnics in public places and at designated venues and events.

Very strong action has been taken, but I come back to the point that I made in my original answer, which is that anyone who takes part in illegal activity or disorder can expect a robust response from Police Scotland. That is what has taken place in the past, and I expect that to be the case in the future.

Emma Roddick (Highlands and Islands) (SNP): Animal welfare charities are raising concerns about the severe distress that fireworks cause to many animals. The Scottish Animal Welfare Commission has said that the delay in implementing the licensing scheme will prolong the period of unacceptable risk to animal welfare. Will the Scottish Government consider early

implementation of licensing and restrictions on the days when fireworks can be used and sold in order to protect animals?

The First Minister: Those issues will be kept under review, as I said to Ash Regan. The Minister for Victims and Community Safety has liaised with the Scottish Animal Welfare Commission on our work to mitigate the impact of fireworks, including on how noise affects animals.

Sharon Dowey (South Scotland) (Con): The Bail and Release from Custody (Scotland) Act 2023 remains only partially implemented, the Female Genital Mutilation (Protection and Guidance) (Scotland) Act 2020 has not been implemented, and now the Fireworks and Pyrotechnic Articles (Scotland) Act 2022 has been quietly paused. That is only the latest example of the Government talking tough when passing legislation and then sneakily dropping it when it becomes inconvenient. How can the public have confidence that the Victims, Witnesses, and Justice Reform (Scotland) Bill will be fully implemented? Can the First Minister explain why the public—and, indeed, this Parliament—had to find out about the U-turn through the press instead of the minister?

The First Minister: I assure Sharon Dowey that the Government will focus intently on implementing the Victims, Witnesses, and Justice Reform (Scotland) Bill. It has been legislated for by the Parliament and we are taking it forward, as we do with other legislation that is approved by the Parliament.

The Presiding Officer: We move to constituency and general supplementary questions. I suggest that members be concise.

Nuclear Waste (Dounreay)

Bill Kidd (Glasgow Anniesland) (SNP): Last week, it was revealed that a fragment of waste found in April near the decommissioned experimental nuclear power facility at Dounreay was the most radioactive waste detected in the past three years. Despite those clear environmental warnings, United Kingdom Labour ministers are threatening to impose expensive, unsafe and unnecessary new nuclear sites on Scotland. Does the First Minister agree that Labour should see sense and abandon its nuclear obsession?

The First Minister (John Swinney): The Scottish Government has been consistent in its opposition to the development of nuclear energy in Scotland. We think that Scotland has a golden opportunity to develop renewables and should concentrate on doing so.

Vandalism Charges (For Women Scotland)

Tess White (North East Scotland) (Con): Police Scotland has ordered a director of For Women Scotland to attend a police station to face vandalism charges over a complaint about a broken umbrella. If she does not attend, she could be banned from Holyrood—a Parliament that is supposed to represent her, too. The optics of that for the Scottish Government are terrible. To many people, it looks like a threat to free speech and an attempt to silence criticism, silence women and intimidate that particular organisation. Who is protecting whom here? Does the First Minister agree that the police should focus on much more serious incidents than a broken umbrella? Does he think that Susan Smith should receive an immediate apology?

The First Minister (John Swinney): First, let me reassure Tess White that I believe in free speech and think that it should be protected at all times in our society. Secondly, I understand from media reports and the contents of Tess White's question that the issue actively involves Police Scotland. It would be inappropriate for me to comment on a case that is under active engagement by Police Scotland. If I were to do that habitually, lots of members of Parliament would complain about my doing so.

Family Protection Plan (Maiden Life)

Paul Sweeney (Glasgow) (Lab): Insurance giant Maiden Life has suddenly announced that it is withdrawing the family protection plan that thousands of credit union members in Glasgow region have been paying into since it started in 1999. That immoral and callous withdrawal of the plan is causing widespread distress to my constituents in Glasgow and across the country. Does the First Minister share my condemnation of Maiden Life's decision? Will he make a direct representation to the Financial Conduct Authority, along with the credit union working group, to demand immediate redress for the thousands of elderly Scots who will now be left unable to cover the cost of their funeral plans?

The First Minister (John Swinney): I am very sympathetic to the point that Mr Sweeney puts to me and will ask the Cabinet Secretary for Finance and Local Government to engage directly with him and make the representation that he asks for. Credit unions provide an essential foundation in our society, particularly for people who are on low incomes and have low savings levels. It is important that financial security is available to them.

National Health Service (Investment)

Clare Haughey (Rutherglen) (SNP): I remind members that I am employed as a bank nurse by NHS Greater Glasgow and Clyde.

This week, the Scottish National Party Government announced the largest-ever investment in general practitioner services in Scotland, through the provision of more than £500 million over the next three years to support recruitment. Latest national health service waiting list figures show that long waits are down for the fourth month in a row, while NHS activity is rising. Those tangible results show what happens when an SNP Scottish Government delivers for Scotland's NHS. What steps is the SNP Government—*[Interruption.]*

The Presiding Officer: Let us hear one another.

Clare Haughey: What steps is the SNP Government taking to build on that progress—*[Interruption.]*

The Presiding Officer: I am sorry to stop you, Ms Haughey. Members, this is a matter of basic courtesy. Surely we can afford one another that most basic courtesy.

Ms Haughey, please continue.

Clare Haughey: Thank you, Presiding Officer. What steps is the SNP Government taking to build on that progress, boost capacity in our NHS and ensure that Scots continue to have access to the highest-quality NHS services?

The First Minister (John Swinney): I am very pleased that we are seeing a decrease in new out-patient waits that last for longer than a year. I am delighted that we are seeing the total waiting list for out-patients, in-patients and day-case lists decreasing compared with that in the same month last year. I am delighted, too, that the number of treatment time guarantee waits for more than a year have decreased by 6 per cent when compared with those for last month. I am also delighted that the health secretary has managed to reach agreement with the British Medical Association's Scottish general practitioners committee, which will see general practice receive additional funding of more than £500 million over the next three years. Given my commitment to deliver 15 walk-in GP clinics across Scotland, added to the falling numbers on NHS waiting lists, the Scottish people can look forward to a strong national health service under Scottish National Party leadership.

Offshore Wind Park (Community Representation)

Tim Eagle (Highlands and Islands) (Con): The First Minister may or may not be aware of the

Moray Firth floating offshore wind park project—FLOW-Park—that it is proposed should be developed off Findhorn and Nairn, and which would create wet storage facilities for offshore wind platforms. I have already met fishermen who are deeply concerned about the proposal, and on 11 November I will attend a public meeting in which hundreds of people have expressed an interest. I do not want the First Minister to tell me that he cannot comment on planning or licensing applications. However, perhaps he can help me to answer the age-old question that his Government is failing on: how can I ensure that the communities in Scotland that I represent are better heard and represented in the decision-making process?

The First Minister (John Swinney): There is a full range of different opportunities for those issues to be properly and fully considered. A huge amount of scrutiny is applied to applications of that type, and significant assessments are required, particularly for environmental reasons. Mr Eagle will be familiar with the contents of those, because they are part and parcel of statute. There are opportunities for engagement on all those questions.

Sheku Bayoh Inquiry

John Mason (Glasgow Shettleston) (Ind): Will the First Minister give us an update on the Sheku Bayoh inquiry? Can he assure us that we will not spend another £50 million on it and that it will be concluded timeously?

The First Minister (John Swinney): I very much regret that Lord Bracadale felt it necessary to resign from chairing the Sheku Bayoh inquiry. I want to place on record my admiration and appreciation—and those of the Government—of the service that Lord Bracadale has given to the inquiry, which I think has been exemplary, but I respect and understand his decision to step down. The Deputy First Minister has thanked Lord Bracadale for his work and is now engaging on how to progress the inquiry. We will keep Parliament updated on the steps that are necessary to do so.

As Mr Mason will know, we have to undertake statutory consultation on the chairing of the inquiry. That will be undertaken timeously, and we will keep Parliament advised of the steps that we take.

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

Point of Order

12:47

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): On a point of order, Presiding Officer. In the past 12 hours, Police Scotland has been reviewing its decision to issue Susan Smith of For Women Scotland with a recorded police warning; if such a warning is not accepted, that leads to a charge of criminality.

Video evidence from a peaceful protest that was held outside this Parliament on 4 September, at which I and my colleagues spoke, clearly shows no evidence of criminality—such as vandalism—having been directed towards an individual who played loud music to drown out the voices of women peacefully protesting and calling for the Scottish Government to adhere to the Supreme Court judgment on biological sex.

The public must be reassured of their democratic rights, and that freedom of speech is valued by this Parliament, the Scottish Government and Police Scotland. What mechanisms are there to understand whether Police Scotland has had conversations with ministers regarding the incident on the parliamentary estate? Which mechanisms led to the police decision being reviewed? Does the Presiding Officer believe that all protests are equal and deserve to be safely facilitated, or only those that suit Scottish National Party ideology?

The Presiding Officer (Alison Johnstone): Thank you, Ms Hamilton. Ms Hamilton will be aware that the comments that she has just put on the record are not, in fact, a point of order.

The next item of business is a members' business debate in the name of Craig Hoy. There will be a short suspension to allow those leaving the chamber and the public gallery to do so.

12:49

Meeting suspended.

12:51

On resuming—

Bank Closures

The Deputy Presiding Officer (Liam McArthur): The next item of business is a members' business debate on motion S6M-19202, in the name of Craig Hoy, on regretting bank closures. The debate will be concluded without any question being put.

Motion debated,

That the Parliament regrets the latest round of bank closure announcements from Bank of Scotland and other operators across Scotland and the UK; further regrets what it sees as the failure to properly consult with customers and local businesses before closure decisions are taken; notes the calls for all high street bank operators to consider adopting a "branch promise" to halt future closures and to prevent banking deserts developing; expresses concern regarding what it sees as the fragile future of rural banking, including in the South Scotland region, and notes the calls for Link and Cash Access UK to do all they can to fully maintain access to cash and banking services when high street banks close branches.

12:51

Craig Hoy (South Scotland) (Con): The rate of bank closures is a concern to members across this chamber, and I thank MSPs who supported the motion on a cross-party basis. As someone who believes in the free market, this is not territory into which I tread readily. Banks are commercial entities—I accept that. They are free to make their own commercial decisions—I recognise that. However, they also have a duty to their customers, particularly older customers and small businesses, many of which operate in small towns and rural areas, and to those who are not digitally minded or who are digitally disadvantaged. All of those people and businesses need to have a convenient place in which to meet their banking needs.

Since being elected, I have heard far too often from constituents who feel that high street banks have abandoned them. This list of closures in South Scotland is far from exhaustive: Bank of Scotland, Annan, closing; TSB, Penicuik, closed; Bank of Scotland, Moffat, closing; Bank of Scotland, Sanquhar, closed; Bank of Scotland, Thornhill, closing; Bank of Scotland, Duns, closed; Yorkshire Building Society, Dumfries, closing; Bank of Scotland, Dunbar, closed; Bank of Scotland, Eyemouth, closed; Santander, Hawick, closed; Bank of Scotland, Jedburgh, closed; TSB, Hawick, closed; Bank of Scotland, Langholm, closed; Bank of Scotland, Newcastleton, closed; Barclays, Ayr, closed; Bank of Scotland, Castle Douglas, closing; Bank of Scotland, Newton Stewart, closed; TSB, Haddington, closed; Barclays, Dumfries, closed; Royal Bank of Scotland, Tranent, closed; Bank of Scotland, North

Berwick, closed; Bank of Scotland, Peebles, closed; TSB, North Berwick, closed; Bank of Scotland, Hawick, closed; Bank of Scotland, Selkirk, closed; and TSB, Selkirk, closed. In too many cases, those closures were the closure of the last bank in town.

I accept that this is a complex issue and that those closures are taking place in a regulated sector where the operating environment is changing fast, but banks make a great virtue of their environmental, social and governance credentials—indeed, the S in ESG reflects their duty to society. They say that they have a duty to support their customers and the communities that they serve, but that is all too often ignored when banks leave our high streets and simply pass the responsibility to Link and Cash Access UK.

Regulation of the banking and financial sector is reserved to Westminster, and I have been working with colleagues there on what needs to be done to reform how cash access assessments are determined. The current legislation and regulations are too blunt and fully fail to take account of special circumstances.

Murdo Fraser (Mid Scotland and Fife) (Con):

The issues that Craig Hoy outlines are reflected in Highland Perthshire, which is part of the area that I represent, and in many other parts of the country. There is also frustration that applications for banking hubs, which are a very valuable resource, are not being granted because of strict criteria. I have written to the Financial Conduct Authority about that. Does he agree that the FCA needs to revise its rules on where a banking hub can be granted?

Craig Hoy: I agree with Mr Fraser, particularly in relation to rural areas where the problem is most acute. For example, certain towns have high seasonal demand for cash or have particular demographics, and the current criteria do not reflect that.

That is definitely the case in Moffat in Dumfriesshire, where, in less than three weeks' time, the Bank of Scotland will close its doors for the last time. That will leave this vibrant tourist and retirement town without a bank, an easily accessible high street ATM or a banking hub. The community is rightly concerned, and I commend Evelyn Atkins—who is in the gallery with her husband Bryan today—for leading the community campaign against the branch closure. Evelyn first asked for my support when she came into the bar at the Famous Star Hotel on a Saturday night to seek signatures for her petition. Through her hard work and tenacity, Evelyn secured more than 3,000 signatures, and her petition was recently presented in the House of Commons by my colleague David Mundell MP.

Moffat is a small town, but it has a large number of visitors and several cash-only businesses. Evelyn spent her career in banking and she is someone who understands what community banking should look like. However, despite the petition, several rallies, a public meeting held in conjunction with Age Scotland and, most recently, a meeting with a representative from the Bank of Scotland, held here in the Parliament with Oliver Mundell, the Bank of Scotland has refused to change course. Link Scheme believes that an upgrade to the post office provision will be sufficient, but many local businesses and residents disagree, and they now face a 42-mile round trip to Dumfries to access a bricks-and-mortar branch.

Digital banks might work for some and banking hubs might work for others. Community bankers visiting communities once a fortnight, for example, might be sufficient for some customers, but, for many, a traditional bricks-and-mortar high street bank remains a lifeline—often one that is used in times of distress, such as when scams are occurring.

The sad thing is that it does not have to be like that. I recently met the teams at Virgin Money and Nationwide in Dumfries, and they talked to me about their 2028 branch promise. As part of the merger agreement, every Nationwide and Virgin Money branch will stay open until at least 2028. Virgin Money also offers free accounts to community groups—a service that is, sadly, being withdrawn by other banks, which now charge for such accounts.

However, it is not all bad news, and let me offer praise where it is due. Alongside David Mundell and Councillor Julie Pirone, I was recently contacted by the Peebles Community Trust after the closure of the Bank of Scotland branch in the town. The trust sought our support to acquire the building, and I am pleased to confirm that, this week, it has been successful in its bid. That will let the trust move its reuse hub there and create space for a future banking hub, if Link Scheme determines that that would be necessary. The bank closure is regrettable, but I welcome the legacy move by the bank.

I believe that this debate will show that bank branches are a lifeline for many, and I hope that the Scottish Government will do everything that it can to persuade banks to remain visible on Scotland's high streets.

I will close with a direct appeal to the Bank of Scotland in Moffat. This is a special case, and those who know the town understand its unique needs. The closure is imminent, but the decision is not irreversible. I recognise that banks need to be commercially viable, but they have a duty to look after the communities that they represent. The

pace of change is simply too fast for some, and the rate of closures is too high. Those customers have stood by their banks for decades. Their savings allowed the banks to lend, and public money bailed out the banks in 2008, but, sadly, for too many communities, those banks are now bailing on them.

I look forward to listening to contributions to the debate from colleagues from around the country. I just hope that bank bosses are listening, too.

The Deputy Presiding Officer: There is an awful lot of interest in participating in this debate, and I am keen to ensure that every member gets a chance to speak and their full allocation of time. I am also conscious that we are due to resume business at 2 o'clock, and staff will need time to prepare the chamber ahead of that, so I ask members to stick rigidly to their time allocation.

I call Jamie Hepburn, to be followed by Liam Kerr, to speak for up to four minutes.

12:59

Jamie Hepburn (Cumbernauld and Kilsyth) (SNP): I thank Craig Hoy for lodging the motion. I very much agree with its premise. The notion of a branch promise, as he states in his motion, is very much worthy of consideration.

Thankfully, the Bank of Scotland branch in Cumbernauld is not one of the 13 that is set to close. However, my area has been hit hard by bank closures over a number of years—I will come back to that. Indeed, there will be very few of us, at best, who have not been impacted by those challenges.

To set the overall context, on 29 September, *Which?* magazine laid out the scale of the change that we have seen over the past decade, since January 2015. Across the United Kingdom, banks and building societies have closed 6,561 branches at a rate of around 53 a month. That represents 66 per cent of the branches that were open at the start of 2015.

In Scotland, the issue has been particularly acute. Scotland was the first area of the UK to experience the loss of more than half of its retail banks in that period. Of its 1,041 branches, 719 are now gone, and another 21 are set to go. That is 740 branches—or 71 per cent of the total number of retail banks that were in place in January 2015.

I do not want to overly politicise my comments today, because the debate is primarily an opportunity to set out a constituency concern, but it is also about how banks are regulated. Regulation remains in the hands of the UK Government. I observe that Mr Hoy's party was in government for almost the entirety of the previous

decade, although we see the trend continuing under the Labour Government.

I will talk about the local angle, as I think most members will do today. In 2017, we saw the closure of the Royal Bank of Scotland branch in Kilsyth. I should declare an interest as an account holder with the Royal Bank of Scotland. In 2020, we saw the closure of TSB in Kilsyth, which left Kilsyth, a town of more than 10,000 people, without a single retail bank.

In 2022, Clydesdale Bank—I am sentimental, Presiding Officer; I will call it Clydesdale Bank rather than Virgin Money—closed its branch in Cumbernauld. Again, I should declare an interest as an account holder there. In 2024, we saw the closure of the Royal Bank of Scotland branch in Cumbernauld town centre, which followed an earlier closure of another branch in the town. Most recently, in 2025, we saw the closure of Santander in Cumbernauld. I was recently in discussion with a constituent who talked about having moved their account from Clydesdale, because it closed in the area, to Santander, only then to face the loss of their local bank again.

As Mr Hoy said, the challenge is particularly acute in rural areas, but it impacts urban Scotland as well.

I will now focus on what might be an opportunity. It is not often that I agree with Murdo Fraser, who has now left the chamber, but I support the notion of banking hubs. I think that they could serve as an opportunity to pick up where we have lost some of the—

Finlay Carson (Galloway and West Dumfries) (Con): Will the member take an intervention?

Jamie Hepburn: I do not think that I have time, Mr Carson. I have to close and I want to make this point. Banking hubs can provide an opportunity to replace the retail banking on our high streets that we have lost. However, I agree with Murdo Fraser that some of the regulation around them is too strict. It focuses on access to cash, but retail banks offer much more than that. I would very much like community banking hubs to be established in both Kilsyth and Cumbernauld, and that is something that I will continue to call for.

13:03

Liam Kerr (North East Scotland) (Con): I am grateful to Craig Hoy for securing the debate. Bank closures are something that we are all too familiar with in Aberdeen. The lower Deeside area, which is a roughly 8-mile corridor between Anderson Drive and Peterculter, used to have eight banks. It now has none. All the communities in that 8-mile corridor, including Cults, Bielside, Milltimber and Peterculter, are without a bank.

Imagine an older person with suspicions about the internet and phone banking, having seen all the fraud warnings; someone who is wary of banking apps with their artificial intelligence-driven helpdesk; one of the many businesses in that corridor that need to bank cash or withdraw a float; or someone who just needs to speak face to face with a staff member. Their nearest banks are at Banchory, which is a 35-minute bus ride from Bielside—the midpoint of that 8-mile corridor—or at Queen's Cross in Aberdeen, which is an hour-long trek involving two buses.

Craig Hoy's motion calls for Link to do all that it can to maintain access, and rightly so. Link is a not-for-profit operation that, among other things,

"has a public interest objective to protect access to cash across the UK."

One of its key roles, which is peppered through all its communications, is "financial inclusion", to which end it runs a "financial inclusion programme" and

"supports the rollout of shared banking hubs in areas affected by bank branch closures".

Finlay Carson: Will the member give way?

Liam Kerr: I really do not have time—sorry.

It says that the location of banking hubs will be considered based on things such as distance to nearest cash services, and vulnerability and digital exclusion.

So is Link doing all that it can to ensure the financial inclusion of lower Deeside? Er, no. After an approach from Cults, Bielside and Milltimber community council for a banking hub was rejected by Link, I got involved. I wrote to Link and pointed out that I speak to constituents every week at surgeries, in shops and on doorsteps, and they are telling me just how deeply they are affected by the loss of local banking services. Many are elderly, isolated and living with mobility issues. They are frightened of the internet, distrustful of online banking and increasingly cut off from the financial services that they once relied on. One woman in Culter told me that she had to ask neighbours to withdraw cash for her because she cannot manage the bus journeys. Another in Milltimber has not spoken to a bank employee in more than a year and feels invisible.

I pointed out to Link that its response to the community council assessment was fundamentally flawed in its scope, substance and assertions. Link reviewed my correspondence, rejected my evidence and concluded:

"This is my final response ... if you remain dissatisfied ... you can refer the matter to the Independent Assessor",

whose role is to review the handling of the complaint, not the decision. Link has washed its hands.

I am dissatisfied, as are my constituents, because Link's decision is based on a fundamental misunderstanding; does nothing for financial inclusion and everything for abandoning my communities; and looks like a classic piece of decision making by a body that has no base in—or, indeed, any knowledge of—the north-east.

I recently set up a petition that would show the strength of local support. It has hundreds of local signatures already. I have been contacted by local facilities, such as the churches and the Cults library team, offering to host a banking hub.

Let me be blunt: Link, there is a big local petition coming your way, with a reiteration of why your decision is so flawed and detail of some of the solutions that will make it easy to get to yes.

It is deeply regrettable that Link has failed to deliver the banking hub that is so desperately needed. However, I am sure that, once it has seen this debate, received my petition and reconsidered the arguments, it will choose to do the right thing by lower Deeside and give us the banking hub that we desperately need.

13:08

Davy Russell (Hamilton, Larkhall and Stonehouse) (Lab): I sincerely thank Craig Hoy for bringing this matter to the chamber, because I agree 100 per cent with every word that he said.

Among other towns across Scotland, Larkhall, in my constituency, will be losing its high street bank, to the detriment of thousands of constituents and hundreds of businesses. In my interactions with the Bank of Scotland and Link, I was disappointed by their lack of compassion and understanding. Even when I proved to them that their assessment was wrong, they just shrugged their shoulders.

That loss will have the biggest impact on the most vulnerable in society, especially the elderly, who are most dependent on in-person services. Remember that, when the banks were on their knees, the Bank of Scotland understood perfectly what banks were—a necessity for the people. In 2008, we, the public—including all of us here—contributed to the £17 billion bailout. In addition, further loans were guaranteed for billions by the UK Government. There was a decision not to abandon them. However, they have abandoned us. They are abandoning Scotland's high streets and semi-rural towns, putting shareholders and personal bonuses in front of long-standing customers. It is morally bankrupt.

Clearly, the free rein that banks have enjoyed in being governed by the old boy network has gone

on for far too long. Their power has been abused, as the banks cannot be counted on to act in the best interest of their customers or of the economy. I whole-heartedly join the calls made in this motion—that banks should be compelled to keep existing branches open and to serve the community that ultimately supported them when they were almost down and out.

I also want to expose the fallacy that Link, the banks' so-called independent assessor for these matters, is independent. Bank of Scotland cards say Link on them. In the discussions that I have had with Link, it has basically said, "I'll need to get back to the bank." When we speak to the bank, it says, "We'll get back to Link." They are all part of the same gang, and Link is just doing its bidding as instructed. Allowing banks to do as they wish should no longer be tolerated. We should use the powers that we have in the Scottish Parliament. We and our local authorities should take the banking that we do away from the banks that are doing this to our local communities.

13:11

Tim Eagle (Highlands and Islands) (Con): I congratulate Craig Hoy on securing the debate. Local banks are often a hub for many people, especially in small, close-knit communities. They are part of the social fabric of rural communities that is sadly ebbing away.

According to the Link group, some 2,209 bank branches have closed across the UK since February 2022, with around 233 of those in Scotland. There have been 40 closures in the Highlands and Islands region in that time. The number of branches closing has increased year on year up to 2025, although the number of closures has dropped this year—I suspect that that is because there are barely any branches left to close. Even just a few months ago, it was announced that Lloyds Banking Group was closing four of its Bank of Scotland branches, in Nairn, Dingwall, Gairloch and Tain. Communities are facing fewer and fewer banking options.

Although I welcome the work that groups such as Link and Cash Access UK do to step in when the big banks leave local communities, many of my constituents feel that the solutions are not adequate. Since 2022, Link has recommended that some 33 banking hubs be established across Scotland, but just three of those are in the Highlands and Islands region. When a hub has not been recommended, other, lesser alternatives have been suggested, such as a new ATM, a new assisted cash service and assisted counter services such as the cash hub in Lossiemouth town hall. Again, only on three occasions have communities in my region benefited from some of those alternatives. In fairness to Link, many of the

impacted communities have local post offices, and I welcome the role that they play in stepping to fill the void that is left by bank branch closures. However, although post offices offer a range of services, they do not fully make up for the loss in expertise and enhanced services that disappear when a bank branch closes.

One constituent contacted me about their Bank of Scotland branch closing in Dingwall. They told me that their local branch is a

“lifeline to many older people”

and that the Bank of Scotland

“make you feel like it is an offence nowadays to do your transactions using a cashier at a desk.”

Although I welcome the measures that are being taken by some banks, such as Nationwide’s pledge not to close any branches until at least 2028 and Barclays halting closures for 2025 and 2026, the sad truth is that more closures will come unless banks figure out ways to diversify their branch offering and be more involved in their communities in order to increase footfall. That might seem like wishful thinking, but it should not be impossible for major banks to do things differently and to do more to protect the local bank branch rather than just concede and shut up shop.

This is about more than just bank branches closing. The closure of bank branches is one more reason for rural depopulation. The loss of such services in our small rural towns and villages is one more reason for people to leave and for people not to move into those areas in their place. We must do more to reverse this trend.

13:14

Paul McLennan (East Lothian) (SNP): I thank Craig Hoy for securing this afternoon’s debate. As some members may know, I started my career with the TSB in Haddington. After a few years, I moved to the Bank of Scotland at the bottom of Morningside Road. I spent 22 years in the banking sector, working first as a financial adviser and then working in business and corporate banking. When I was in the Morningside branch, about 45 to 50 people worked in the branch, from the cash desk to business banking and customer inquiries. I remember the Thursday afternoon rush of people coming in with pay cheques and withdrawing cash. The rush around the Edinburgh trades holiday was also very busy—but that is enough reminiscing about the 1980s from me. Times have changed, with technology having changed dramatically and footfall in branches having dropped. The Morningside branch now has around six to eight members of staff compared with the 50 that I mentioned.

What can we do to tackle bank closures? Of course, we can all campaign to save bank branches—we have heard about that from many members in the debate—and sometimes the last one in town. As has been mentioned, all the towns in East Lothian have seen branch closures by all the banks. In October last year, my team and I contacted Link about bank closures in Dunbar, North Berwick and Tranent. Link is the co-ordination body that conducts assessments when there is a change in the level of cash access in a community, and it recommends new services when required. It has assessed the bank closures in East Lothian towns and villages. New rules on that were brought in around October last year.

Having submitted applications for North Berwick, Dunbar and Haddington, I was extremely pleased that new banking hubs were recommended for North Berwick and Dunbar. We continue to push for a hub in Tranent through Cash Access UK, which was asked to take forward the proposals. Public meetings were held in North Berwick, which Mr Hoy and I both attended, and members of the public were able to ask questions. I am delighted to say that the banking hubs are now open in North Berwick and Dunbar. The North Berwick one is in the old Bank of Scotland building.

Craig Hoy: I join Paul McLennan in welcoming the Dunbar and North Berwick banking hubs. However, does he share my concern that the hubs are not being fully utilised? On the two days when I last visited the Dunbar hub, there was no community banking facility in it. Will he join me in encouraging banks to use and take up the capacity of banking hubs?

Paul McLennan: Yes. Like Mr Hoy, I have visited the hubs and that issue has been raised. It is good that the hub in Dunbar is now moving to a permanent home, which I think means that there will be more bank representation in it. The permanent home will be open in the next few weeks and is in a renovated building that has not been used for a number of years.

Banking hubs help our business communities, and lots of businesses at the North Berwick meeting welcomed the hub there. Hubs support people who suffer from digital exclusion, and they provide key support for our communities. Let us all campaign against bank closures when we can, but let us also campaign for banking hubs and the support that they bring to our communities. One obvious solution is to bring banking regulation to Scotland under independence, so that we can make decisions that affect our own communities.

13:17

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): I thank my colleague Craig Hoy for securing this important debate on bank closures.

Since 2012, 6,000 bank branches across the United Kingdom have been closed. The most recent sad casualty is the Bank of Scotland branch in Hawick. That closure is a severe blow to customers, who have expressed shock and disappointment. A banking hub is proposed, which I welcome. If it works, that will be great, but constituents have said that they are concerned about the privacy of a banking hub. That is especially worrying for older customers in the current climate of scams and fraudulent activity—it is no wonder that they are worried.

My colleague Liam Kerr spoke about a constituent asking a neighbour to withdraw cash for her. I find that incredibly concerning, yet she is not alone in doing that. A partially sighted constituent to whom I spoke on the doorstep told me that she had given her banking card to a trusted friend, who took it to Berwick to get cash because there was no cash left at the local ATM at the Co-op in Eyemouth. That is incredibly worrying.

The closure in Hawick marks the eighth bank branch closure in the Borders since 2022, following closures—as Craig Hoy has said—in Eyemouth, Selkirk, Jedburgh and Duns. The common factor of those places is that they are small rural towns, and the closures have affected people who are the most vulnerable, including those who are over 65, nearly half of whom still rely on a physical banking service.

With the demise of our high streets, the minister should be concerned about the closures, because they are part of an ever-decreasing circle. Retailers and tourism businesses are closing, too, and the lack of access to cash does not help them, because small retailers still rely on cash, and people use cash because they want to be able to budget.

I agree with my colleague Craig Hoy about the limitations of the Financial Conduct Authority, which I met in London. Clearly, as we have all agreed today, many of the solutions are reserved. Nevertheless, we must ask the Labour Government to give more powers to the FCA, so that it can protect cash access in rural areas by reforming the access criteria so that they take more practical account of the challenges faced in those areas. Many of the problems lie in the assessment of the distance threshold for transport links and accessibility. Predominantly, relevant distances in urban areas are assessed as being within a mile, where at least 95 per cent of people

will live, but we all know that that is not how rural towns operate. Rural towns also face challenges because commercial bus companies cannot operate viably there and so are withdrawing services, which means that the threshold is not relevant.

I pay tribute to a wonderful retired schoolteacher from Eyemouth, Margaret Carey, who has campaigned vigorously to get access to cash there.

Communities must also be empowered to have a realistic chance of making their case about the challenges in rural areas when they appeal decisions. It is extraordinary that communities are not consulted prior to decisions being made to close banking services.

I will continue to campaign to keep access to cash alive and to keep banks on the high street.

13:21

Kenneth Gibson (Cunninghame North) (SNP): I congratulate Craig Hoy on securing this debate on an important matter that is, unfortunately, affecting a growing number of my constituents.

Saltcoats has been left with only one bank branch providing in-person banking services after the closure of Santander's Chapelwell Street branch on 21 July. The situation is made worse by the fact that Saltcoats post office, also on Chapelwell Street, remains under threat, as it is a facility that banks often point to for basic banking facilities when they close branches.

Largs, a town of more than 11,000 inhabitants, with a sizeable number of tourists and day trippers, will be left with no bank at all when the Bank of Scotland shuts its Main Street premises in March. The loss will be keenly felt by residents and local businesses, and it will follow Royal Bank of Scotland, TSB and Clydesdale Bank closures. Whenever bank closures are imposed in my constituency, I contact bank executives to urge them to reconsider—as, I suspect, many members have done when their constituencies have been affected. However, it is always to no avail.

The new assisted cash facility recommended for Largs is welcome, but it is certainly not a substitute for bank branches that give customers access to friendly, face-to-face services and advice five or six days a week. According to the Bank of Scotland's own figures, one third of its Largs customers rely on face-to-face banking services. Although I do not deny that the future of banking will be increasingly online—pushed by the banks themselves, of course—many customers, mostly the elderly and vulnerable, simply do not feel comfortable using online banking, especially

given the prevalence of scams and cybercrime. A Newcastle Building Society study found that half of people aged 27 to 42 would also, in fact, rather visit the local bank branch if such a thing existed, to speak face to face instead of managing all their personal finances online.

Myriad constituents have been in touch to say that the decline of face-to-face banking is being portrayed as customer choice when, in fact, it reflects the bank's own efforts to steer customers towards digital services. In Saltcoats, the bank said that it was about a lack of footfall, but I do not recall a time when I went to Saltcoats Clydesdale Bank, as it was, and there was not a half-hour-long queue to get served. I think that the footfall argument is often nonsense. The rush towards digital-only services has made it increasingly clear that communities such as Largs, Saltcoats and the Garnock Valley, where seven branches were extant a year ago, are being left behind by the banks.

The Labour Party is strong on rhetoric and opposition but abysmal on delivery in government. One of Labour's 20 pledges to businesses was to stop bank branch closures. Its plan for financial services stated that it will

"accelerate the roll out of at least 350 'banking hubs' which help people have free access to cash and wider banking services".

As of today, I have yet to see a single banking hub open in my constituency—and it is not for the want of trying. When I contacted Link to request a banking hub for Largs, I was told that, because only 8,996 adults live near the high street, rather than the arbitrary figure of 10,000, it does not recommend a hub. Link is regulated by the UK Government's Financial Conduct Authority, and its remit is limited to assessing access to cash, not wider banking services. The lack of a bank on the neighbouring island of Cumbrae was not taken into consideration either.

Frustratingly, powers over banking have never been devolved to the Scottish Parliament. During the passage of the UK Financial Services and Markets Act 2023, Labour MPs tabled amendments to introduce new clauses to enable the FCA to ensure access to banking services. However, the UK Conservative Government did not support the amendments, and the litany of bank closures that was read out by Craig Hoy transpired primarily when the Tories were in office. After nearly 16 months of a UK Labour Government, Scotland is seeing more and more bank branches close their doors forever.

People are seeing their high street bank branches disappear at an alarming rate, just as they have seen happen with their post offices. Although there is no magic bullet to reverse the trend, I urge Scottish ministers to work with Link

and the UK Government to change the arbitrary population thresholds and to finally extend the FCA's powers to include access to wider banking services.

13:25

Jamie Halcro Johnston (Highlands and Islands) (Con): I congratulate Craig Hoy on bringing this debate to the Parliament, given the recent closures by the Bank of Scotland. My region, like his, is affected by these closures, and, as in his region, the closure of branches will cause real challenges for the many people whose local bank branch is increasingly far away and not so local any more.

The south of Scotland and the Highlands share more similarities than is often recognised. They both contain networks of smaller towns, many distant from each other, that still act as true commercial centres for their surrounding areas. They are places where small businesses are the lifeblood of our local economies, but the reality is that our lower population densities often mean that we are the first to lose out when services are centralised.

Although, in many ways, progress through technology has reduced some of the challenges of rurality, it has also created conditions that have allowed these communities to be left even more isolated than before. Only last year, I spoke in a members' business debate brought by Rhoda Grant on the reduction of mobile banking services across the Highlands and Islands. As I mentioned then, I had previously participated in Dean Lockhart's members' business debate on the removal of cash machines, and I was a member of the Economy, Jobs and Fair Work Committee when it carried out an inquiry into bank closures in 2018. My concern is that we often focus on the alternatives, such as ATMs, online banking and mobile branches, only to find ourselves debating the loss of such alternatives at some point further down the line. That is simply not good enough.

Both the Scottish and the UK Governments have spoken of the importance of high streets and town centres, not only as the basis for retail but as focal points for communities—places to access public services and spaces where we can enjoy meeting each other. However, this further round of closures, coming after so many previous losses, demonstrates that the hollowing out of these places is continuing at pace. I do recognise that high streets and town centres will change and adapt in response to consumer needs, and that this cannot be a wholly one-sided appeal to preserve these areas in time. Increasingly, however, consumer needs—particularly those of our older residents, as Craig Hoy highlighted—are

simply not being catered for in regions such as mine.

I welcome the action to promote and increase the number of banking hubs by Cash Access UK, with the co-operation of the major banks and the Post Office. Two such hubs now exist in my region—one in Forres, and, since only the summer, a new one in Wick. Both have been well received, even if it is clear that—

Finlay Carson: Will the member take an intervention?

Jamie Halcro Johnston: I will when I finish this point.

Both hubs have been well received, even if it is clear that some people remain unaware of the breadth of services that they offer. We must watch closely to see whether they become a truly viable and sustainable alternative and are able to grow at the pace that has been suggested. I, for one, would like to see more hubs across the region.

Finlay Carson: I put on record my thanks to campaigners who have been successful in getting banking hubs opened in Kirkcudbright and Newton Stewart in the past 12 months. Link was asked to review how it assesses these banking hubs, but that process still needs to be firmed up.

I ask the member to join me in calling on the FCA to consider a mandatory review of access to cash in towns before the last bank closes, to ensure that decisions in relation to towns such as Dalbeattie—the biggest town in Stewartry, which has been without a bank or a banking hub for some time—are reviewed again. I have been successful in the past month—

The Deputy Presiding Officer: Be brief, Mr Carson.

Finlay Carson: —in getting decisions in relation to Dalbeattie and Wigtown reviewed. We need that process to be introduced.

The Deputy Presiding Officer: Thank you, Mr Carson. Jamie Halcro Johnston, I can give you some of that time back.

Jamie Halcro Johnston: Thank you—that is very generous of you, Presiding Officer. I certainly agree with Mr Carson, and, from the response that his intervention got on these benches, I think that that view is held more widely.

Just as significant is the Post Office network, which provides basic banking services in its branches. Even when sub-post offices close, pop-up branches such as the one that I was in only last Thursday, and which serves my home parish of Orphir in Orkney, continue to play an important role. In part, post offices across the UK have been protected by their access criteria, alongside a

great deal of political will and continued commercial interests.

In many situations, however, it is only after those local services are lost that we appreciate their true value. The chief function of a face-to-face bank or Post Office branch might be to process transactions or do business, but how many banks have spotted customers being subject to identity fraud or scams? How many have been first to notice other financial crimes such as undue influence being exerted on a vulnerable person? How many play, or have played, an important social role in communities like those across my region? Access to cash is not, and cannot be, our only concern.

While the world is changing, there remains a need for face-to-face banking services, if not in bank branches in every village, at least somewhere that enables people to reasonably access cash when it is needed.

13:30

Meghan Gallacher (Central Scotland) (Con): I congratulate Craig Hoy on securing this important debate on bank closures.

Banks are more than just buildings; they are the focal point of our communities. The bank is where local businesses deposit their takings, where elderly residents manage their finances in person and where people can ask for advice or seek reassurance without resorting to an app or waiting in a frustrating telephone queue. In my region of Central Scotland, Bank of Scotland has announced the closure of branches in Bellshill, Larkhall and Grangemouth. I must declare an interest at this point, as I am a Bank of Scotland account holder and a customer of the Bellshill branch.

It is the perception of local people that banks are deciding on their behalf how customers should bank, and that is simply not acceptable. There are petitions under way across the region in an attempt to save those banks from closure in January 2026, and I urge residents in affected areas to look at those petitions and make their voices heard by signing them and opposing those closures.

Last Monday, I joined Councillor Richard Nelson, who organised a public meeting in the Larkhall area, to talk about how the community can work together to stop the closure. Banking hubs were mentioned, but it will come as no surprise to members in the chamber that, again, a banking hub for Larkhall has been refused.

I felt that the public meeting was very productive, and I note that the petition started by Councillor Nelson has already attracted more than

500 signatures. If Davy Russell would be so kind as to sign that petition and share it, we can work cross-party to stop the closure of the Bank of Scotland branch in Larkhall. The petition shows the level of interest from local people in stopping the expansion of bank deserts across Lanarkshire and other areas.

One petitioner who signed the petition has commented publicly that,

“As a pensioner with a husband who has dementia it’s difficult enough to deal with daily life without having to travel further afield to use a bank or lift money. I live in Stonehouse and have to travel to Larkhall to use a bank and now you are going to close it, I and my husband have banked with you for over 65 years and I hope you will reconsider and keep this branch open or better still give us a banking hub in Stonehouse”.

That petitioner is absolutely bang on the money with the points that she has raised.

Another interesting point that was raised during the public meeting was the semi-rurality of the area when it comes to residents in Lanarkshire trying to use public transport to reach the next nearest town where a bank has not been earmarked for closure. Only 32 per cent of households in Ashgill and Netherburn, and 45 per cent in central Larkhall, are within a 10-minute walk of high-frequency public transport, so closing the Larkhall branch will increase travel barriers for people. In my view, few or no impact assessments have been carried out on deprivation, digital exclusion or proximity to the nearest local branch.

Councillor Nelson has since written to Lloyds Banking Group asking for the decision to be reviewed. I back his calls and will continue to work with him and the local community to overturn the decision.

Turning briefly to the bank closure in Bellshill, I note that Lanarkshire Law Estate Agents, a firm of estate agents and solicitors, has picked up the mantle and started a petition, which, again, has attracted well over 500 signatures. I put on the record my thanks to the firm for the work that it is doing on behalf of the Bellshill community.

I want to close on this point: banking groups will lose custom if they continue to close branches in areas, as people have had enough of being forced to go digital by going cashless. That is why I back the calls today from my colleague, Craig Hoy, in seeking to raise the issue of bank closures and the need to investigate solutions to ensure that Scotland does not become a banking desert.

13:34

The Minister for Business and Employment (Richard Lochhead): I pay tribute to Craig Hoy for securing this debate on high street banks in Scotland, the rate of closures and some of the

issues that arise. Clearly, the concerns that he outlined are very familiar to many members around the country—particularly to those of us in more rural constituencies, such as myself, as the representative of Moray.

I remember a report from a few years ago that said that Moray was the hardest-hit constituency when it came to bank closures. Although we now have a banking hub in Forres and a cash hub in Lossiemouth, we have only one high street bank left outside of Elgin, which is in Keith. I therefore associate myself with Craig Hoy’s tribute to Virgin Money, whose bank branch that is.

Within the past couple of weeks, I have met Alison Moffat, Adam Featch and their great team there. I learned about Virgin Money’s banking promise, which has been outlined, to keep the branch open until early 2028, and about all the various services that are delivered there, including supporting customers with dementia, issuing SIM cards to people who are unable to have connectivity, helping people who have experience of domestic abuse, and providing other services such as working with local schools on entrepreneurial, banking and financial skills. The work that is being carrying out is tremendous. As others have said, it is a good example for other high street banks to follow.

I certainly share the concerns that have been expressed by many members. Jamie Hepburn outlined some of the stark statistics about the rate of bank closures in Scotland in recent years. Although the regulation of financial services is a reserved matter, the Scottish Government has been proactive in our engagements with the sector and with the regulator to advocate for Scotland’s interests. The issue has been debated and raised in the chamber many times.

The Government welcomes the FCA’s new regulatory powers on access to cash, which came into force in 2024. Ahead of the implementation of those rules, the Scottish Government provided feedback during the consultation process, which helped to lead the FCA to amend its definitions of “urban” and “rural” in the Scottish context, in recognition of our unique geography and the challenges that are faced in particular by rural and island communities, as members have mentioned.

We have also taken some practical steps. At this time last year, I convened a cross-party round table on access to cash and banking services, which brought together the FCA, Link, Cash Access UK, the Post Office and members from across the parties and which helped us all to get a shared understanding of the new rules that were coming in at that time. Under the new FCA rules, anyone who is concerned about access to cash in their area can make a cash access request to Link. There is also a right to appeal following an

assessment decision. Of course, there are important safeguards, and I encourage individuals and community representatives to exercise their rights. It is great to hear about examples from around the country of people using that process. I will come back to concerns over the rejections of some requests.

The expansion of banking hubs across Scotland has been positively received by the communities that have benefited. We have a total of 16 hubs already, and another 13 are in progress. They bring together multiple banks under one roof and provide communities with access to essential banking facilities, allowing customers to carry out everyday transactions and speak to representatives from their own banks on dedicated days.

I remember a statistic from back in 2022 that only 14 per cent of transactions nowadays involve cash. The world is changing. However, as members have said, we need safeguards. Many members have eloquently outlined the concerns of vulnerable communities—in particular, elderly people—as well as certain parts of the economy such as small businesses in more rural communities in particular. High street banking still has a role to play, and some of the safeguards that we have talked about are crucial.

Craig Hoy: In many respects, the closure of a bank removes the reason to visit a town. As the Scottish Government prepares for next year's budget, will the minister make sure that the Government does nothing further that could impede our high streets?

Richard Lochhead: We could have a separate debate about the future of high streets in Scotland. The small business bonus scheme, which has been in place for a number of years now, has been incredibly valuable to small businesses on our high streets. On many of our more rural high streets and those in smaller villages and communities, there are virtually no local businesses that pay rates. That is a very valuable instrument, it has been in place for many years now, and it plays a big role.

There have been a number of other activities in relation to the on-going concerns over the criteria for securing a banking hub. Many members have mentioned cases where that has been refused in the past. This month, representatives of the Scottish Government attended an FCA-convened forum on access to cash, at which we were able to raise Scotland-specific concerns about how our communities are being directly impacted. Those concerns were raised at the forum with the FCA, Link and Cash Access UK. We articulated a number of issues and gave some case studies based on insights that had been gained from lots of sources, including Citizens Advice Scotland,

which highlighted Scotland's particular rural geography, topography and demographics as compared with the rest of the UK. It has always been our objective to have specific Scottish concerns taken into account.

Rachael Hamilton: At that meeting, were concerns raised around the demise or withdrawal of public transport in rural areas? Was that taken into account?

Richard Lochhead: A range of concerns were expressed by the Scottish Government at that meeting, such as the methodology used by Link to assess a community and decisions about the banking hubs. The frequency, duration and distance of public transport was indeed raised, as was the availability of transport in communities. The member should rest assured that that was raised at that meeting.

The FCA is now having a post-implementation review of a lot of the issues that we are discussing. *[Interruption.]* For clarity, that is not me on the screen.

I assure the Parliament that, in that post-implementation review and following the forum, the Scottish Government will continue to make the strongest representations to the authorities to ensure that our concerns are taken into account.

Many measures on digital inclusion are under way. We launched two new funds to support digital inclusion work just this month, to the tune of more than £1.4 million, which is now available. The connecting Scotland digital inclusion fund and a CivTech challenge have combined UK Government and Scottish Government funding to support digital inclusion projects. The whole issue of digital inclusion is not divorced from the issue of the loss of high street banks. It is important that we take measures to ensure that people are not left behind and can access banking services through digital means if they are unable to access them through a high street bank.

I assure the Parliament that I recognise this very topical issue, and I urge all members to pay attention to the post-implementation review that is being carried out by the FCA, so that we can ensure that Scotland's voice is heard.

13:42

Meeting suspended.

14:00

On resuming—

Business Motions

The Deputy Presiding Officer (Annabelle Ewing): Good afternoon. The next item of business is consideration of business motion S6M-19481, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, which sets out a business programme. I invite Martin Whitfield to move the motion.

Motion moved,

That the Parliament agrees—

(a) the following programme of business—

Tuesday 4 November 2025

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions*followed by* Topical Questions*followed by* Social Justice and Social Security Committee Debate: Financial Considerations When Leaving an Abusive Relationship*followed by* Stage 3 Proceedings: Land Reform (Scotland) Bill*followed by* Committee Announcements*followed by* Business Motions*followed by* Parliamentary Bureau Motions

10.00 pm Decision Time

Wednesday 5 November 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 Labour Party Business*followed by* Stage 3 Proceedings: Land Reform (Scotland) Bill*followed by* Business Motions*followed by* Parliamentary Bureau Motions

7.15 pm Decision Time

followed by Members' Business

Thursday 6 November 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: Social Justice and Housing

followed by Standards, Procedures and Public Appointments Committee Debate:

Strengthening Committees' Effectiveness

followed by Business Motions*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Tuesday 11 November 2025

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions*followed by* Topical Questions*followed by* Stage 1 Debate: UEFA European Championship (Scotland) Bill*followed by* Committee Announcements*followed by* Business Motions*followed by* Parliamentary Bureau Motions

4.15 pm Decision Time

followed by Members' Business*followed by* Members' Business

Wednesday 12 November 2025

2.00 pm Parliamentary Bureau Motions

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

followed by Scottish Green Party Business*followed by* Business Motions*followed by* Parliamentary Bureau Motions

5.10 pm Decision Time

followed by Members' Business

Thursday 13 November 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 Stage 1 Debate: Scottish Parliament (Recall and Removal of Members) Bill*followed by* Business Motions*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

(b) that, for the purposes of Portfolio Questions in the week beginning 3 November 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.—[*Martin Whitfield*]

14:00

Douglas Ross (Highlands and Islands) (Con):

As members know, this item is an opportunity for MSPs to seek additions to the future business programme. In speaking to the business motion, I ask the Minister for Parliamentary Business and Veterans to make a statement to Parliament about how we, as MSPs, can get answers from the Scottish Parliamentary Corporate Body.

Once again, the SPCB is in the news, because of the shameful conduct that we have seen in relation to a protest that Police Scotland was looking after outside this Parliament, whereby Susan Smith of For Women Scotland has been called to a police station to consider accepting a penalty notice from the police for the apparently heinous crime of touching someone's umbrella, which—from the footage that I have seen—looked as though it was already broken before she even touched it. Frankly, it is ridiculous that that has happened, and I think that we need to question the corporate body about the matter.

Earlier today, Tess White put a question to the First Minister on the subject, but the response that she got was very disappointing. I tried to lodge an urgent question to the Scottish Parliamentary Corporate Body today, but that was rejected by the Presiding Officer. I cannot question why it was rejected, because the Presiding Officer does not give her reasons.

Therefore, I thought that the best option was to seek a statement from the Scottish Parliamentary Corporate Body next week, to allow us, as MSPs, to question it about the discussions that it has had with Police Scotland about the protest back in September and about the fact that one of our constituents has now been taken through the criminal process by Police Scotland for, as I mentioned, touching someone's umbrella.

However, I believe—if I have read standing orders correctly—that there is no mechanism to seek a statement from the Scottish Parliamentary Corporate Body, and I think that that is a state of affairs that should change. Perhaps it is just luck and good fortune on my part that I am putting that point to the convener of the Standards, Procedures and Public Appointments Committee in his role as a member of the Parliamentary Bureau.

I wonder, therefore, whether Mr Whitfield would consider asking the Minister for Parliamentary Business and Veterans to come to Parliament next week to suggest options whereby members of the corporate body would be able to provide a statement on the issue, which would allow us to question them. I believe that SPCB question time will not take place until 27 November, which is a long time away, and there are serious questions to

be asked about the policing of the event back in September, the issues that have arisen over the past few days in relation to the penalties that Susan Smith may be facing from Police Scotland and the very welcome backtracking that we have now seen from Police Scotland.

If the SPCB can discuss those matters with the police in its role as the corporate body of the Parliament, it should be accountable to the Parliament. I hope that that will enable us to get answers on how the event was originally policed back in September, when one disruptive individual went above and beyond in seeking to destroy the efforts of two legitimate protests that were held that day, and subsequent police actions. We need answers from the very top, because what happened to Susan Smith did not get signed off by someone low down the chain in Police Scotland. It is clear that the decision went far higher than that. We need to know how what happened was allowed to happen, why it happened and what is going to be done to make sure that it never happens again.

I remind members of what is stated in my entry in the register of members' interests: my wife is a serving officer with Police Scotland.

14:03

Martin Whitfield (South Scotland) (Lab): It is as a representative of the Parliamentary Bureau that I will respond to Mr Ross's request, rather than as the wearer of one of the other hats that I own, but all committees are open to receiving correspondence, and if Mr Ross would like to correspond about the provision in standing orders, the Standards, Procedures and Public Appointments Committee would be the right committee for him to write to.

I thank Mr Ross for his contribution in respect of the business motion. He has highlighted the challenging area of the relationship between the Parliament and the corporate body. He has put his views on record, and I know that consideration of the issue that he has raised today will be taken forward in the various areas in which it should rightly be considered.

The Deputy Presiding Officer: The question is, that motion S6M-19481 be agreed to.

Motion agreed to,

That the Parliament agrees—

(a) the following programme of business—

Tuesday 4 November 2025

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions

followed by Social Justice and Social Security Committee Debate: Financial Considerations When Leaving an Abusive Relationship

followed by Stage 3 Proceedings: Land Reform (Scotland) Bill

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

10.00 pm Decision Time

Wednesday 5 November 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 Labour Party Business

followed by Stage 3 Proceedings: Land Reform (Scotland) Bill

followed by Business Motions

followed by Parliamentary Bureau Motions

7.15 pm Decision Time

followed by Members' Business

Thursday 6 November 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: Social Justice and Housing

followed by Standards, Procedures and Public Appointments Committee Debate: Strengthening Committees' Effectiveness

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Tuesday 11 November 2025

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions

followed by Stage 1 Debate: UEFA European Championship (Scotland) Bill

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

4.15 pm Decision Time

followed by Members' Business

followed by Members' Business

Wednesday 12 November 2025

2.00 pm Parliamentary Bureau Motions

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

followed by Scottish Green Party Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.10 pm Decision Time

followed by Members' Business

Thursday 13 November 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 Stage 1 Debate: Scottish Parliament (Recall and Removal of Members) Bill

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

(b) that, for the purposes of Portfolio Questions in the week beginning 3 November 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.

The Deputy Presiding Officer: The next item of business is consideration of business motion S6M-19442, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, on a timetabling extension at stage 1.

Motion moved,

That the Parliament agrees that consideration of the Scottish Parliament (Recall and Removal of Members) Bill at stage 1 be extended to 14 November 2025.—[*Martin Whitfield*]

Motion agreed to.

Parliamentary Bureau Motions

14:04

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is consideration of nine Parliamentary Bureau motions. I ask Martin Whitfield, on behalf of the Parliamentary Bureau, to move motions S6M-19443 to S6M-19450, on approval of Scottish statutory instruments, and motion S6M-19451, on suspension of standing orders.

Motions moved,

That the Parliament agrees that the Scottish Aggregates Tax (Administration) Regulations 2025 [draft] be approved.

That the Parliament agrees that the Scottish Parliament (Disqualification of Councillors) Regulations 2025 [draft] be approved.

That the Parliament agrees that the Scottish Parliament (Elections etc.) (Miscellaneous Amendments) Order 2025 [draft] be approved.

That the Parliament agrees that the Scottish Parliament (Disqualification of Members of the House of Commons) Regulations 2025 [draft] be approved.

That the Parliament agrees that the Scottish Parliament (Disqualification of Members of the House of Lords) Regulations 2025 [draft] be approved.

That the Parliament agrees that the Revenue Scotland and Tax Powers Act (Postponement of Tax Pending a Review or Appeal) Amendment Regulations 2025 [draft] be approved.

That the Parliament agrees that the Free-Range Poultrymeat Marketing Standards (Amendment) (Scotland) Regulations 2025 [draft] be approved.

That the Parliament agrees that the Revenue Scotland and Tax Powers Act (Record Keeping) Amendment Regulations 2025 [draft] be approved.

That the Parliament agrees that, for the purposes of consideration of the second supplementary legislative consent memorandum on the Planning and Infrastructure Bill, Rule 9B.3.5 of Standing Orders is suspended.—[*Martin Whitfield*]

14:05

Graham Simpson (Central Scotland) (Reform): I want to speak briefly to three of the motions on SSIs that are before the chamber today.

The regulations that are referred to in motions S6M-19444, S6M-19446 and S6M-19447 were laid as a result of amendments that I lodged, working with the Government, on ending the practice whereby members of the Scottish Parliament can also be members of Parliament, peers or councillors. There was unanimous backing for my amendments, and I worked very closely with the Government on them. That is what

led to the laying of the regulations that are before us today.

My position is that being an MSP is a full-time job, and we should not be juggling that with being an MP or being in the House of Lords—or, indeed, after a period of time, being a councillor. The regulations on MPs and membership of the House of Lords set a short period of time after which those roles should end. The regulations on councillors set a slightly longer period of time. The reason for that is that we do not want a whole raft of by-elections after a Scottish Parliament election, given that, in every Scottish Parliament election, a number of people who are elected as MSPs are also councillors.

I think that the regulations are extremely sensible.

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

Graham Simpson: I will.

Sue Webber: Mr Simpson, will you comment on the provisions that now make it clear that councillors should give up their allowances when they are in those dual roles? Could you also refer to and comment on your position?

The Deputy Presiding Officer: Always speak through the chair.

Graham Simpson: The regulations on councillors say that, if an MSP remains a councillor, their pay will be deducted by the same amount as their councillor pay—unless they receive extra pay as a councillor.

As I said, I fully support all three sets of regulations. They are sensible and will have public approval, and I commend them to members.

The Deputy Presiding Officer: Thank you, Mr Simpson.

I propose to ask a single question on the nine Parliamentary Bureau motions. As no member objects, the question is, that motions S6M-19443 to S6M-19450, on approval of SSIs, and motion S6M-19451, on suspension of standing orders, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, be agreed to.

Motions agreed to,

That the Parliament agrees that the Scottish Aggregates Tax (Administration) Regulations 2025 [draft] be approved.

That the Parliament agrees that the Scottish Parliament (Disqualification of Councillors) Regulations 2025 [draft] be approved.

That the Parliament agrees that the Scottish Parliament (Elections etc.) (Miscellaneous Amendments) Order 2025 [draft] be approved.

That the Parliament agrees that the Scottish Parliament (Disqualification of Members of the House of Commons) Regulations 2025 [draft] be approved.

That the Parliament agrees that the Scottish Parliament (Disqualification of Members of the House of Lords) Regulations 2025 [draft] be approved.

That the Parliament agrees that the Revenue Scotland and Tax Powers Act (Postponement of Tax Pending a Review or Appeal) Amendment Regulations 2025 [draft] be approved.

That the Parliament agrees that the Free-Range Poultrymeat Marketing Standards (Amendment) (Scotland) Regulations 2025 [draft] be approved.

That the Parliament agrees that the Revenue Scotland and Tax Powers Act (Record Keeping) Amendment Regulations 2025 [draft] be approved.

That the Parliament agrees that, for the purposes of consideration of the second supplementary legislative consent memorandum on the Planning and Infrastructure Bill, Rule 9B.3.5 of Standing Orders is suspended.

Portfolio Question Time

Climate Action and Energy, and Transport

14:09

Glasgow to Kilmarnock Rail Service

1. **Willie Coffey (Kilmarnock and Irvine Valley) (SNP):** To ask the Scottish Government whether it will consider making improvements to the Glasgow to Kilmarnock Sunday evening rail service. (S6O-05082)

The Cabinet Secretary for Transport (Fiona Hyslop): Rail passengers travelling between Kilmarnock and Glasgow have an hourly service throughout the day on Sundays, which mostly continues until the evening, with the last services scheduled for around 9 pm from Kilmarnock and 10 pm from Glasgow. I appreciate that there is a gap in late evening services for those who are returning from Glasgow, and ScotRail is working to address that issue, when its resources allow, to further enhance the existing service. Passengers in Kilmarnock also have good bus provision connecting them with Glasgow.

I commend Mr Coffey's commitment to ensuring that his constituents in Kilmarnock and Irvine Valley have a robust daily rail connection with Glasgow, including on Sundays. ScotRail continuously reviews its services and will make adjustments where appropriate, when resources and staff availability allow.

Willie Coffey: The cabinet secretary will be well aware that Kilmarnock gave Scotland its first public railway line in 1812 and has an iconic place in Scotland's railway history. However, in this day and age, more than 200 years later, my constituents have to put up with what must be one of the poorest services in Scotland on Sunday evenings. Having a train from Glasgow at 7 pm and a final one three hours later, at 10 pm, is hardly an example of a modern service and falls far behind the service enjoyed by many other towns, some of which are much smaller than Kilmarnock. Will the cabinet secretary give serious consideration to sorting out that anomaly before both she and I leave this place, so that my constituents can look forward to a service that meets the demands of modern times and at least matches what is in place elsewhere in Scotland?

Fiona Hyslop: I said in my first answer that the service is under review and that ScotRail wants to improve it where possible. As I indicated, the importance placed on having a late service may perhaps be compromising mid-evening journey times.

Complexities can often play a significant role in how services are designed and we must find a balance when providing public transport links. In general, Kilmarnock enjoys fast and frequent public transport links that connect it with Glasgow, but, as I think everyone is aware, Saturdays and Sundays are becoming increasingly popular days for using our rail services. As I said, if resources become available, the current service will be revised.

Brian Whittle (South Scotland) (Con): A regular and reliable rail service plays an important role in both supporting the local economy and connecting people across communities, but those services must be welcoming to passengers. Several constituents have recently contacted me with concerns about antisocial behaviour and even about the basic cleanliness of carriages on that service. Does the cabinet secretary recognise the importance of maintaining basic quality standards of safety and hygiene? What specific measures are being taken to deal with those issues on the Glasgow to Kilmarnock service?

Fiona Hyslop: I encourage passengers to report any particular concerns. Scotland's inspection regime is robust, precisely to ensure that standards are maintained. I feel very strongly about the member's first point regarding antisocial behaviour and have convened a meeting of all partners, including the rail unions. A range of activity is under way, including the potential extension of penalty charge notices, the use of body-worn cameras by staff, the provision of help points and closed-circuit television on platforms. All those measures give comfort, as does increased staff visibility, which we know gives people more confidence. I am actively working on all those areas, including our travel safe team, which has been expanded in Edinburgh.

Ardrossan Harbour

2. Kenneth Gibson (Cunninghame North) (SNP): To ask the Scottish Government whether it will provide an update on when the heads of terms agreement for the purchase of Ardrossan harbour from Peel Ports will be signed. (S6O-05083)

The Cabinet Secretary for Transport (Fiona Hyslop): I can confirm to Kenneth Gibson that the redevelopment of Ardrossan harbour and the current focus on potential purchase remains a priority for this Government. Caledonian Maritime Assets Ltd and Peel Ports remain in active dialogue on detailed terms and conditions as part of the heads of terms negotiations. I heard directly from CMAL's chief executive officer earlier today about the progress being made and the complexities of some of the terms currently being negotiated. A further meeting between the two parties is being scheduled for early next month

and it is hoped that the full detail of the outcome of the negotiations can then be reported through the CMAL board to Transport Scotland.

Any agreement to buy the port must meet legal and commercial requirements and be supported by ministers. I will, of course, update Mr Gibson, other members of the Ardrossan harbour task force, the relevant parliamentary committee and other interested parties and MSPs on that outcome as soon as I am able to.

Kenneth Gibson: The redevelopment and purchase of Ardrossan harbour were deadlocked for years and I therefore warmly and sincerely thank the cabinet secretary for breaking the logjam. On 8 October, I participated in a public meeting with more than 200 Ardrossan and Arran residents, at which a letter from Caledonian Maritime Assets Ltd was read out, expressing confidence that the purchase of Ardrossan harbour from Peel Ports would be concluded by Christmas. Can the cabinet secretary confirm that that timetable is still on schedule?

Fiona Hyslop: I can confirm that there is continuing momentum. It will be around that date that we are looking to finalise the arrangements. Clearly, it is not just about the purchase. The purchase is for a purpose, and that purpose is to ensure that Ardrossan harbour can be redeveloped. In the meantime, the member will know my commitment to ensure that there is a two-port solution in place and that it continues to serve Arran.

Sue Webber (Lothian) (Con): It was reported three weeks ago that the Scottish Government had agreed a price with Peel Ports for the sale of Ardrossan harbour. However, what analysis has the cabinet secretary undertaken to gauge how much additional investment will be required after the sale goes through to modernise the harbour to ensure that ferries can—finally—sail from Ardrossan again?

Fiona Hyslop: The member might not be aware of this, but the Ardrossan harbour task force worked to ensure that there is an understanding of what is required in terms of development. There are short-term measures that will need to be taken as well as the longer-term measures, and those were set out. One of the issues—and the reason why I want to break the logjam to make sure that we have the purchase—is about the distribution of investment that can come from the current private owner, the council and the Government. Some of that scoping work has been done.

The member may not be familiar with the Irish berth and other aspects but, in relation to their development, more substantial work may need to be done, and whether that can all be done at the same time is part of the assessment. Once the

purchase is concluded, it will enable CMAL to have a more direct assessment of what is needed for that improvement.

Rural Community Transport

3. **Evelyn Tweed (Stirling) (SNP):** To ask the Scottish Government what steps it is taking to support community transport initiatives in rural areas. (S6O-05084)

The Minister for Agriculture and Connectivity (Jim Fairlie): Scottish ministers recognise the important role that community transport services play in Scotland. We continue to support the provision of those services in rural areas through the network support grant, the local government finance settlement and funding the Community Transport Association in Scotland to support local community transport operators. Funding for the plugged-in communities fund to support the transition to zero-emission electric vehicles was substantially increased to £4 million in the 2025-26 budget, and eligibility was extended to include the purchase of zero-emission vehicles for new routes.

Evelyn Tweed: Across Stirling, initiatives such as the Killin and district volunteer car scheme and the Strathard volunteer driver service are lifelines, as demand-responsive services that get people from door to door. Will the minister outline how the Government can work with local authorities and communities to support the development of such services?

Jim Fairlie: I absolutely take on board the point that Evelyn Tweed makes about the value of those voluntary organisations. In addition to the support that the Scottish Government provides for community transport that I mentioned in my response to the previous question, local authorities receive funding to support community transport services through the local government finance settlement. That, in turn, allows local authorities to work with communities to support the development of such services.

The Scottish Government also funds the Community Transport Association in Scotland, which offers a lot of support and guidance to the sector. The CTA in England has a deep-dive research project that will look at evaluating and future-proofing volunteer car schemes. I look forward to seeing its findings and will consider their applicability to Scotland.

Moray Firth FLOW-Park

4. **Douglas Ross (Highlands and Islands) (Con):** To ask the Scottish Government what consideration it will give to the significant public opposition to the proposed Moray Firth FLOW-Park. (S6O-05085)

The Cabinet Secretary for Climate Action and Energy (Gillian Martin): I acknowledge the public concerns around the proposed Moray Firth FLOW-Park and I assure the Parliament that processes are in place to ensure that they are taken into consideration. The project remains at an early stage, with exploratory surveys being undertaken by the developer. As part of the standard process, the developer is encouraged to engage with stakeholders and the local community. Should the developer subsequently decide to submit an application to the Scottish Government, the proposal will be subject to the required regulatory processes, which include formal public consultation. No formal application has been submitted to date.

Douglas Ross: I am completely opposed to the proposed Moray Firth FLOW-Park. It is out of scale, out of character and, frankly, outrageous. It is a proposal that must be stopped. Thousands of people in Moray, Nairn and across the Highlands have already registered their opposition to it, and coastal communities and fishing leaders are particularly worried about the impact.

The Scottish Fishermen's Federation recently quoted a local fisherman who said:

"Should these flow parks go ahead, the Moray Firth fishing industry will be finished for good."

Elsbeth MacDonald, the chief executive of the Scottish Fishermen's Federation, said,

"How can this be allowed to happen? ... How can the people whose livelihoods are at stake not even be consulted on this? Why is there so little regard for people who risk their lives to produce food?"

I know that the cabinet secretary cannot give an opinion on whether she supports or opposes developments such as this, but will she reiterate that there is significant public opposition already, and that, if that continues throughout the planning process, the views of everyone who is rightly opposed to the Moray Firth FLOW-Park will be not only listened to, but heard and actioned?

Gillian Martin: I have already outlined the processes that take place once an application is made. That project is in the early stages, as I have said, and the exclusivity agreements awarded by the Crown Estate Scotland to the developer allow potential development to be explored through site surveys. Local engagement by the developer with stakeholders, including consideration of potential impacts on the fishing industry, is actively encouraged. Any specific proposal that is taken forward beyond the early stages will be subject to relevant required regulatory processes. Those processes require consultation with the public and relevant stakeholders, which of course includes the fishing sector, to assess the potential impacts, and they will all be taken into account.

Ariane Burgess (Highlands and Islands) (Green): Although the proposed FLOW-Park is not within the nearby Cromarty Firth freeport, it is clearly being driven by the industrial expansion that freeports enable. How does the Scottish Government justify supporting developments that risk displacing local jobs in fishing, tourism and nature conservation while creating ecological impacts that extend far beyond their boundaries?

Gillian Martin: Ariane Burgess talked about Scottish Government support, but the proposal has not even reached the Scottish Government yet with regard to consent. As I said, it is at an early stage. She might be referring to the fact that Scottish Enterprise has provided grant funding to the temporary storage floating offshore wind project, TS-Flow—a joint industry project that is led by the Offshore Solutions Group and HR Wallingford.

The grant funding for the TS-Flow project is for the detailed design, environmental and technical feasibility studies to identify appropriate wet storage locations. It has identified four sites, with the Moray Firth FLOW-Park selected through that initial phase of work. That grant funding was awarded due to the importance of wet storage for the efficient build-out of floating offshore wind and the economic opportunity that it brings to Scotland, but it does not pre-empt any decisions on applications.

Wildfire Summit

5. Clare Adamson (Motherwell and Wishaw) (SNP): To ask the Scottish Government whether it will provide an update on any outcomes and key actions agreed at the recent wildfire summit that will contribute to Scotland's climate adaptation and resilience strategies. (S6O-05086)

The Minister for Agriculture and Connectivity (Jim Fairlie): The Scottish Government will provide information on the outcomes and key actions in due course. That will utilise feedback gathered at the recent wildfire summit, alongside the debriefs hosted by the Scottish Fire and Rescue Service and other public agencies. It is a priority for the Scottish Government to improve our preparedness for wildfires in the future, with a key focus on prevention. We will shortly host an MSP round-table event to allow MSPs to feed back any information that is not already captured.

Clare Adamson: Will the minister outline how the Scottish Government will work with specialist Scottish businesses, including those in my constituency, such as Fire Fogging Systems, which provides expertise in fire systems, to ensure that it plays a clear and active role in delivering the outcomes of the wildfire summit?

Jim Fairlie: The Scottish Fire and Rescue Service and its partners understand that wildfire response is a unique challenge in firefighting. It requires close collaboration with landowners, specialist companies such as the ones that the member mentioned, and non-governmental organisations. Although the SFRS must retain command and control of firefighting operations, we recognise the importance of strengthening support for the SFRS and the land management sector.

Our goal is to build a Scotland wildfires resilience network. To achieve that, we are actively exploring all opportunities, including engaging with organisations, individuals and businesses that are already operating in Scotland to help deliver the outcomes of the wildfire summit and enhance Scotland's resilience in the face of the growing threat of wildfires.

2026 Commonwealth Games (Public Transport)

6. Paul Sweeney (Glasgow) (Lab): To ask the Scottish Government whether it will engage with Transport Scotland, ScotRail, First Glasgow, McGill's Buses and Strathclyde Partnership for Transport regarding the possible introduction of free public transport across Glasgow for those attending the 2026 Commonwealth games. (S6O-05087)

The Minister for Agriculture and Connectivity (Jim Fairlie): The Scottish Government regularly engages with Transport Scotland, which is a key partner on the transport working group that is chaired by the organising company for the event, Glasgow 2026 Ltd. Glasgow 2026 Ltd is responsible for the event and the transport plan, and it is clear that free public transport will not be provided. Active travel will be the prioritised mode of transport for spectators and client groups. The main method for passenger transport will be chartered coaches, public transport buses, subway and existing rail routes.

Paul Sweeney: I had the opportunity to meet the chief executive of Glasgow 2026 Ltd last week and it was made clear that further development of the transport plan would be welcome. It is rather disappointing that the Government is not minded to consider free public transport.

Last week, the first batch of half a million tickets for the games went on sale, with thousands of fans from Scotland and across the world securing the opportunity to witness unforgettable sporting moments over 11 days next summer. With fans travelling from venue to venue to see the world's top athletes, it is right that Glasgow should put its best foot forward. We will have 3,000 volunteers, 3,000 athletes and, potentially, half a million spectators.

We provided free public transport for the 2014 games and, in 2021, for the 26th United Nations climate change conference of the parties—COP26. Surely, then, the minister should, in tandem with the transport providers, explore all options to introduce temporary free public transport and, indeed, integrate the active travel opportunity of the e-bikes that have been introduced to Glasgow. Let us look at that and try to put our best foot forward. There is still time to move on it.

Jim Fairlie: As I said, the Government is not responsible for transport at the games; Glasgow 2026 Ltd has that responsibility and it will be up to that organisation, in close consultation with Transport Scotland, to decide how it will take the plan forward.

The Deputy Presiding Officer (Annabelle Ewing): Question 7 was not lodged.

Energy Infrastructure Projects (Objections)

8. Finlay Carson (Galloway and West Dumfries) (Con): To ask the Scottish Government what powers local communities will have to raise objections in relation to new energy infrastructure projects. (S6O-05089)

The Cabinet Secretary for Climate Action and Energy (Gillian Martin): Members of the public can submit representations about onshore electricity infrastructure to Scottish ministers either virtually or by post. Applications for generating stations with a capacity of 50MW or less are made to local planning authorities, which have similar arrangements in place.

Representations received by the Scottish Government are treated in the same manner, provided that they meet the requirements, as set out on our website. All material considerations raised in representations are carefully considered before any decision is reached. Submitting a representation remains the most effective means for local communities to provide their views on an application.

Finlay Carson: I thank the cabinet secretary for that response. However, there is little confidence in the process. The Kendoon to Tongland 132kV reinforcement project has led to serious concerns among local communities, landowners and environmental stakeholders. It is vital that all ministerial engagements on matters that controversial are conducted transparently, in line with the Scottish ministerial code.

With that in mind, reports suggest that a meeting may have taken place between Alasdair Allan, the then Acting Minister for Climate Action, and officials on 7 February 2025, yet no formal record has been published. Given the importance of transparency and decision making on major

infrastructure projects, particularly when local democracy has been dismissed and the recommendations of an independent report overturned, will the cabinet secretary commit to publishing any briefing notes, correspondence or records relating to that meeting, so that the public can be assured that the ministerial code has been upheld?

Gillian Martin: As with all matters relating to the ministerial code, I will take that away and get advice on what has and has not been published. However, I know that it is not appropriate for me to comment on any decisions on any particular application.

Douglas Lumsden (North East Scotland) (Con): The cabinet secretary will know that more than 10,000 objections have been submitted to the Kintore to Tealing overhead line consultation. Surely she now realises that, after cosyng up to Scottish and Southern Electricity Networks, her playing the role of judge, jury and executioner with that plan and determination makes a mockery of our planning and consultation system. She still refuses to meet campaign groups but continues to engage with SSEN, so will she refer herself to the First Minister's independent advisers on the ministerial code for them to investigate?

Gillian Martin: The Scottish ministerial code is clear on the need for ministers to observe caution on engaging with individuals or groups in relation to specific planning applications or decisions. There are established routes for constituents and community groups to make their views on developments known.

The Scottish Government is working with the UK Government by way of the UK Planning and Infrastructure Bill—[*Interruption.*]

The Deputy Presiding Officer: Mr Lumsden, please allow the cabinet secretary to respond to the question.

Gillian Martin: The Scottish Government is working with the UK Government by way of its Planning and Infrastructure Bill to further strengthen pre-application consultation and engagement. Any meetings that ministers have with network companies cover a range of subjects, with very strict instructions to those companies that no discussions will be had on future or existing planning applications.

The Deputy Presiding Officer: That concludes portfolio questions on climate action, energy and transport. There will be a short pause before we move on to the next item of business.

Natural Environment (Scotland) Bill: Stage 1

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is a debate on motion S6M-19422, in the name of Gillian Martin, on the Natural Environment (Scotland) Bill at stage 1. I invite members who wish to speak in the debate to press their request-to-speak buttons now.

14:30

The Cabinet Secretary for Climate Action and Energy (Gillian Martin): I am very pleased to open today's debate on the general principles of the Natural Environment (Scotland) Bill. This Parliament has a long and proud record of championing nature, biodiversity and wildlife. I thank the Rural Affairs and Islands Committee for its comprehensive scrutiny of the bill, and everyone who gave evidence at stage 1. I also acknowledge the stakeholders whom we met in Government during the development of the bill, whose contributions have helped to shape our approach.

I welcome the committee's recommendation that Parliament supports the general principles of the bill. Although I look forward to hearing members' views on how the bill can be improved and strengthened at stage 2, I hope that we can reaffirm that commitment today by supporting the general principles of the bill and recognising the urgency of the crisis that it seeks to address.

Let me begin with a stark statistic. I invite everyone to think about what this really means. Last year, PricewaterhouseCoopers estimated that more than 55 per cent of the world's gross domestic product is dependent on nature—that means that more than half the world's economic activity relies on healthy ecosystems.

People often talk about how lucky we are to live in Scotland, and of course they are absolutely right—just look at our magnificent landscapes and coastlines, our lochs, glens and forests, and our iconic species such as the golden eagle and the Scottish wildcat. Beneath that beauty, however, lies a troubling truth: biodiversity is in crisis, both globally and at home.

Across the world, 1 million species face extinction in the coming decades unless we act now. That is not just a distant issue happening elsewhere. It is happening on our doorstep, with one in nine species already threatened here in Scotland. Since 1994, monitored species have seen an average 15 per cent drop in numbers. There is no doubt that nature is at risk, and that threatens lives, habitats, the balance of our natural

world and the sectors, communities and economies that rely on it.

The nature and climate emergencies are deeply intertwined. Nature regulates our climate, and the climate impacts on nature. The natural environment brings huge benefits to our human health and wellbeing—for example, cleaning our air and water, storing harmful carbon, and reducing flooding. The World Economic Forum recently ranked biodiversity loss as the second-highest global risk over the next decade, just behind extreme weather.

We cannot afford to treat nature as an optional extra. It is the foundation of our health, our economy and our life-support systems. Every part of our natural environment plays a role in supporting the systems that we depend on, from the tiniest microbes to apex predators. That intricate web of life underpins the industries that sustain us, providing food, clean water, energy, shelter and even medicines. Protecting and restoring nature is not just about conservation; it is about doing what is right for the good of us all.

Scotland's natural environment is part of who we are. It sustains our communities, defines our place in the world and makes our communities resilient. By safeguarding it, we honour our responsibility to future generations and preserve the landscapes and the wildlife that make Scotland thrive. At the same time, we are securing the foundations of our economy and wellbeing, including sectors such as farming, fishing and forestry, which are deeply dependent on the health of our ecosystems. In Scotland, natural capital supports £40.1 billion in economic output and more than 260,000 jobs, from tourism and recreation to food and drink. We know that many sectors depend directly on nature.

Nature is not just an economic asset; it is a public health necessity, with access to nature improving mental and physical wellbeing. For example, studies show that children in deprived areas who spend just 60 minutes a day in nature have a 50 per cent lower risk of mental health issues than others. We now know just enough about biodiversity to understand that removing even small pieces of the puzzle can have unpredictable and cascading effects.

Turning to the legislation, I want to be clear that the bill is not a stand-alone measure. It builds on the biodiversity strategy that we published last year, which sets out a long-term vision to halt biodiversity loss by 2030 and restore nature by 2045.

That strategy is supported by six-yearly rolling delivery plans, including our commitment to protect 30 per cent of Scotland's land and seas for nature by 2030, with the first suite of nature 30

sites already announced. It also includes expanding and enhancing nature networks, in partnership with local authorities and other stakeholders, to deliver ecological, social and economic benefits, and supporting restoration through our £65 million nature restoration fund, which has funded nearly 800 projects since 2021. Those are transformative actions, but we need the legislative tools to match our ambition.

The bill is the next critical step. It places a duty on ministers to set statutory nature restoration targets; it modernises the aims and powers of national park authorities; it reforms deer management; and it creates a bespoke power to update environmental impact assessments and habitats legislation, addressing a gap that was left by our exit from the European Union.

Douglas Ross (Highlands and Islands) (Con):

The cabinet secretary will be aware that, during the committee's scrutiny of the bill, stakeholders expressed concern about part 4, which provides more powers to NatureScot, given the potential conflict of interest that might arise in that regard. Does she understand that there is growing concern that NatureScot is often subject to conflicts of interest, given its role as an authority that looks after species numbers and its role as one that gives out licences to control species numbers? Can we consider that as the bill develops?

Gillian Martin: The bill is not designed to define the role of NatureScot, but I am happy to take on any considerations or feedback from any member who has specific issues around conflicts of interest. If the member has specific examples of what he means by conflicts of interest, he is most welcome to write to me with them.

We will, no doubt, get into the detail of the committee's report and its recommendations as we debate the bill today, but there is one part in particular that I would like to address now. Although it is generally supportive of the approach in parts 1, 3 and 4 of the bill, I recognise that the committee raised issues about the extent of the delegated power taken in part 2 and the concerns that were raised by environmental non-governmental organisations that the power could be used to dilute environmental protection.

Let me be absolutely clear that the Scottish Government is unequivocally committed to protecting our environment, and the bill has not been designed to dilute environmental protection.

Sarah Boyack (Lothian) (Lab): Will the member take an intervention?

Gillian Martin: I will finish this point and then take the member's intervention.

Part 2 is designed to address a legislative gap that was left by EU exit and to complement existing but limited powers. Without that bespoke power, vital regimes such as the habitats regulations risk becoming static and outdated. That said, I have heard the concerns and I am listening. My officials and I have been engaging with stakeholders, and I am committed to lodging stage 2 amendments to strengthen the safeguards around the future use of the power.

Sarah Boyack: That is a very useful update from the cabinet secretary, because it concerns a key issue. Many organisations are deeply worried about the possibility that we could inadvertently reduce our environmental standards and impact on nature safety. We look forward to seeing those amendments, because we are all looking at potential amendments to address that problem.

Gillian Martin: I wanted to finish the point before I took Sarah Boyack's intervention because I wanted to stress that I am listening and am thinking of lodging my own amendments in relation to the issue. However, as Sarah Boyack knows, I am also keen to talk to members about how the bill can be strengthened.

The point was made that we cannot rely on the current Government or flavour of Administration. We need to make sure that, in the event of political decisions being made for this country by people in Government who do not share our views on nature protection, we protect nature against any future Government's overturning of protection for nature.

I am keen to hear members' views in this debate on how part 2 can be improved and ensure that the Parliament is sending a strong and united message to everyone that we are in support of the bill. It represents the next step in our journey to become nature positive by 2030 and to restore and regenerate biodiversity by 2045. It is ambitious and necessary, but it is only one part of the wider effort that we must make across Government, sectors and society.

I want to deliver an effective bill. I am listening to proposals that will strengthen it, and I am committed to working with stakeholders and members across the chamber to ensure that it delivers the change that our natural environment urgently needs.

I move,

That the Parliament agrees to the general principles of the Natural Environment (Scotland) Bill.

The Deputy Presiding Officer: I remind members who wish to speak in the debate to press their request-to-speak buttons.

14:41

Finlay Carson (Galloway and West Dumfries)

(Con): I am pleased to speak on behalf of the Rural Affairs and Islands Committee to set out the findings of our stage 1 report. The committee began its scrutiny of the bill in March, when we issued a call for written evidence. We also held 12 evidence sessions between March and June, hearing from a range of stakeholders and three Scottish Government ministers.

We went on a fact-finding visit to Cairngorms national park, where we held a community engagement event and visited three estates that take different approaches to land management. The committee also held an online engagement event with deer practitioners to discuss part 4 of the bill.

On behalf of the committee, I thank all the stakeholders, some of whom are in the gallery today, who supported our considerations of the bill and the hard work of the clerks and the Scottish Parliament information centre.

Throughout our stage 1 scrutiny, the committee heard concerning evidence about the scale of biodiversity loss that has taken place in Scotland over recent decades. The “State of Nature” report has assessed that one in nine species in Scotland are at risk of national extinction.

We agree with the Scottish Government’s intention to introduce statutory nature targets in part 1 of the bill as a way of galvanising a national response to tackling this nature emergency. We were also clear that statutory targets are not a silver bullet to protect the natural environment, and the Scottish Government will not meet targets unless they are underpinned by meaningful action and resources that support their implementation.

The committee also scrutinised the processes for setting and monitoring statutory targets, and we made a number of recommendations on how those frameworks could be improved. I welcome the commitment that the cabinet secretary made, in her response to our report, to give those points further consideration ahead of stage 2.

The committee was also supportive of the decision to appoint Environmental Standards Scotland to independently review the Scottish Government’s progress towards delivering statutory targets, but we agreed with the ESS that its role should be clarified and strengthened as the bill progresses. We were also clear that the ESS must have the necessary powers and resources to carry out its new functions effectively.

Turning to part 2 of the bill, on powers to modify environmental impact assessment legislation and habitat regulations, the committee heard strong opposition to that provision from most

stakeholders, with many arguing that the proposed powers in part 2 were excessively broad and lacked sufficient environmental safeguards.

The committee made several recommendations about how those concerns could be addressed through strengthening environmental protections and enhanced parliamentary oversight. However, there remained in the committee significant mixed views about whether part 2 should be strengthened or simply removed altogether.

In her response to our report, the cabinet secretary indicated that the Scottish Government intends to introduce amendments that would tighten up part 2 and provide greater clarity on how those powers could be exercised. In her summing up, I ask the cabinet secretary to set out a bit more detail about what those amendments might look like.

Turning to part 3, on the management of national parks, the committee heard general support among most stakeholders for the bill’s proposals. However, there were some concerns about the revised aims for national parks and that they would not go far enough in addressing the following issues: some of the social and economic challenges that are faced by rural communities; the potential resource implications for public bodies in meeting their new requirements to “facilitate the implementation of” instead of “have regard to” national park plans; and how the use of fixed penalty notices would operate alongside the park rangers’ existing educational role, which is also vital.

On part 4, which relates to deer management, much of the evidence that we received related to proposals to introduce new enforcement powers that would allow NatureScot to regulate deer management activities on a piece of land to support nature restoration. NatureScot told the committee about how new powers would enable it to mitigate the environmental impacts of wild deer more effectively. On the other hand, we heard strong concerns from the deer management sector about the lack of detail around how and when the new intervention powers would be used.

In weighing up both arguments, the committee considered that, although it would be helpful for NatureScot to have that proposed ground for intervention “in its toolkit”, those powers should be used to complement, not replace, the voluntary work of our deer management groups and stalkers, who already play a key role in controlling deer numbers in their local areas.

We were all clear that the Scottish Government must proceed with caution when rolling out new enforcement powers to avoid eroding the trust and collaboration that have been carefully built between NatureScot and deer managers in recent years.

The committee also agreed with expanding the role of the register of persons competent to shoot deer, but we want the Scottish Government to support non-certified stalkers with accessing the register through exploring the use of grandfather rights and referee schemes as a way of demonstrating baseline competence.

Finally, the committee heard mixed evidence on proposals in the bill to repeal the venison dealer licence. Although we support the Scottish Government's ambitions to increase the supply of venison that enters the food chain, there were concerns about how the removal of the licence might impact on traceability. That information is crucial to consumer confidence in the venison industry and its produce. We recommended that the current licence scheme is maintained until the NatureScot deer app, which is currently in development, has been rolled out across Scotland and is able to offer a suitable replacement for the traceability that is currently provided by the licence.

The committee supports the general principles of the bill, but we also agree that improvements are needed if the bill is to be effective in achieving its core ambition of tackling the nature emergency in Scotland. We therefore hope that the Government engages constructively with our report's findings as the bill progresses to ensure that it is capable of delivering on that worthy aim.

14:47

Tim Eagle (Highlands and Islands) (Con): I remind members of my entry in the register of members' interests—I have a small farm up in Moray.

After an eventful week with the Land Reform (Scotland) Bill, it is a welcome change to discuss the Natural Environment (Scotland) Bill today. Before I set out my reservations about it, I emphasise that my concerns are not about the broad principle of enhancing and protecting our natural environment. I truly accept the importance of that, and I recognise and congratulate the many farmers, crofters and landowners who, through agri-environmental schemes, have been taking forward that approach for years. I am concerned about whether the bill is needed now, the way in which it is being introduced in respect of the rural sector, traditional values and food production, and its impact on local communities.

In an attempt to deal with the sections of the bill in order, I will start with biodiversity targets. By way of history, Scotland's first biodiversity strategy—"Scotland's Biodiversity: It's In Your Hands"—was published by a Labour Government in 2004 and has been supplemented and revisited several times. Its original 2010 targets failed to be

met. In 2013, the Scottish National Party Government produced the "2020 Challenge for Scotland's Biodiversity". The SNP managed to meet nine of the 20 targets in that but failed to meet the rest.

The SNP then produced the "Scottish Biodiversity Strategy Post-2020: A Statement of Intent". It paved the way for the 2045 strategy, which was released in draft in 2022 and finally published in November 2024. To be honest, I had slightly lost the will to read any more about biodiversity strategies by that point.

Interestingly, the SNP website says that the SNP understands

"the need to take decisive action to conserve our precious and valuable marine environment and biodiversity."

My word—if biodiversity is anything to go by, it is no wonder that independence is dead in the water.

Here in 2025—21 years of left-wing ideological Governments later—we are still debating the same old ground and are only now introducing statutory targets in a bill to hold ministers to account. That is not because farmers, landowners and NGOs, or anyone else, were not ready and willing; it is because the previous non-statutory approach undertaken by the Government has been a failure.

Targets will be only as good as the actions to deliver them, says one environmental non-governmental organisation. Where are the assurances that we need on that?

However, rural communities stand ready. For years, land managers, farmers, crofters, estate owners and local communities, in Scotland's uplands and lowlands alike, have been willing to engage, support biodiversity objectives and integrate nature-friendly practices, while safeguarding food production, local economies and traditional rural values.

Part 2 of the bill was widely panned by those who came before the committee. The risk is that the extensive powers that are proposed in relation to environmental impact assessment regimes and habitat regulations, among other things, could lead to radical changes to protected sites. In their response to the stage 1 report, ministers say that they still wish to press ahead with part 2. I am not against that, but I fear that they may face an uphill battle in securing the trust of rural communities.

Part 3 of the bill looks to change the priorities for national parks and to impose a duty on public bodies

"to facilitate the implementation of National Park Plans".

That is despite the fact that existing national parks in Scotland have never been comprehensively reviewed, and local people have raised various

concerns regarding governance, economic impacts, land use and community rights.

I turn to part 4, on deer management. As drafted, it gives NatureScot extremely broad powers to intervene in how deer are managed, often on vague or undefined grounds. I believe that significant amendment will be needed to bring clarity and proportionality to those powers.

It is vital that NatureScot considers deer numbers and density in relation to their actual impact on the natural environment and avoids unnecessary interference with responsible land management. It will be vital to ensure that the grounds in the bill for any such intervention are tightened further.

The bill as drafted allows action wherever deer “prevent or reduce” environmental work. That strikes me as being too broad. The same applies to the broad scope that allows intervention based on Government targets, strategies and plans, when it should be clearly stated that intervention should relate to deer management.

The code of practice on deer management is a vital document for ensuring that ministers, NatureScot and land managers work together proactively. That should ideally have been produced and debated during stage 1, but I can at least recognise that allowing NatureScot to only have regard to the code is too weak. Surely, if a code aims to bring people together, NatureScot must have to comply with it, so far as is reasonably practicable, so that its decisions are transparent and consistent.

Emma Harper (South Scotland) (SNP): Some of the challenge in deer management comes from the differences between Highland and lowland deer management. My understanding is that the code of practice could be developed only if it allowed flexibility for different practices to be enabled in Highland and lowland deer management processes.

Tim Eagle: I agree with that. There is a big difference between upland and lowland deer management, and it is essential that the code of practice recognises that and takes it forward. Ideally, though, we could have had that document earlier. It is a bit like what we had with the Agriculture and Rural Communities (Scotland) Bill.

Several improvements could be made with regard to deer control schemes, amendments on which I will likely bring forward at stage 2.

The Minister for Agriculture and Connectivity (Jim Fairlie): I ask the member whether the urgency to have all that delivered before the stage 1 debate, when we still have stages 2 and 3 to go, is a bigger imperative for him than getting the bill right.

Tim Eagle: It is not—I accept that. It is not about not getting it right; it is about having all the information at hand early on, so that we can be sure that we are having the right debates and discussions as early in the bill process as possible. The same goes for the rural support plan, which—FYI—we are still waiting for.

The stage 1 report warned that the Government risks eroding trust in the deer management sector. I urge the Government to work to protect that.

I will quickly highlight the letter that the Minister for Agriculture and Connectivity sent this morning to the Rural Affairs and Islands Committee, on grouse moor licensing schemes, which were agreed only recently under the Wildlife Management and Muirburn (Scotland) Act 2024. The argument is that they are not working as intended. My understanding is that there is absolutely no evidence to support that at this point, and amendments such as those proposed risk potentially further broadening what is already a very broad bill and will require significant debate at stage 2. Although I recognise the minister’s right to do that, I hope that he is prepared to facilitate as much consultation and discussion as he can on that issue.

Although the Scottish Conservatives will support the principles of the bill today, we have some reservations about how it might progress. Our concern is that, without proper partnership, and respect for rural livelihoods and food security, the bill risks being a source of tension rather than collaboration.

14:54

Sarah Boyack (Lothian) (Lab): I am pleased to open the debate for Scottish Labour and to give my support for the principles of the bill, but I also highlight that the gaps in the bill need to be understood and addressed. As we face the twin nature and climate crises, the bill represents an important step towards restoring Scotland’s natural environment and protecting it for generations to come. I thank the committee, the clerks, all those who gave evidence to the committee in advance of its making recommendations and the range of organisations that issued briefings on how we could strengthen the bill.

To start off, I think that the introduction of statutory nature recovery targets is a vital move, and it is one that I strongly support. That is because targets, when meaningful and properly implemented, can deliver action, focus investment and give clarity to communities. It is significant that three quarters of the Scottish public support legal targets for nature recovery. As RSPB Scotland said in its briefing,

“one in nine species ... are at risk of national extinction”

in Scotland, and we are

“one of the most nature-depleted countries in the world”.

If we are serious about halting biodiversity loss and reversing the damage that is being done to our land, coast and seas, we need clear, ambitious and measurable goals, because the decline in nature is on-going. We have had voluntary targets since the 1990s, so we need change.

Although I support the bill's overarching ambition and many of the measures that are proposed, there are areas that need to be strengthened if we are to see tangible progress. We cannot afford slow implementation. The urgency of the nature crisis demands evidence-based policy intervention and clarity from the Government for our communities now.

I am proud to have been the minister to introduce our first national parks, and I know at first hand the importance of strong frameworks that empower local leadership while maintaining national consistency. I saw the transformative potential of local engagement in managing and restoring wildlife.

Maurice Golden (North East Scotland) (Con): Will the member take an intervention?

Sarah Boyack: Yes, if it is brief.

Maurice Golden: Does Sarah Boyack agree that we need to define what a national park looks like so that we can have a meaningful consultation with communities?

Sarah Boyack: Defining boundaries is important, but it is also about giving national parks support so that they can fulfil their full potential to lead on nature recovery, sustainable development and community empowerment. Work needs to be done. I believe that ministers should publish a national parks policy framework, setting out a clear vision for how Scotland's national parks can contribute to nature recovery targets and climate commitments. That should also include guidance for public bodies and officials on how to fulfil the new duty in the bill to seek to further national park aims.

We should ensure that enforcement is not the first response to minor byelaw infringements. We should emphasise education, community engagement and practical support, because our national parks are hugely important to the public. With the right vision and accountability, they can become leading examples of nature restoration, climate resilience, sustainable tourism and food production in action.

I stress that our approach to the nature targets must not overlook species. Achieving the goal of

protecting 30 per cent of our land for nature by 2030 will need meaningful dialogue with our rural and island communities, because there are residents in the Highlands and Islands specifically who feel both that their land should be protected and that it should be their land. We have been debating that issue this week.

Scottish Labour is keen to propose amendments at stage 2. I am keen to amend the provisions on marine and coastal habitats, because those ecosystems are critical for our biodiversity and climate mitigation, but their ability to sequester carbon and build resilience depends on reducing the pressures that are caused by our activities. Our legislative approach must reflect the need for adaptation as well as mitigation, recognising that nature and climate policies are deeply intertwined.

I thought that it was interesting that, in her opening comments, the cabinet secretary reflected on part 2 of the bill, because it grants ministers sweeping enabling powers to amend the two cornerstone pillars of environmental protection—the habitats regulations and the environmental impact assessment legislation. The EIA regime covers numerous sectors, including agriculture, forestry, marine licensing, planning and flood management. It is concerning that, if we do not maintain the same standards, we could see them undermined. Stakeholders across the environmental and planning sectors have expressed deep unease about the breadth of those powers. Without robust safeguards, there is a real risk of regression in environmental standards, which we cannot allow.

I have been looking at the issue of having a non-regression clause to guarantee that existing protections will not be weakened, because the urgency of our nature crisis leaves no room for going backwards. I welcome the fact that the cabinet secretary is reflecting on the risks that have been raised by stakeholders and the committee, but we must ensure that the powers in part 2 of the bill will build public trust and not undermine accountability and decision making.

Through the bill, Scotland has the opportunity to show leadership, not only in setting nature recovery targets but in delivering them and demonstrating how democratic, inclusive policy making can result in good outcomes for people and our planet. In the past decade alone, 43 per cent of Scotland's species have declined. This is a now issue, and the bill must deliver on its promise to set us firmly on a path to restore Scotland's natural environment, protect our iconic landscapes and species, and empower communities to be at the heart of nature recovery.

With the right amendments providing stronger powers, the bill can help us to move from ambition

to action, and I look forward to working constructively to ensure that it does that.

15:01

Mark Ruskell (Mid Scotland and Fife) (Green): At long last, the Natural Environment (Scotland) Bill has been introduced in the Parliament, and not a moment too soon, because we are deeper than ever in the nature emergency. We all know that Scotland's nature is in crisis and that one in nine of Scotland's species is at risk of extinction. Conservation of what we have left is important, but we need to move beyond drawing lines on maps. Now is the time for the biggest restoration of our land and seas in our nation's history.

I am excited about what restoration means for species and habitats that will be able to connect, expand and thrive. I am also excited for people—especially a generation of young people—who deserve the opportunity to make their mark on our nation's story, to help to restore and revive our land and seas, to plant and nurture the future and to shift Scotland's environmental baselines up instead of down.

This is the moment to ensure that action for nature is given parity with the drive to achieve net zero. They are two sides of the same coin. That need for action should be reflected in the bill's title. Arguably, it should be a nature emergency bill that is rooted in action and restoration, not only in conservation.

Green members are glad to see legally binding targets for nature recovery being introduced, which is what the Greens pushed for when we were in government. At the committee, we heard many supportive arguments for targets from academics, NGOs and the land management and infrastructure sectors. It is clear that a rudderless, voluntary approach has not worked—it has not brought the focus that is needed in a nature emergency.

Tim Eagle: Will Mark Ruskell take an intervention?

Mark Ruskell: If there is time in hand, I will.

The Deputy Presiding Officer: There is a brief amount of time in hand.

Tim Eagle: I will make a point on the biodiversity targets. Do you agree with Open Seas when it said in its response to the bill that targets are worth while only if the actions behind them are truly achievable?

The Deputy Presiding Officer: Always speak through the chair.

Mark Ruskell: Absolutely. That is exactly what my colleague Lorna Slater, when she was in

government, was working on through the biodiversity strategy and the delivery plans, which are still to come through.

Targets are not a silver bullet. Multiyear finance is critical, as are those delivery plans, which need to flow from the targets that are being set in the bill. Although Scottish Greens want the target provisions in the bill, we think that they can and should go further. The targets need to recommit to our international obligations to restore 30 per cent of our seas and land by 2030.

There could not be more of a contrast between what is in part 1 of the bill and what is in part 2. As currently drafted, part 2 is wholly inappropriate for legislation that aims to tackle the nature emergency. How can the Government give it and all future Governments the power to water down European laws that have protected our nature from destruction for more than 40 years? The Government has said that it is committed to not using the part 2 powers in the short term, so why introduce such wide-ranging powers in the first place?

We know that there are sectors—from fish farming to agriculture to property development—that would love to strip away nature protections and gut environmental assessments. That is exactly what the United Kingdom Labour Government has enthusiastically started to do in England through the Planning and Infrastructure Bill. It must not happen here.

Witness after witness who came to the committee talked about how such laws are fundamental and vital to nature protection. There were huge concerns about the use of such powers to rewrite laws, especially given that there is no non-regression clause to act as a backstop against environmental destruction.

It was hard to find any evidence on how a weakened environmental assessment regime would speed up climate action on renewable energy. The current regime is clear and well understood by the sector and, as the case of Berwick Bank offshore wind farm shows, the Government already has more than enough latitude through consenting regimes to make choices. The Government simply has not come to the Parliament with any convincing reasons for why the new powers are needed.

It is time to hold on to our foundational nature protection laws. That is why the Greens are minded to try to remove part 2 of the bill when it returns to the committee—although I would welcome discussion with the cabinet secretary about how part 2 could be amended.

On part 3, which is on national parks, we support the bill's intentions, especially the clearer focus that is needed from all public agencies to

deliver democratically agreed park plans. If Scottish Enterprise had respected the park plan of Loch Lomond and the Trossachs National Park early doors, we might not have had the debacle over Flamingo Land.

It is a massive missed opportunity that all the benefits of national parks will now not be felt in Galloway. We need a review of national parks, which should cover the designation process, what they have achieved in the past 20 years and their current boundaries. It is clear that the Parliament should have a key role in that review.

On part 4, which concerns deer management, we are supportive of the Government's intentions to finally implement the conclusions of the deer management working group. However, there is more that can and should be done. Deer overgrazing puts a huge limit on nature recovery and climate action. If we want to see thriving Atlantic rainforests, restored peatlands and better deer welfare, we need a modern system of deer management. Enhancing NatureScot's powers further, so that it can act quickly when deer numbers get out of control, is critical, and it needs to use its new powers. There also need to be options to consider the roles of other public bodies, such as Forestry and Land Scotland, that could step into that role, should NatureScot fail.

The Scottish Greens will support the bill at stage 1, but the legislation must be fit for tackling the nature emergency. We will be looking for a wide range of changes and additions at stage 2. I look forward to working with the Government to address concerns and to make the bill fit for purpose.

15:07

Beatrice Wishart (Shetland Islands) (LD): I thank the Rural Affairs and Islands Committee clerks and all the witnesses and stakeholders who contributed to the stage 1 process.

The Scottish Liberal Democrats believe that more needs to be done to halt and reverse the decline of many of Scotland's important species. We recognise that the climate crisis and biodiversity loss are not separate issues but are deeply intertwined. The Natural Environment (Scotland) Bill presents an opportunity for action—a chance to create legally binding targets for nature recovery, to modernise the regulatory framework for deer management and to restore ecosystems. For those reasons, the Scottish Liberal Democrats will support the general principles of the bill at stage 1.

However, there are several areas that could benefit from changes. My party and I are in broad agreement with the use of legally binding targets for improving biodiversity, although we should be

wary of any unintended consequences. As the stage 1 report highlights, targets must be evidence based with robust data, and, as stakeholders have highlighted, the lack of explicit links to the marine environment is noticeable.

Although the bill requires the Scottish ministers to specify how progress towards targets is to be measured, further detail is needed on how they will ensure that targets are robust and that there is sufficient resource available. Targets are useful only when meaningful action is taken to deliver them.

Almost half of Scotland's species have decreased in number since the 1970s. One in nine species in Scotland is at risk of national extinction—that is a sobering statistic. Invasive non-native species are one of the biggest drivers of biodiversity loss in Scotland, and the bill provides a chance to legislate for action to address that issue.

Non-native game birds, bred in captivity and released in large numbers, can cause damage to sensitive habitats and have been subject to several mass-mortality events that have been caused by highly pathogenic avian influenza—HPAI—in recent years. That poses serious risks to native wildlife. There has been an increase in releases of novel non-native species to sensitive island ecosystems, including in Shetland, where the impact of HPAI on wild birds is more serious than it is almost anywhere else in Europe. I understand that game birds released in Shetland might not even have been registered on the Scottish kept bird register, despite that being a legal requirement. Given that situation, I ask the cabinet secretary to consider the call for the Scottish ministers to have stronger powers to regulate the release of game birds. In addition, those who plant or manage woodland should take steps to reduce and mitigate the spread of non-native tree species.

The committee heard strong concerns from many stakeholders about part 2 of the bill. Stakeholders emphasised the importance of the environmental impact assessment legislation and the habitats regulations in protecting Scotland's natural environment and biodiversity. I share their concern that the bill would provide very wide scope for those regimes to be amended by the Scottish ministers. Although our current Government may state that it has no intention of diluting or weakening environmental standards and protections, it cannot speak for future Governments. The law needs better safeguards, such as a non-regression provision, and there should be stronger parliamentary scrutiny. I note the call that some stakeholders made for part 2 to be removed entirely from the bill, and I look forward to seeing what the cabinet secretary

brings forward at stage 2 to address those concerns.

I turn to the section on deer management. The intention to modernise the Deer (Scotland) Act 1996 is welcome. In some areas, increasing deer numbers and damaged habitats prevent nature restoration. The bill's success will depend on working with those who undertake deer management, which is largely a voluntary process. Voluntary deer management is vital, and it is important that, when changes are introduced, the trust and consensus that have been built up in the sector are not affected.

To that end, it is important that we consider the concerns that the sector has raised. Deer management organisations have highlighted the lack of detail on how the new nature restoration grounds for intervention will be used in practice. The criteria are to be detailed in the deer code, but that is not due to happen until after the bill completes the parliamentary process. I echo the calls for the draft revised deer code to be ready for consultation as soon as possible, to enable stakeholders and parliamentarians to have sight of the proposals during the bill process.

Mandatory training requirements will have an impact on deer management practitioners and training providers. The Scottish Government must ensure that the training requirements are proportionate and that support is put in place for transition. That should include consideration of grandfather rights and other mechanisms, to avoid a loss of specialist skills and expertise in the sector.

On the repeal of the venison dealer licence, I reiterate the committee's call for the current system to be maintained until the NatureScot app has been fully tested and rolled out, and for opportunities for expanding the wild venison sector to be explored.

Although the bill presents opportunities for action on climate and nature, improvements are needed, and I look forward to working constructively with the Scottish Government to that end.

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

15:12

Alasdair Allan (Na h-Eileanan an Iar) (SNP): We should recognise at the outset that the bill before us today is the product of extensive and patient engagement by the cabinet secretary and her bill team, as well as work by the committee and its clerks.

The bill will support the on-going work of the Scottish Government and many other

stakeholders across Scotland in tackling the twin crises of climate change and nature loss, which are issues that I am acutely aware of, as the nature champion for the great yellow bumblebee, and for many other reasons. Provisions in the bill aim to support the work that is already being undertaken by land managers, farmers, crofters, nature agencies, charities and the other stewards of our land to restore and protect the natural environment on which everyone in Scotland depends.

Other members have spoken, and will speak, about the first three parts of the bill, which cover targets for improving biodiversity, the environmental impact assessment legislation and the habitat regulations, and national parks. The provisions on those matters are all very positive measures, but I intend to concentrate my remarks on part 4 of the bill.

Part 4 is of particular interest to many of my constituents, as it relates to deer management. It includes provisions for controlling deer populations and addressing deer-related damage, along with measures to prevent harm and to enforce existing regulations. Specifically, the bill allows NatureScot to intervene in situations in which insufficient deer management is impeding projects or natural processes that serve to improve or restore the natural environment.

Another change to deer legislation is the removal of the need for a licence to deal in venison to stimulate the small-scale local venison market and make local venison more affordable and accessible. Scotland should certainly be promoting the wider sale of venison, given its quality and availability.

Excessive deer numbers often represent a significant threat to the livelihoods of tenant farmers and crofters through damage to crops, grazings, woodlands and habitats. Deer can also host ticks, which can carry a range of diseases that can infect humans and livestock.

Between them, tenant farmers and crofters manage about 35 per cent of Scotland's agricultural land, including common grazings. Crofters and tenant farmers often live and work in areas of concentrated land ownership and, in some cases, have landlords with sporting interests. There can be tension between estates that want to keep shooting rights and tenants who have to deal with the damage that deer can cause if they are not controlled. I suspect that that will be a live issue as the bill progresses through the Parliament.

Under current legislation, occupiers of land, including tenant farmers and tenant crofters, have the right to cull deer only on improved land where deer damage occurs—not on unimproved land

such as moorland, sea cliffs and hill grazings, which is the primary natural habitat for deer. In its final report, the deer working group therefore recommended that the Deer (Scotland) Act 1996 should be amended so that the statutory rights of occupiers to prevent damage by wild deer apply to any type of land.

Although I suspect that we will return to discuss that specific issue, I believe that the bill is a positive step for Scotland's biodiversity, environment and rural communities, and I commend all sections of the bill to the Parliament.

15:16

Jamie Halcro Johnston (Highlands and Islands) (Con): The bill that is before us today is essentially the four-in-one result of several consultations that have been held from 2023 onwards. The broader issue of protecting and enhancing our natural environment finds some agreement around the Parliament, but it is clear that, since its initial publication, the bill has raised serious questions among stakeholders.

To turn to part 1, we welcome the focus on biodiversity, but, as the Scottish Government alludes to in its policy memorandum, we have had 21 years of strategy but little general improvement in Scotland's biodiversity. Scotland's capacity for action on restoring and improving biodiversity is perhaps greater than that of any other part of the United Kingdom, yet, in many ways, we have been left behind on the issue. However, we are not simply calling for pushing on. An effective and sustainable approach on biodiversity will need a Government that is realistic about the balance to be struck on its many competing objectives.

To take one example, the Scottish Government has recognised that Scotland is in a housing crisis. In my region, many people, particularly young people, find themselves priced out of housing. Despite that, the Government seems to be unable to do anything meaningful to put house building on track to address the shortage of supply. Regulation and additional costs have strangled a great deal of potential development that is not only positive but necessary. We do not want biodiversity requirements to become a hurdle or barrier to delivering desperately needed homes, and we cannot load yet more regulation on top of those objectives. We have seen how many metrics of biodiversity net gain have been utilised elsewhere, and the prospect of off-site delivery for developers can help to balance the competing needs of development and of enhancing the natural environment.

Equally, we must consider the balance with food production and agriculture. I remind members of my entry in the register of members' interests as a

partner in a farming business. As Tim Eagle hinted at, many farms have made great strides with biodiversity in recent years, but we have too often been left to proceed alone because of a lack of advice or co-operation from the Scottish Government. I recognise that significant biodiversity gains can be found in agriculture, but the approach simply cannot be another Government-directed mandate against struggling farmers.

Part 3, which is about the management of national parks, gives a significant amount of focus to the use of fixed-penalty notices in order to enforce national park byelaws. Byelaws have not been used extensively by the national park authorities in the past, but they can be a useful tool in ensuring that those areas are used responsibly. We should perhaps not go too far in seeing that as a solution. The powers are already there to refer offences to the procurator fiscal and for fiscal fines to be issued to offenders after the event, alongside other potential disposals.

Although park rangers can issue FPNs under the Environmental Protection Act 1990, those powers are not regularly used, but, given those established powers and park rangers' experience of issuing FPNs for other matters, mainly fly tipping and littering, the ability to enforce byelaws in that way would remove an anomaly in enforcement powers. That should lead to a wider question about enforcement and about what more could be done to ensure that those who use national parks do so in a way that is appropriate. We should be asking what resources are required to police those parks, protect their natural heritage and ensure that antisocial behaviour is constrained.

We are all aware that offences in national parks and other rural areas are going unpunished. Too often, a minority of people are causing significant problems, including starting dangerous fires that threaten to cause wildfires, undertaking damaging camping practices and causing issues with camper vans, particularly with waste disposal. I hear directly how those issues can have a huge impact in communities across the Highlands and Islands, so national park authorities, local authorities and the police will have to work closely to combat those.

Although the bill would enhance the legal powers that are available, it will be for the Scottish Government to ensure that those new powers are part of a package of measures that recognises the scale and extent of crime in national park settings and that appropriately resource efforts to tackle that.

Mark Ruskell: Will the member take an intervention?

Jamie Halcro Johnston: I will not, I am afraid.

Turning to part 4 of the bill, I am pleased that the Scottish Government has recognised that the current approach to deer management is not working, although the same could be said of the management of many other species that will not be given the same focus. There are continuing issues with greylag geese, hooded crows, great black-backed gulls and a range of damaging species for which management has visibly failed, meaning that livestock, crops and farmers pay the price.

Culling at scale is a necessary step and the bill recognises and addresses issues of biodiversity, but serious inroads on deer management are needed as part of that process. NatureScot believes that at least another 50,000 deer must be culled annually to meet biodiversity targets and, although that figure is widely disputed by many, achieving one is entirely unrealistic without the other. More than that, the impact of poor deer management is greater than the impact on biodiversity and on habitats. The effects on agriculture and the rising number of ticks that spread disease to animals and humans should concern us all.

I appreciate that a great deal of the impact will go beyond legislation, but landowners and those who are involved in land management are already pointing out that there is little clarity in the bill about how the new system will operate. Not least among those concerns are the calls for openness about the proposed new code of practice, in order to enable effective scrutiny. The Scottish Government should be worried when organisations such as the British Association for Shooting and Conservation are highlighting the potential for measures in the bill to reduce by half the number of deer stalkers as a result of more regulatory burdens being placed on their activities. Despite discussions held by the deer working group, it seems clear that there is a real need to build more effective relationships between the Scottish Government, NatureScot and stakeholders on the ground.

There are reasonable intentions behind bringing together several areas in one bill, but this bill fails to live up to what it suggests or to make a real impact on preserving and enhancing our natural environment. Some of its provisions are welcome, but it is clear that, should it pass stage 1 today, it will be up to the Scottish Government to ensure that those are successfully implemented. There is a risk that the bill will create biodiversity targets that do not work and that, instead, harm the Government's other objectives. There could be new enforcement powers for national parks without offences being enforced and a new approach to deer management that leads to, or

risks leading to, chaos in the sector. It is possible to avoid those outcomes, but that will require a level of commitment and engagement that the Scottish Government has, I am sad to say, not demonstrated so far.

The Deputy Presiding Officer (Liam McArthur): I advise members that we have a bit of time in hand and that time taken by any interventions will be given back.

I call Emma Harper to speak for a generous six minutes.

15:23

Emma Harper (South Scotland) (SNP): Thank you for being generous, Presiding Officer.

As a member of the Rural Affairs and Islands Committee, I welcome the opportunity to speak on our stage 1 report on the Natural Environment (Scotland) Bill. I thank the committee clerks, all the witnesses who contributed by giving us evidence and, of course, the bill team and Government ministers. This legislation presents a vital opportunity to address the nature emergency and biodiversity loss in Scotland through statutory targets, improved deer management and the reform of our national park system.

I will begin with the issue of biodiversity and habitat targets. Scotland's biodiversity is in decline, as we have already heard this afternoon, and wading birds such as curlews, lapwings and oystercatchers are emblematic of that crisis. Their wetland, moorland and grassland habitats are under huge pressure from land use change, climate impacts and predation. That is why many species are already red listed.

Since February, I have worked with a local farmer in the Glenkens area, and with other concerned stakeholders, to seek and to deliver ways of addressing the reduction in those iconic birds, and we now have a good network of people who wish to be included in action that is taken forward.

I have been the nature champion for the natterjack toad for almost 10 years now, and I am the small ponds and lochs champion, too. As part of being a nature champion, I have witnessed for myself the vulnerabilities of our habitats in my South Scotland region.

The committee's report is clear that voluntary approaches have not delivered. Our report states:

"The Committee agrees that the rate of nature loss in Scotland over recent decades ... is deeply concerning. The voluntary approach to biodiversity targets taken to date has not managed to halt or reverse biodiversity declines."

I therefore support the introduction of statutory targets, but they must be more than aspirational.

They must be actionable, measurable and backed by resources. Our committee report notes that

“targets in themselves are not a ‘silver bullet’”—

the convener mentioned that, too—and it adds that,

“whether statutory or not ... they must be accompanied by meaningful actions, and reinforced by sufficient public resources, in order to ensure they are achievable.”

The bill sets out three mandatory target areas under proposed new section 2C of the Nature Conservation (Scotland) Act 2004. They are

“the condition or extent of any habitat ... the status of threatened species”—

there has already been discussion about that language this afternoon—and

“the environmental conditions for nature regeneration”.

That is a strong foundation.

Our report highlights that

“Scottish Ministers may also set targets in relation to ‘any other matter relating to the restoration or regeneration of biodiversity as they consider appropriate’.”

It may be an action for the Scottish Government to include species-specific indicators, which could include breeding success rates for wading birds. That could ensure that our targets reflect ecological realities and guide effective interventions, although any action must not be applied in a siloed way.

My next point is about part 4 of the bill, on deer management. Others have mentioned that already, but I believe that it is an important topic to highlight, particularly in relation to lowland areas. Scotland’s deer population, although iconic, is increasingly problematic. In lowland and peri-urban areas, deer are contributing to habitat degradation and agricultural damage; they are even a cause for road safety concerns. Alasdair Allan mentioned Scotland’s tenant farmers, and I have been working alongside them to highlight the impacts of deer encroaching into their unimproved land and their property.

The committee heard that the current powers are insufficient to address those challenges. The bill seeks to introduce a new nature restoration criterion under proposed new section 6ZB of the Deer (Scotland) Act 1996, which would allow NatureScot to intervene where deer are impeding biodiversity recovery. That is a welcome step.

Douglas Ross: Emma Harper may have heard my intervention on the cabinet secretary regarding the concerns that were raised with the committee about the extension of the role of NatureScot under part 4 of the bill. In response, the cabinet secretary rightly said that the bill is not about NatureScot. However, does the member accept

that this is perhaps our final legislative opportunity in the current session of Parliament to make some changes to NatureScot, for those of us who have concerns about its conflicted duties whereby it is in charge of preserving bird, deer and animal numbers and also in charge of the licences to control them?

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

Emma Harper: Thanks, Presiding Officer.

I thank Douglas Ross for his intervention. If we are looking at potential stage 2 amendments, that might be something that the member can address, in order to clarify what the concerns about NatureScot are. Any member could take that forward if they so chose.

Stakeholders expressed concern about the powers that would be applied. The committee recommends that the criteria for intervention under proposed new section 6ZB of the 1996 act should be clearly set out in the revised deer code, which should be subject to parliamentary scrutiny. Transparency and collaboration are key. Deer managers have built trust through voluntary efforts, and we must preserve that relationship. Clear guidance, robust data collection, especially in lowland areas, and inclusive decision making will be essential.

We have heard about the promotion and consumption of venison and combined venison and pork products, which is already under way in some areas, and about good examples of that taking place in primary schools on Jura. I believe that NHS Dumfries and Galloway is also adding venison products to its menus.

I will quickly address the process for establishing new national parks. The bill proposes reforms to the aims and governance of national parks. Although I support those changes, in my South Scotland region, the experience from the Galloway national park proposals, which did not proceed, highlights the need for a more inclusive and transparent process. Strong local feelings for and against the proposal were expressed, and concerns were raised about land use restrictions and governance, and the fact that Dumfries and Galloway is a high food-producing and economically important area in the south-west Scotland region.

Finlay Carson: Will the member take an intervention?

Emma Harper: I do not think that I have time.

The committee rightly called for clearer guidance on how national park plans will be implemented and how competing aims such as conservation, recreation and economic development will be balanced.

The bill is a turning point. It gives us the tools to restore nature, manage our landscapes responsibly and engage communities in shaping their futures, but we need more than legislation; we also need collaboration, clarity and commitment. I support the principles of the bill, because Scotland's nature deserves nothing less.

15:31

Rhoda Grant (Highlands and Islands) (Lab): I add my thanks to those who provided evidence to the committee on the bill and to the committee's support staff, who helped us in our deliberations. Others have been mentioning that they are nature champions, so I need to name-check the wildcat, for which I am the nature champion. I also pay tribute to the work of the Highland wildlife park and the Royal Zoological Society of Scotland, which have done a huge amount of work on breeding wildcats in captivity and on reintroducing wildcats that have continued to breed in the wild. That is a good-news story, and I hope that we can continue to build on it.

As others have said, the bill has four distinct parts. Part 1—on targets—appears largely uncontroversial, albeit that it will need strengthening at stage 2. However, as others have said, part 2 has caused much greater concern to those who gave evidence. It gives the Scottish ministers unprecedented powers to modify environmental impact assessment legislation and habitats regulations.

Many of those who gave evidence were concerned that the powers were far too broad. Stakeholders argued that ministers already had powers to amend those regimes and that the existing powers work well and give enough flexibility for different features to be protected. They also said that existing powers allow for the alteration of designations for features that can no longer be protected or are no longer there, which is often due to issues outwith our control, such as climate change.

Those who gave evidence believe that the powers create the right balance and provide enough flexibility in any circumstance. The Chartered Institute of Ecology and Environmental Management told the committee that habitat regulations were more flexible than indicated by the Government, albeit that that flexibility was often underused. It gave an example from my constituency of the Mallaig to Fort William road upgrade, where there was a loss of oak wood in a special area of conservation. However, that was allowed because of the public interest in upgrading the road.

Others cited the flexibility that is contained in the Energy Act 2023, which has the power to make

changes for renewables and electricity infrastructure. The keeping pace power that this part of the bill seeks to replace is due to expire and could be extended or replaced in a much more constrained fashion.

I am glad that the Scottish Government and the cabinet secretary, in her speech today, have acknowledged that there are issues with that, and that the cabinet secretary said that she will look at lodging amendments at stage 2. We look forward to seeing those amendments. As others have said, if amendments are not made, we might need to look to remove part 2 of the bill.

Mark Ruskell: The issue about keeping pace is important. Does the member agree that one way to tackle that would be to ensure that the sunset clause in the continuity bill is removed, so that we in this place can continue to update European legislation that protects the environment?

Rhoda Grant: That was one of a number of suggestions given to the committee, which will need to scrutinise the evidence. However, it is clear that something in the bill will have to change to provide that protection. We have an open mind as to how that happens. Our legislation needs to be future proofed and it is right for checks and balances to be in place.

Part 3 of the bill updates the aims of national parks. When Sarah Boyack was Minister for Transport and the Environment, I was on the committee that scrutinised the original national park legislation and, like her, I remember many difficult debates and negotiations that were needed to get the balance right for the aims of national parks. No one has given a substantial reason for the changes in the bill. I feel that, if legislation does not need to be changed for any particular reason, we should leave it as it is, because those aims have borne the test of time. I fear that any change may rebalance the aims and lead to conflict.

When we first introduced national parks, there was a clamour to have them in other areas, but that clamour seems to have disappeared. Indeed, the Government's attempt to create another national park has failed. Instead of changing the aims, perhaps we should help our national parks to flourish, and look at whether our national parks are meeting our aspirations, with post-legislative scrutiny for example. Perhaps we should look at community aspirations for our existing national parks, which might encourage others to consider developing national parks in their areas.

Part 4 of the bill concerns deer management. If we manage deer properly, the investment that we put into natural forest regeneration may not be required because, if we remove deer pressure, forests will regenerate themselves naturally.

However, we must reduce deer numbers. When we do that, animal welfare must be at the heart of it, because it is important that we do it properly and do not waste the venison that is created from the cull of deer. We have heard about initiatives in Jura and other places where venison is making its way into school meals and providing nutrition to our young people. We need to learn from that.

Scottish Labour very much welcomes the bill and will support it. However, we want to work with the Government on lodging amendments that will improve it in future, which I hope we can do at stage 2.

15:38

Evelyn Tweed (Stirling) (SNP): I thank everyone who took the time to give the committee evidence on the bill.

The bill is wide ranging, but I will focus on proposals for a fixed-penalty regime for national park byelaws, which comes under part 3. Many of my constituents live and work in Loch Lomond and the Trossachs national park. It is a marvellous place, which provides many opportunities to engage with the natural world. If any member has not been there, please come. The park has more than 4 million visitors a year, so it is important to consider and manage the impact on those who live locally, as well as on the environment. Byelaws play an important role in that.

The Law Society of Scotland explains that byelaws can be used by national parks

“to protect their natural and cultural heritage, prevent damage to the land and secure public enjoyment and safety.”

Loch Lomond and the Trossachs National Park Authority has had byelaws restricting camping on the banks of many of its lochs since 2017, and safety regulations for water activities at Loch Lomond since 2023.

The Cairngorms national park has introduced byelaws on fire management with a view to reducing the risk of wildfires. Education and engagement are at the fore of byelaw enforcement. Loch Lomond and the Trossachs National Park Association explained to the committee that, when its rangers have conversations with visitors who are breaking byelaws, many are happy to adjust their behaviour and do the right thing. However, in 12 out of nearly 900 cases last year, that conversation did not work. Those cases were referred to the procurator fiscal, which is causing a huge administrative burden for the national park. Section 9 addresses that with an enabling power to introduce fixed-penalty notices for the enforcement of national park byelaws, which is considered to be a more

efficient, effective and proportionate means of enforcement.

Tim Eagle: National park fixed penalties were quite uncontroversial at committee, but the changes to habitat regulations in part 2 of the bill were very contentious. Does Evelyn Tweed think that it is telling that neither she nor Emma Harper nor Alasdair Allan mentioned that in the debate? Is that because there is nothing that can come forward that protects the habitat regulations?

Evelyn Tweed: No, that is absolutely not the case, but I thank Tim Eagle for his intervention.

Although the proposals have been welcomed, several stakeholders have expressed the need for caution. Scottish Environment LINK noted the risk of stricter enforcement within national parks displacing problem behaviour beyond the parks' boundaries and creating a two-tier system. Many popular locations and important habitats lie beyond our national parks, so that is a concern. I am keen to hear how the Government will mitigate and monitor any unintended consequences that may arise.

I was pleased to hear the cabinet secretary describe the fixed-penalty regime as “supplementary” to the rangers' role of engagement and education, but several organisations asked for guidance and monitoring to ensure that that remains the case. The committee seeks details on what guidance the Scottish Government intends to provide to NPAs as they formulate their approach. The maximum penalty is set at £500, and I note that the financial memorandum states that Loch Lomond and the Trossachs NPA proposed fines of around £80 and deemed that as an “appropriate” level for byelaw fines. However, the Law Society highlighted the need to ensure that there is consistency with other fixed-penalty schemes to ensure that the landscape is simple and does not lead to confusion among the public.

There has been a suggestion that a fixed-penalty regime could cover parking infractions, and I am keen to explore that further. Irresponsible parking in visitor hotspots is a huge issue in my area, and this summer saw serious overcrowding and reckless parking on verges at Loch Lubnaig and other areas. NPAs did not think that they had the key legal rights at present to make byelaws bite. I know that my constituents would welcome more enforcement powers in that area, and I ask the Government to work with the national park authorities on that ahead of stage 2 and to consider the role that local authorities and the police might have in the area.

On the whole, the committee heard support for that change, and I look forward to hearing how issues will be addressed at stage 2.

I support the general principles of the bill. For the record, I am also the nature champion for the rare azure hawk dragonfly.

The Deputy Presiding Officer: We come to the final speaker in the open debate. Jackie Dunbar, you have a generous six minutes.

15:44

Jackie Dunbar (Aberdeen Donside) (SNP): I am afraid that I am not going to need a generous six minutes, Presiding Officer.

I declare that I am the species champion for the sea trout.

One of my party's favourite phrases is "Stop the world—Scotland wants to get on." Fifty-eight years after that phrase was first spoken, although support for independence shows a healthy 10-point lead in the polls, the world is not in quite such a great place and is facing both climate and biodiversity crises. The bill is part of how Scotland will respond to those crises and how we will play our part in tackling global challenges across Scotland and in the communities that we represent. Basically, it is about how we think global and act local. Tackling the climate emergency is already a priority of our Scottish Government, but, increasingly, extreme weather is not just about sad polar bears up at the north pole; it is impacting on Scotland. We are seeing it in the likes of storm Arwen and "Hurricane Bawbag", and we are also seeing it in floods and, for the first time in a very long time, water shortages in our country, where it often feels as though it just never stops raining.

Obviously, all of that is going to have an impact on our natural environment and, in turn, affect biodiversity across Scotland, even before we factor in the impact of what is happening in Scotland itself. Over time, agricultural activity, forestry, grazing—by farm animals and wild animals—peatland degradation, overfishing, invasive species and new building developments, whether for housing or for commercial uses, have all added to the strain that is being placed on our biodiversity. Scotland now ranks 212th out of 240 countries in the biodiversity intactness index, and 11 per cent of species in Scotland are at risk of extinction. That needs to change.

Today, I am pleased that it appears that we are going to come together as a Parliament and unite behind the principles that will enable us to improve the situation, so that we can have an ecosystem that is strong and stable. I am sure that, once we all agree that there should be targets for improving biodiversity, we can go back to fiercely debating exactly what those targets should be and how they should be measured and met.

Finlay Carson: There is consensus about the reason for having the bill. However, as my colleague Tim Eagle noted, every stakeholder, without exception, has suggested that part 2 would put nature at risk, yet we have not heard that from any of the Scottish National Party speakers. Can you set out why you think part 2 is needed and whether the safeguards that would be required are in place?

The Deputy Presiding Officer: Through the chair.

Jackie Dunbar: I am sure that many amendments will be lodged at stage 2, Mr Carson, and I leave it to your committee—

The Deputy Presiding Officer: Through the chair, please.

Jackie Dunbar: Sorry, Presiding Officer—I am just following what was said to me.

I am equally sure that, should any of those targets be missed, whoever is in government will have their feet held firmly to the fire by whoever is in the chamber between now and 2045. The bill contains headline targets to halt biodiversity loss by 2030 and to achieve restoration and regeneration by 2045, and we need to ensure that we hit them.

I will not touch on the issues of environmental assessments, national parks and deer numbers too much, because they have already been addressed somewhat. All of that is in the bill, and those issues play a part in the wider picture. Instead, I will talk about Aberdeen, the future net zero capital of the world—I will say that in every debate in which I get a chance to.

A few folk are probably wondering how much biodiversity Aberdeen, as a city, has apart from what we, in Aberdeen, call scurries—that is, seagulls, which I fear some folk want to see added to the extinct species list. If we are going to make a case to the world that Aberdeen is the best place for net zero expertise and that our city is a leader in the fight against climate change, we need to show that theme running through the north-east. We should demonstrate the benefits of tackling the climate and biodiversity crises. Net zero is not just about how we generate energy; it is about warm homes, clean air and protecting our natural environment.

Some folk see Aberdeen as an industrial city—a city of granite, concrete and tarmac—but our city is now changing. We no longer have diesel fumes lingering over Union Street, and we now have wildflowers growing in Union Terrace Gardens. Those are small changes, but they are changes that people can see, and I hope that they will encourage others to follow suit. If enough small

changes are made, they can—and will—add up to something pretty big.

The biodiversity crisis affects all of us, and we all, including those of us with more urban seats, have to play a part in tackling it. The best thing that we can do just now is get the bill moving forward. I look forward to seeing the bill move forward, pass and make a difference by improving our nation's biodiversity. I look forward to seeing Scotland play its part in tackling the global challenges of climate change and biodiversity loss. If everyone, everywhere, plays their part, we will have a better world. Save the world—Scotland still wants to get on.

The Deputy Presiding Officer: We move to closing speeches. Lorna Slater has a generous six minutes.

15:50

Lorna Slater (Lothian) (Green): It was an enormous privilege to be involved, as minister for biodiversity, in the early drafting of this bill, and I am glad to see it finally come to the chamber. There is so much potential here. Scotland has the aim of stopping nature loss by 2030 and of being on a path to nature recovery in the decades after that.

We have made a start in some areas, through the reintroduction of beavers, which are a keystone species; legislation to reduce herbivore numbers; the nature restoration fund; national planning framework 4, which considers biodiversity; and reforms to support farmers to improve soil health and adopt nature-friendly practices.

We are now only five years away from the point at which the Scottish Government has committed to stewarding Scotland towards a future of nature abundance and diversity instead of decline and extinction. Scotland will become a more wooded country, with bare hills populated by native trees. Scotland can become a country where endangered species can live safely and extinct animals can be reintroduced. Scotland can become a country where the sea is seen as not just a resource to exploit, but a vital and valuable ecosystem in its own right.

This bill is our opportunity to set the stage for that change of direction, and that starts with setting targets for nature recovery. The Scottish Government has signed up to the United Nations Convention on Biological Diversity—which is where the 30 by 30 target comes from—to protect Scotland's land, water and seas for nature by 2030. I hope to see that made into Scottish law and supported by parties across the chamber, but there are other targets in the same UN convention that Scotland has already signed up to—for

example, a commitment to ensure that, by 2030, at least 30 per cent of areas of degraded terrestrial, inland water and marine and coastal ecosystems are under effective restoration, in order to enhance biodiversity and ecosystem functions and services, ecological integrity and connectivity. Given how degraded Scotland is, it would make a difference if 30 per cent of it was under active restoration. Capturing that in statute and putting in place the actions to accomplish it would make a difference.

At the conference of the parties—COP—in Montreal, the Scottish Government members were all happy to say that they supported that UN convention. I challenge the Scottish Government to make the legislation now to carry out that intention.

I am supportive of the bill's intentions around deer management, but I am concerned that they do not go far enough. Reducing Scotland's deer population is an urgent matter, and previous interventions have been wildly insufficient. The first measures to reduce deer numbers were taken in the 1950s and failed utterly. Deer numbers have doubled twice since that time. We cannot be serious about recovering Scotland's lost biodiversity until deer numbers are brought low enough to allow nature to recover. Deer constantly nibbling away prevents Scots pine, rowan, oak and other beautiful and iconic native trees from growing. With sufficiently low deer numbers, native forests have a chance to recover on their own, without the need for expensive fencing and planting. We need to modernise the system of deer management and must give NatureScot enhanced powers to intervene when deer are out of control in ecologically sensitive areas.

I am also supportive of the bill's intentions on national parks, as gutted as I am that Galloway will not benefit from the estimated £10 million a year that would have come its way with a new national park, along with all the jobs, tourism and support for local businesses and communities. What a missed opportunity that was.

However, the bill leaves a glaring gap: Scotland's seas. At the time of the previous election, political parties across the chamber were signed up to enhanced marine protection. Aside from new powers for ministers to actually weaken environmental impact assessment, our waters and the species that depend on them barely feature. Lines on a map are not enough, and even where the most destructive fishing is banned, enforcement is weak.

At stage 2, the Greens will seek practical improvements: stronger enforcement to protect marine habitats and the fishers who follow the rules; protection for wrasse, which are still taken in the spawning season and inside protected areas;

and steps towards a transition to a sustainable fishing fleet.

The bill is an excellent opportunity to make progress on two concerns that I know are shared by many stakeholders and are close to me personally. The first is the matter of Sitka seeding from commercial plantations into ecologically sensitive areas. For the past two summers, my husband and I have volunteered on Tombane farm, which is the home of a site of special scientific interest for damselfly habitat. Now is the moment to declare to the chamber that I am the species champion for the northern damselfly. My husband and I use hand tools to cut down as many of the invading Sitka as we can. Similar cases are occurring all over Scotland, where Sitka seeding from commercial plantations is causing damage to nearby habitat and to restored peatland and is costing land managers money to address the problem. The people who profit from planting Sitka, not the landowners who are being harmed by it, should pay for the damage.

My second concern, which energises me enormously, is the matter of pheasant releases. It blows my mind that, in Scotland, a licence and 40 pages of paperwork are needed to relocate a single native red squirrel from one part of Scotland to another yet anyone, anywhere, can release any number of tropical birds as long as they are pheasants. Pheasants might be carrying bird flu, they are probably eating the eggs of native reptiles and they are almost certainly feeding our fox population, with its attendant management issues. No consideration is given to the welfare of the birds or the livelihoods of the poultry farmers whose birds might be infected by the diseases that the pheasants are carrying. We do not know who does this, where they are releasing them or how many are being released. It is extraordinary that the release of these tropical birds into Scotland is not licensed.

Scottish youngsters are unlikely to have ever seen a red kite, a puffin or a sea eagle, but everybody has seen a pheasant, and that must change.

15:58

Mercedes Villalba (North East Scotland) (Lab): I thank all members who have taken part in today's debate. As my Labour colleagues Sarah Boyack and Rhoda Grant have already made clear, we will support the bill at stage 1 today, because we recognise the issue at the heart of the bill, which is how we protect Scotland's 90,000 species, 11 per cent of which, as we have heard from Jackie Dunbar, are threatened with extinction.

Scotland's level of biodiversity intactness is in the lowest 15 per cent in the world, and the Scottish Government has failed to meet its environmental targets. In the past decade alone, 43 per cent of Scotland's species have seen a decline. Biodiversity loss is, of course, a global issue, but I think that we would all agree that Scotland has a moral and ecological duty to be a world leader in reversing that decline.

For the bill to meet its goal of reversing biodiversity loss and restoring a healthy, stable ecosystem, it must be amended in several key areas, not least in relation to the issues with part 2 that have been highlighted by Labour members and others today. From what we have heard, if the Government does not lodge serious considered amendments to part 2, there will be proposals to remove that part altogether. Therefore, I hope that the cabinet secretary takes heed.

Although we have heard from Tim Eagle and some of his Conservative colleagues their concerns about whether there is a need for the bill, his citing of the failure of previous non-statutory approaches has, I think, made a strong case for bringing forward statutory targets and for part 1 of the bill.

Particularly important to the debate is how we protect and restore our natural environment and native flora and fauna. The latter are threatened by the devastating impact of invasive non-native species, as Beatrice Wishart highlighted very aptly today. In its 2025 "Inquiry into public financial support for tree planting and forestry", the Royal Society of Edinburgh highlighted that Scottish Government policy and practice do not go far enough in recognising long-standing problems caused by invasive non-native species.

For example, as we have just heard, Sitka spruce, which accounts for 43 per cent of Scotland's woodlands, is a major threat, because it dries out the peatland ecosystem and outcompetes native species such as—I will probably say this wrong—sphagnum moss, and no, I am not its nature champion. Additionally, when Sitka is planted on peatlands, there is a risk that carbon sequestered by the land can be released. Yet that ecologically destructive species is currently exempt from the provisions of the Wildlife and Natural Environment (Scotland) Act 2011—an exemption that is not based on environmental science but is driven by the profit motive in the commercial forestry industry.

If I or one of my constituents released Japanese knotweed into the wild, even accidentally, that would be illegal, but private companies are, in effect, allowed to commit widespread acts of ecological vandalism that degrade vast swathes of Scotland's environment without fear of being so much as fined, all in the name of profit. That fact

demonstrates the need for Scotland to tighten its legislation around the 2011 act and to look at reworking exemptions for invasive non-native species.

We also need to look at the cost to the public purse of Government subsidies for invasive non-native species such as Sitka spruce, which accounts for 50 per cent of commercial planting in the UK. The destruction of our natural environment to line the pockets of shareholders cannot be allowed to continue. Instead, Scottish Forestry could require that planting schemes include native planting and regeneration and consider the spread of tree seed from non-native invasive species. Actions to consider could include continued monitoring of how seed spread can be reduced and, where necessary, removal of non-native invasive species seedlings. Providing public subsidies to damaging commercial conifer forests completely contradicts Scotland's biodiversity and environment restoration targets. The Scottish Government should reassess subsidies for coniferous commercial tree planting.

The ethical and financial responsibility for rectifying harm to the environment should rest on the developers and private companies that cause that harm, through the use of a polluter-pays principle, as touched on by Lorna Slater. It is not just we on the Labour benches who are saying that; groups such as Scottish Environment LINK and the RSPB agree. Current environmental restoration efforts, including ones by NatureScot, are using their already overstretched budgets to mitigate the damage to our natural environment that negligent private companies cause. According to RSPB research, the financial cost of removal of conifer seedlings and seed rain in flow country peatlands is already in the millions of pounds. A polluter-pays principle would address that directly through the creation of statutory requirements for the proper management of invasive non-native species. Successful implementation would create a robust framework for liability for environmental damage.

I want to be clear that Scottish Labour, like others, supports the general principles of the bill. However, if Parliament is serious about reversing the trend of biodiversity loss, we must be clear that the current iteration of the bill needs significant amending. In that way, Scotland can become a true world leader in combating the nature crisis.

16:04

Maurice Golden (North East Scotland) (Con): In recent months, we have seen an alarming retreat from climate action. That is deeply concerning, because the threats that are posed by climate change and biodiversity loss have not

diminished. Those twin crises will not pass Scotland by, as Sarah Boyack highlighted.

The cabinet secretary said that Parliament has "a long and proud tradition of supporting our natural environment"

and that that

"defines our place in the world".

That is true, but the reality is that we are already one of the most nature-depleted countries in the world, with a 15 per cent decline in average species abundance since the mid-1990s, according to the "State of Nature" report. Without action, we face further damage, whether it be the degradation of our iconic landscape, the rising flood risks for our communities or new pressures on businesses. The Natural Environment (Scotland) Bill is an opportunity not just to halt that environmental decline but to actively restore our natural heritage and reverse biodiversity loss, as Mark Ruskell highlighted.

I will focus my comments on Scotland's seas. However, as we have heard throughout the debate, the bill touches on every corner of Scotland's natural environment. In relation to part 1, on biodiversity targets, it is clear that statutory biodiversity targets should be ambitious, practical and achievable. Tim Eagle pointed out the serial failures of successive Scottish Governments to meet the targets that they outlined in their strategies, dating back to 2004. Jamie Halcro Johnston pointed out that we must have an "effective and sustainable approach" to biodiversity. Lots of concerns were raised around part 2, which I believe were partially addressed by the cabinet secretary. Sarah Boyack pointed to the "sweeping" regulatory powers and concerns that standards could, in fact, be undermined and to the requirement to build public trust.

Douglas Ross: I listened to what the cabinet secretary said, just before Sarah Boyack intervened on her, in outlining the amendments that she will look to lodge. Does Maurice Golden agree that, if the Government had done its work in advance of lodging the bill, it would have seen the potential problems? We would then not be looking to amend the bill at stage 2, as the Government would have got it right at stage 1.

Maurice Golden: I agree. There is no reason why at this point in the session—and after almost two decades of the SNP being in government—we would not have the full information at stage 1.

On national parks, I firmly believe that the Scottish ministers should announce a formal, independent and objective review of our existing national parks before any new national parks are designated, so that we properly assess what has been achieved. It is also key to define what a

national park is or, at the very least, to define its particular geographical area for local communities to avoid the farce that we saw in Dumfries and Galloway, where there were so many factors to consider that no one knew what the national park meant and whether they could support it. Those factors include biodiversity, tourism, economic development, hospitality, retail and farming. There was no blueprint there, which meant that there were increasing difficulties for the communities in that part of Scotland.

On deer management, Tim Eagle pointed out the requirement for clarity and proportionality with respect to NatureScot's expanded powers, and Beatrice Wishart said that we must avoid unintended consequences and ensure that any training is proportionate.

I turn to Scotland's seas. The current state of our marine environment demands meaningful action, and the bill is an opportunity to deliver it. I welcome the Scottish Government's recognition in its policy memorandum of the 30 by 30 target, which is to ensure that 30 per cent of our land and seas are in areas of protection or conservation by 2030. However, aspiration alone is not enough. As drafted, the bill does not give us the tools that are required to turn ambition into reality. Groups such as RSPB Scotland and the Sustainable Inshore Fisheries Trust have raised similar concerns, and they are right to do so. For one thing, there are no specific biodiversity targets for our marine environment in the bill.

That is obviously concerning, but anyone who is involved in the marine sector will know that there has been a long-running pattern of inaction. We passed the Marine (Scotland) Act 2010 to designate marine protected areas. The act was pioneering, as one of the first comprehensive marine management frameworks in the world, setting a precedent for integrated marine planning and conservation. However, it took until this year—some 15 years later—to get offshore management measures finalised. Indeed, a full suite of offshore management measures will still not be in place by the end of this parliamentary session.

Although 30 per cent of Scotland's inshore waters might be marked on a map as being protected, less than 1 per cent are currently protected from all commercial fishing activity. Let us be honest—a protected area in name is not protected at all. We were supposed to see an inshore fisheries act in 2016 but, after multiple consultations, it still has not materialised. Meanwhile, the national marine plan is now a decade out of date, which is obviously doing neither the environment nor the fishing industry any favours.

There does not have to be a choice between protecting nature and supporting fishing communities. Too often, those priorities have been pitted against each other, but they should be mutually reinforcing. For England's inshore waters, there is a different approach, whereby local communities, fishermen and councils collaborate to strengthen marine ecosystems and the fishing industries that depend on them. That is the direction in which Scotland should be going. However, earlier this year, when my colleague Tim Eagle raised that at committee, a marine directorate official responded that that was "not currently realistic". What is not realistic is believing that we should continue down the path that we are on.

If the Scottish Government and the Parliament work together at stages 2 and 3, we can strengthen the bill and begin the shift away from marine decline towards marine recovery. I urge all members to take that opportunity.

16:12

The Minister for Agriculture and Connectivity (Jim Fairlie): I thank colleagues from across the chamber for their engagement in and contributions to today's debate. We realise that there is work to do, and we are committed to doing it. As members will know, there are three Government ministers working on the bill, which I hope demonstrates the importance that the Government attaches to protecting and restoring our natural environment.

Cross-portfolio working is necessary to achieve effective legislation that works for nature and, importantly, is developed in partnership with key stakeholders—our rural land managers, our ENGOs, our farmers and our crofters. I hope that we can build consensus right across the chamber in recognition of the fact that nature is all of our responsibility and that our natural environment is for all of us to protect.

I have spent many hours carefully considering what we are trying to do with the bill. What are we trying to achieve? The reality is that this is a hugely complex subject, and it requires careful consideration, working in partnership, to ensure that we avoid any unintended consequences.

As a youngster, I lived on a housing estate and I had a loft full of pigeons in the back garden. I had a dog in the house and a rabbit hutch in the back, too. I have been immersed in nature and living things for as long as I can remember.

I remember the days in the garden after the old bird racing season was over in June and before the young bird season began later in the year. I would sit in the sun, watching my birds in the silence, taking in the hum and buzz of nature all around me. There was the high-pitched darting of

the hoverflies, the lazy drone of bumblebees, the industrious buzz of honey bees and the incessant annoyance of flies and bluebottles. There were greenfinches, sparrows, blackbirds and starlings coming in to mooch around the garden and to rake about in the seed that I would leave out for my pigeons. There were swallows, house martins and swifts screeching overhead and blue tits flitting around, feeding their chicks in the nest box that I had pegged on the outside of my pigeon loft. There was an abundance of grass, flowers and gardens with clover, and there were so many honey bees buzzing around, gathering pollen.

All that was in a 10m by 15m square of grass in a housing estate back garden. It was a microcosm of a nature sanctuary in Letham, where I was brought up. It was great to grow up there.

As I reminisce, I ask myself the question: would that same garden, with that 150 square metres of grass, be able to hold such an abundance of life today? “Abundance” is the word that springs to mind. How many gardens have got that abundance now?

I have been blessed in my life to have spent so much of it living and working with nature. The rhythm of so much of my life when I was a farmer has been in sync with the ebb and flow of the seasons. I have had immense joy living in places where curlews, peewits, oystercatchers and snipe were my alarm call, where the hum and buzz of nature was my backdrop, where I grabbed a catnap in the fields—

Finlay Carson: Will the minister take an intervention?

Jim Fairlie: —and where my office was a tapestry of beauty that is the envy of the world.

I will come back to Mr Carson.

I hope that everyone in the chamber agrees that we want to ensure that we can pass that and so much more on to the next generation and the generation after that.

Finlay Carson: I appreciate the minister giving way. While it is very nice that the first three and a half minutes of your debate contribution have focused on—

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

Finlay Carson: The minister has taken three and a half minutes of his speaking time to set out his involvement in the natural environment. However, some serious issues have been raised as part of the stage 1 debate, including concerns about part 2 of the bill. If the Government has engaged with stakeholders, why does part 2 need significant amendment or to be removed to keep stakeholders happy? The Rural Affairs and Islands

Committee did not hear one voice that supported part 2.

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

Jim Fairlie: My initial response to that is that whatever I say in this chamber is my choice. It has absolutely nothing to do with the member, who is trying to criticise me or tell me what I should or should not be saying.

What I will say is that climate change is a reality. There are more extreme weather events, with seasonal temperatures and species all impacted by climate change. For that reason, there is an imperative on us all to work together, to be cohesive and to build consensus. We may not agree about the details of the journey that we are on but, undoubtedly, we are on that journey together. I am pleased with the way in which some members have approached the bill today so that we can get that kind of consensus.

Sarah Boyack: Given the raft of comments from third sector organisations, experts and the Rural Affairs and Islands Committee, it would be useful for members to hear what actual changes the Government is committed to making at stage 2, in addition to what the cabinet secretary said, and for us to get copies of those changes as soon as possible so that there can be proper parliamentary scrutiny.

Jim Fairlie: I take the point on board. We have listened carefully to what members and stakeholders have said. The cabinet secretary has already agreed to meet members about those issues. I hope that that gives Ms Boyack confidence that we are trying to engage with members. As I said, there is an imperative on all of us to make the bill work.

Our politics is polarised right now and the bill represents a test of whether we can find consensus, to ensure that our nation thrives with nature at its heart. The Government is committed to working in partnership with our key stakeholders so that the bill ensures that those stakeholders have the tools and support that they need to protect and restore nature in a way that works for our rural land managers and communities; that builds on their stewardship; and that recognises their role as custodians of our iconic landscapes and species. To do nothing is not an option. The challenge is one on which we must take affirmative action. We must secure our natural environment. I urge members to support the bill.

We already have an ambitious biodiversity strategy and delivery plan, and more than 100 actions are under way. *[Interruption.]* Those include £250 million of funding for peatland restoration, which, for 10 years, has helped to lock in carbon and restore vital habitats. That

restoration has increasingly been integrated with established land management practices, supporting organisations such as Scottish Water and helping to create a safer, more productive landscape for livestock, which, in turn, strengthens farm businesses. Woodland creation grants are supporting landowners to expand native forests and improve biodiversity, integrating trees into working farm practices.

The pilot deer management incentive schemes in central Scotland and south Loch Ness are helping to reduce grazing pressure and support habitat recovery. The better biodiversity data project is strengthening our natural environment monitoring infrastructure and supporting evidence-led decision making. Support for wild venison processing, including grants for chillers and larders, is helping communities to benefit from sustainable deer management. Deer management should not be seen as the removal of a pest species; rather, it should be seen as the harnessing of a resource that is iconic to Scotland and that has multiple health, environmental and economic benefits to Scotland plc.

In closing the debate, I stress again that the Government cannot solve the nature crisis on its own. We need collective action. We should all recognise the vital role that is played by our land managers, our farmers, our foresters and our landowners across Scotland. Many are already doing fantastic work. While still producing food, they are restoring habitats, reducing emissions and supporting biodiversity. From integrating peatland restoration into farming operations to managing deer sustainably, their leadership is making a real difference on the ground. I believe that, with the continuation of that positive dialogue, we can help them to go further and faster—and with the confidence of knowing that this SNP Government is behind them.

Should members agree to support the general principles of the bill today—as I think they should—we will work with them, stakeholders and communities to deliver a landmark natural environment bill that builds on the vision that is set out in our biodiversity strategy; that gives us the tools to act, the targets to aim for and the accountability to stay on course; and that says clearly that we will not stand by while nature declines but will act together to restore it. I think that we should make that commitment today.

The Deputy Presiding Officer: That concludes the debate on the Natural Environment (Scotland) Bill at stage 1.

Edward Mountain (Highlands and Islands) (Con): On a point of order, Presiding Officer. I apologise to you and to members in the chamber, especially Mr Fairlie, for interrupting him with the noise of my telephone ringing. It was accidental—I

thought that I had turned it off, but I had turned it off only on my hearing aids. I feel embarrassed enough to apologise, and I hope that you will accept my apology.

The Deputy Presiding Officer: That was not a point of order, but thank you for putting that on the record.

Natural Environment (Scotland) Bill: Financial Resolution

16:21

The Deputy Presiding Officer (Liam McArthur): The next item of business is consideration of motion S6M-18730, on a financial resolution for the Natural Environment (Scotland) Bill. I invite Gillian Martin to move the motion.

Motion moved,

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Natural Environment (Scotland) Bill, agrees to any expenditure of a kind referred to in Rule 9.12.3A of the Parliament's Standing Orders arising in consequence of the Act.—[*Gillian Martin*]

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

Planning and Infrastructure Bill

The Deputy Presiding Officer (Liam McArthur): The next item of business is a debate on motion S6M-19454, in the name of Gillian Martin, on a legislative consent motion on the Planning and Infrastructure Bill, which is United Kingdom legislation.

16:22

The Cabinet Secretary for Climate Action and Energy (Gillian Martin): Today, we are seeking Parliament's approval for a supplementary LCM on the Planning and Infrastructure Bill that relates to an amendment that the UK Government tabled recently, which inserted a clause on wind generation stations that affect seismic array systems.

In Scotland, we have the Eskdalemuir seismic array, which is a Ministry of Defence seismological monitoring station in the Dumfries and Galloway area that is maintained as part of the United Kingdom's obligation under the comprehensive nuclear test ban treaty. Wind turbines can cause seismic vibrations or noise in the ground, which can impact the functioning of the array. Since 2005, the MOD has set a limit on how much vibration or noise is allowed within what is known as the 50km consultation zone. That is to safeguard the array and to ensure that it can function properly.

However, in 2018, that noise limit was breached. Since then, the MOD has objected to every planned new wind farm within that 50km zone. The new clause in the bill will establish primary powers to enable the secretary of state to make regulations at a later date that will bring forward a new policy approach to safeguarding the functioning of the array, which will allow the potential for further onshore wind development in that area while protecting a site of national security importance.

I think that it would be helpful to provide some background to members on why we are seeking Parliament's approval for the supplementary LCM at such short notice. On 9 October, the Scottish Parliament approved the LCM for the Planning and Infrastructure Bill, but the recent amendment to which I have referred was tabled at report stage in the House of Lords on 13 October, with the text of the amendment having been shared with the Scottish Government only on 1 October. That is why the parliamentary debate has been held with such little notice. The situation was outwith my control.

I want to address up front the fact that the amendment would enable the secretary of state to make changes to planning law in Scotland,

thereby encroaching on an area of devolved legislative competence. The new clause does not give the Scottish ministers any formal role in agreeing to the secondary legislation. I have written to the UK Government ministers to express my disappointment and concern about the way in which the UK Government has pressed ahead at the pace that it has done, which has not allowed for consideration of alternative approaches to safeguarding the array that respect and protect devolved responsibilities.

I asked for a further amendment to be made to the clause during the third reading of the bill in the House of Lords to require Scottish ministers to provide consent to any secondary legislation, but that has not been implemented. I am disappointed with that outcome. As everyone knows, I want Governments to work together to achieve decarbonisation, but devolution must be respected if that is to be continued.

It has been the long-standing objective of the Scottish Government to resolve the barriers to development in the area of the array, and we have been working with the UK Government and the onshore wind industry to develop a new policy approach to the deployment of onshore wind in the area of the Eskdalemuir array. To be absolutely clear, any project that is considered under the new approach will continue to be subject to all relevant and applicable considerations under the Electricity Act 1989, national planning policy and Scottish planning legislation.

The amendment would achieve something that we have been working towards for a long time. I have considered the scope of the amendment and, although it has an impact on our planning and consenting responsibilities, it is very focused and specific, and only in respect of that small geographic area. I am therefore content that the amendment is required to unlock progress with developing the new policy approach.

The UK Government has emphasised to me its commitment to working collaboratively to finalise the regulations, which will include setting a seismic impact limit on developments and confirming the geographical scope of the policy, which is expected to remain as 50km from the array.

The UK Government has committed to entering into a memorandum of understanding on the ways of working and how Scottish ministers will be engaged in the process of developing the regulations. The Scottish and UK Governments intend to consult jointly on the new policy approach proposals as soon as possible, with the aim of publishing the consultation by the end of 2025. That consultation will seek views from a wide range of stakeholders, including communities, public bodies and the onshore wind industry, so that all voices can be heard.

In seeking the Parliament's consent for the motion, I make it clear that the amendment does not represent a precedent for other parts of the Scottish planning system, which remain wholly devolved and within the legislative competence of the Scottish Parliament. I have written to the UK Government ministers to make that point clear.

On the basis of the undertakings that were provided to me by the UK Government about our future working relationship and the limited scope of the amendment, I ask that Parliament approves the motion for legislative consent in relation to the aforementioned clause in the Planning and Infrastructure Bill.

I move,

That the Parliament agrees that the relevant provisions of the Planning and Infrastructure Bill, introduced in the House of Commons on 11 March 2025, and subsequently amended, relating to a new clause on wind generation stations that may affect seismic array systems, inserted after clause 28, so far as these matters fall within the legislative competence of the Scottish Parliament and alter the executive competence of the Scottish Ministers, should be considered by the UK Parliament.

16:27

Edward Mountain (Highlands and Islands) (Con): As convener of the Net Zero, Energy and Transport Committee, I stand with something of a sense of déjà vu to express my regret that the Parliament is once again being rushed into expressing a view on a legislative consent motion because of last-minute changes to a bill at Westminster. This is the third time this year that the Net Zero, Energy and Transport Committee, as reporting committee on the relevant legislative consent memorandum, has found itself in this position. The previous two times related to the Great British Energy Bill.

Nothing that I say today will therefore touch on the substance of the latest motion, which is mainly about the Eskdalemuir seismic array. My contribution will be about the process and the respect that there should be for it.

The UK Government amendment that triggered the LCM was tabled on 13 October, when we were in recess. Eleven days later, the Scottish Government posted the supplementary legislative consent memorandum that is being considered today. Apparently, the Scottish Parliament must express a view on the consent this week. That rendered it in effect impossible for the committee to take evidence on the matter and come to any form of formal or collective view. Therefore, the committee has reluctantly agreed to support suspending standing orders in this case, so that we do not have to report.

It would have helped if the Scottish Government had been able to lodge the supplementary

memorandum a little bit earlier—not much, but a little. However, I recognise that the root cause of this case was the late tabling of the UK Government amendment. I cannot state with certainty whether there is a trend of this happening more often, but perhaps others, such as the Minister for Parliamentary Business and Veterans, are monitoring it.

Asking Parliament to agree to something without any real opportunity to take evidence devalues the principle of legislative consent. There may be rare occasions when that is truly unavoidable, but to have it happen three times in one year to just one committee does not seem rare to me. Whenever it happens, it leaves the Scottish Parliament as a bystander and not a participant—there should always be a three-way conversation between this Parliament and the Scottish and UK Governments.

When this last happened, in April, the committee agreed that I should write to the leader of the House of Commons. I received a reply that was civil but, with respect, it did not show much willingness to make meaningful change—and now here we are again. My next letter will be to the Speaker of the House of Commons to raise this as a cross-legislative matter of ensuring meaningful adherence to the Sewel convention. I hope that the Conveners Group will also discuss the matter in due course and I appeal to the Minister for Parliamentary Business and Veterans to ensure that he and his officials continue working on an early warning system for late-triggering amendments at Westminster in order to allay, as soon as possible, the use of supplementary LCMs.

The memorandum largely states that the Scottish Government is reserving its position, so I take the opportunity to add that leaving the committee waiting for a substantive follow-up is not helpful. I had recent cause to write in the same way to the Scottish Government about a different UK bill.

Returning to the case in hand, I think that what would be most helpful would be to have a rule or convention that late-triggering amendments should stop the legislative clock at Westminster—not for long, but just for long enough to allow the relevant committee in the Scottish Parliament to take stock, gather evidence and report to this Parliament so that we can make a meaningful decision about the process.

16:31

Sarah Boyack (Lothian) (Lab): Since its election last year, the UK Labour Government has moved at pace to achieve clean power by 2030. Today, the Secretary of State for Energy Security and Net Zero unveiled his carbon budget and growth delivery plan, detailing a comprehensive

strategy to accelerate progress in a way that will bring benefits for working people, businesses and our planet. We have seen the warm homes plan rolling out across England and Wales and we know that we need to ramp up towards stronger action on that issue in Scotland. We have seen progress on clean energy jobs and we know that co-operative and community ownership that deliver community benefits must be part of that picture in the future.

Today's LCM should be welcomed by everyone in the chamber because it is a key part of that journey towards clean power. It is in line with the Scottish Government's own ambitions for the area and should be agreed to allow for the rapid implementation of the legislation. I very much welcome the fact that the Scottish and UK Governments have been working closely together and with industry to get the policy progress that the amendment will facilitate.

I thank Scottish Renewables for its briefing, which highlights the work of the Eskdalemuir working group and its solution for managing the impact of wind turbines on the array. That plan, while maintaining the integrity of the array, could unlock between 3GW and 6GW of wind capacity. Scottish Renewables also notes that, because 15 per cent of the Eskdalemuir consultation zone is in England, the legislation must cover both Scotland and England.

I will comment on the cabinet secretary's remarks about parliamentary scrutiny, which I think are absolutely crucial. As Edward Mountain, the convener of the Net Zero Energy and Transport Committee, reported, there was a useful conversation at that committee on Tuesday about the urgent need to fix the issue and to ensure that we have adequate scrutiny in the Scottish Parliament when we need to get moving on issues.

I hope that that will not distract from the fact that this LCM is part of a hugely ambitious strategy to increase renewable power in Scotland. I very much welcome the cabinet secretary's comments about the work that has been done to deliver on our renewables ambitions and to get us where we need to be. It is clear that this is a relatively narrow but effective clause and that its significance lies in addressing the stagnation of recent years and re-igniting forward momentum to deliver opportunities, jobs and energy security. I hope that we can agree to the LCM so that we can continue taking practical steps towards change and towards a cleaner future for Scotland and for the UK as a whole.

The Deputy Presiding Officer: I invite Gillian Martin to wind up. You have about three minutes, cabinet secretary.

16:34

Gillian Martin: Thank you, Presiding Officer. I hope that I will not need that long.

I thank members for their contributions. I return to the purpose of the amendment. At present, there are projects that are blocked in the planning and consenting process due to concerns relating to their impacts on the array. Through the adoption of a new policy approach to managing onshore wind development in the area, those projects can now progress through the planning system in the normal way.

I am heartened by the comments that Sarah Boyack and the convener of the Net Zero, Energy and Transport Committee made about the importance of this Parliament's role in scrutinising all the legislation that we have to agree on and all legislative consent motions. Those points were well made. It is important that we speak with one voice, that devolution is respected and that time is given so that we can all scrutinise the issues that come before us that require decisions.

The amendment represents the first step in the change of policy on managing onshore wind development in the Eskdalemuir area. The Scottish Government will now work collaboratively with the UK Government to finalise a consultation on policy proposals and to draft the necessary regulations to enforce Ministry of Defence policy changes. In committing to doing that work with the UK Government, I reiterate that I have written to UK Government ministers to make it clear that the amendment does not represent a precedent for other parts of the Scottish planning system, which remain wholly devolved and within the legislative competence of the Scottish Parliament.

The amendment is restricted in scope and it has the sole ambition of unblocking onshore wind potential in the Eskdalemuir area. I ask Parliament to agree to the legislative consent motion.

The Deputy Presiding Officer: That concludes the debate on a legislative consent motion on the Planning and Infrastructure Bill, which is United Kingdom legislation.

I will suspend the meeting briefly before we move to the next item of business.

16:37

Meeting suspended.

16:41

On resuming—

Assisted Dying for Terminally Ill Adults (Scotland) Bill: Financial Resolution

The Presiding Officer (Alison Johnstone): We will move on to the next item of business, but before we continue, I remind members in the strongest terms that all business is follow-on business. That can have an impact on any day, and that is the case today.

The next item of business is consideration of motion S6M-19456, on a financial resolution for the Assisted Dying for Terminally Ill Adults (Scotland) Bill.

Motion moved,

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Assisted Dying for Terminally Ill Adults (Scotland) Bill, agrees to any expenditure of a kind referred to in Rule 9.12.3A of the Parliament's Standing Orders arising in consequence of the Act.—[Neil Gray]

16:41

Pam Duncan-Glancy (Glasgow) (Lab): Today, we are being asked to write what is in effect a blank cheque to make it easier to choose to die than to live. I do not believe that voting to do that is a neutral act—it has consequences.

Scottish hospices have said that, if assisted dying is legalised, hospices could see their fundraising efforts impacted. The Royal College of Psychiatrists in Scotland said that it did not think that costs could be absorbed within existing budgets. The Royal College of General Practitioners said that

“Trying to add it on to a busy general practice would be very difficult”.—[Official Report, Health, Social Care and Sport Committee, 19 November 2024; c 8.]

I have not touched on the crisis in social care, which sees staff on low pay, and disabled people having to rely on incontinence pads for hours because there is no money to pay staff to go in often enough to change them; or the housing crisis, which sees 10,000 disabled people stuck in their own homes; or the fact that one in four people who need palliative care in Scotland does not get it. What would the costs of the bill mean for the opportunities to address all of that?

As we would expect, many of those issues were raised during the committee's scrutinising of the bill. The committee concluded in its report that

“costs may ... vary significantly according to a number of factors.”

We do not know the cost of making the bill safe, but we do know that we cannot amend the bill to fix the crises in social care, housing or the national health service. The costs of doing those things are huge, and rightly so, because this is life or death.

Today, colleagues are being asked to support a blank cheque for assisted suicide, and whatever the costs of that are in the end, it means money diverted away from services that are designed to support constituents to live well to a service that makes it easier for them to choose to die.

I have said all along that the risks of the bill are real, and they are. The bill is proposed in a context in which the NHS is in crisis, social care is creaking at the seams and one in four people do not get the palliative care that they need. To change that context, we need fundamental changes in health and social care, housing and much more to improve the lives of our constituents. Spending money—a lot of it, according to evidence—on assisted suicide reduces money for other areas.

Voting for the resolution is therefore, I say again, not a neutral act. We would be licensing Governments to spend money on assisted suicide in a world where we so desperately need money in public services that help people to live. No matter how hard or intolerable life can be, there must always be hope for a better world—one where we have the right to practical assistance and support to lead ordinary lives.

I ask members to vote against the blank cheque to make it easier to choose to die and, instead, to continue to fight for a better world where we can all choose to live, and a world that supports us to do that well.

16:44

Rona Mackay (Strathkelvin and Bearsden) (SNP): Every member in the chamber should know that voting for the Government's financial resolution is not a vote for or against the bill but a vote to carry out due parliamentary process after a bill has passed stage 1 and is about to start stage 2, which begins next Tuesday. A vote against the financial resolution will not stop the bill, which I fear may be the intention of those who intend to vote against it. It would merely delay it, and any amendments that would trigger the need for a financial resolution will fall. Voting against the financial resolution benefits no one, whether they are for or against the bill.

I welcome the fact that there is a free vote on the bill—it is natural that there are impassioned views on all sides. Our respectful debate at stage 1 was widely acknowledged as showing Parliament in its best light.

I urge members not to vote for an attempt to subvert parliamentary process, because it benefits no one, not least the reputation of Parliament.

16:45

Bob Doris (Glasgow Maryhill and Springburn) (SNP): I was not going to speak this afternoon but, having heard the comments, I feel compelled to. I have no idea how many of our colleagues are following the proceedings online this afternoon and will be around to come to a considered opinion and vote on the financial resolution.

I voted against assisted dying at stage 1, and I anticipate that that will be my vote at stage 3. I will work constructively at stage 2 to amend the bill to bring in safeguards, but I have put on record that I do not feel that those safeguards will allow me to vote for the bill at stage 3, for some of the reasons that Pam Duncan-Glancy has outlined this afternoon.

I am still thinking about how I am going to vote as I speak, but my slight concern is that if the financial resolution were not to pass this afternoon, because not all our colleagues were aware that that procedural action—

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

Bob Doris: Of course.

John Mason: Does the member not think that it is the duty of the 129 MSPs to be here or watching online? We cannot just make excuses because some MSPs fancy an afternoon off on a Thursday.

Bob Doris: I ask Mr Mason not to put words in my mouth. I am giving no one an excuse for not being here on a Thursday afternoon. I am here every Thursday afternoon and, quite frankly, I am upset that some of my colleagues do not take that opportunity and seem to leave Parliament early. It is not good enough.

The point that I would make is that Parliament took a view at stage 1 that I disagreed with. The issue is whether we should use that as a mechanism by which to delay the legislation or be against it. I am still listening to the comments of colleagues, including that of Mr Mason.

Jeremy Balfour (Lothian) (Ind): I understand the point that the member is trying to make, but does he recognise Pam Duncan-Glancy's point? Whether we are for or against the bill, we are, as a Parliament, being asked to write a blank cheque. As we are often told by the Scottish Government—and by Mr Doris—we have a fixed budget. That money will have to come from somewhere. Does Mr Doris acknowledge that some other service, whether it is education, another health service or

transport, will be affected if the financial resolution is passed?

Bob Doris: It is thus with every financial resolution that comes to this place.

The point that I wanted to make, notwithstanding the interventions from Mr Mason and Mr Balfour, was to the Scottish Government—

Liam McArthur (Orkney Islands) (LD): Will the member take an intervention?

Bob Doris: Can I make this point first? I will then take Mr McArthur's intervention, if the Presiding Officer permits me to do so.

I am seeking quite substantial stage 2 amendments in relation to the role of social work, which may have quite a significant cost. My amendments in relation to palliative care were ruled inadmissible because the bill was deemed to be too narrow. However, there is a policy intent there, and a substantial additional cost.

My question to the Government, which was my reason for making this point, is: will the Scottish Government keep under review the costs associated with the bill under the financial resolution? Many members want to make sure that, if the bill goes on to the statute book, it is costed and workable—not workable as a policy intent in itself but workable with all the safeguards that many of us would like to see, even if we may not vote for the legislation itself.

Liam McArthur: Will the member give way?

Pam Duncan-Glancy: Will the member give way?

Bob Doris: I think that Mr McArthur was first—sorry, Ms Duncan-Glancy.

Liam McArthur: I thank Mr Doris for taking the intervention, and I commend him for how he sets out his argument. The issue clearly draws strong emotions on both sides, but we are being asked to do a procedural act that will allow the amendments—some lodged by Mr Doris and some by Pam Duncan-Glancy—that have budgetary implications to be considered and voted on. Part of the debate around those amendments will be on whether they are affordable within the context of the budget.

I am sure that the cabinet secretary will respond to the point that Mr Doris directed to the Government on keeping a running total of that. This is not a blank cheque. It will be for members of the Health, Social Care and Sport Committee to consider the arguments that are made in support of various amendments and whether they are realistic, affordable and provide sufficient safeguards. Ultimately, Parliament will vote on the bill at stage 3, whether or not it meets the required standards that Mr Doris sets out.

Bob Doris: I thank Mr McArthur for that point, but I would put a caveat on that. In this Parliament, we allocate budgets to all sorts of bodies, including the national health service and health and social care partnerships through local authorities and the NHS. Those bodies have to use the resources that they have to meet all the outcomes that we ask of them. They sometimes tell us that they are stretched and that they are under pressure, which is often challenging. Resources are always limited, irrespective of our aspirations in this place. That is a reasonable point to make.

If there is time, I will take Pam Duncan-Glancy's intervention, but I have no idea whether there is time.

The Presiding Officer: You may take Ms Duncan-Glancy's intervention, then please conclude, Mr Doris.

Pam Duncan-Glancy: I acknowledge the point that my colleague Bob Doris is making. I, too, lodged—or tried to lodge—amendments to address some of the wider issues that I alluded to in my contribution, but I was told that they were outside the scope of the bill. Does he agree with me that putting enough safeguards into the bill is not possible not only because some are outside its scope but because we do not know how much they could cost, which in effect means that a blank cheque is required?

Bob Doris: I say to Pam Duncan-Glancy that that is a debate for stages 2 and 3.

I do not think that I will stand in the way of the financial resolution, but I will not be in a position to support it.

16:52

Douglas Ross (Highlands and Islands) (Con): Like Bob Doris, I was not going to speak in the debate. I assumed that it would go straight to a vote; I did not realise that there would be a discussion such as this. I was wondering why there was such a delay for the cabinet secretary to come, but it is clear that people want to put their views on record.

I pressed my button only after Rona Mackay spoke, and I will come to her point in a minute. We have to accept that we are not dealing with a normal piece of legislation—it is a very emotive one. It has been expertly taken through Parliament to this stage by Liam McArthur, for whom I have a great deal of respect. I listened carefully to the stage 1 debate, and I took a different position from him. It is a member's bill and has a Government financial resolution. It also, very rarely for us in the chamber, has a free vote. That is why we have a slight difference from when those of us who might

oppose a Government bill would still support a financial resolution because we respect that the Government has a majority to take through its legislation. I believe that this situation is slightly different.

There are impassioned views on both sides of the debate, and I remember the speech that Rona Mackay gave at stage 1 in support of the bill. However, I respectfully disagree with Ms Mackay, and I have to correct her: I will not support the financial resolution not because I want to circumvent the will of Parliament at stage 1, and not because I want to use parliamentary procedures to stop it; I just want to be consistent in the way that I vote on the bill. I did not support it at stage 1, I do not believe that it is correct, and I therefore think that it would be hypocritical of me to vote to put money behind a bill that I do not support.

I simply say to Rona Mackay—I will give way if she would like to come in—that I am not doing this to use politics to circumvent the will of Parliament. I am taking a consistent approach to my opposition to the bill, which I have had for a long time, although I have listened to both views. It would be inconsistent to vote one way at stage 1 and a different way today on the financial resolution.

Rona Mackay: Can the member confirm whether he has ever before done what he is going to do?

Douglas Ross: I have not done it before. As I hope that I explained in my preamble, this is a different situation because we are dealing with a member's bill, the decision on which is down to the choices of individual members. This is not a vote on which we are being whipped by our parties, which is an almost unique circumstance. I cannot think of any other occasion during this session of Parliament when none of us has been whipped—my party allowed its members a free vote on the Gender Recognition Reform (Scotland) Bill, but other parties did not. I think that it makes a difference when we are not instructed how to vote as groups of Scottish National Party, Green, Labour, Liberal Democrat or Conservative members, but each of us is making our own decision about how we vote.

Some of my colleagues who voted against the bill at stage 1 might vote for the financial resolution tonight, and I will respect that view. I simply took exception to Rona Mackay saying that all of us who are going to oppose the financial resolution tonight are doing it to try to circumvent the bill process. I am not doing that. I have lodged an amendment to Liam McArthur's bill, and I am engaged in that process, but I personally believe that it would not be right to vote against it at stage 1 and then vote for the financial resolution.

Rona Mackay: I hear what the member is saying. However, he must also accept that those who are against the bill and have lodged amendments will not get their amendments through if the financial resolution is not agreed to.

Douglas Ross: I accept that, but what was troubling me when Rona Mackay spoke earlier was the fact that—I am going to go out on a limb here—we know that the financial resolution is going to go through. The bill had a majority at stage 1, and I cannot imagine that anyone who supported the bill at stage 1 will not support the financial resolution. We already know the outcome of the vote, so what is wrong with those of us who opposed the bill at stage 1 voting against the financial resolution because we do not want resources to go to legislation that we do not believe in? That is the point that I am trying to make.

In conclusion, I was not going to speak but I think that it has perhaps been helpful for members to put on record their views. I think that we know which way the vote is going to go. However, the issue divides opinions in the chamber, in our families and in our communities, so it is perhaps not surprising that the financial resolution is dividing opinions, too.

16:57

Carol Mochan (South Scotland) (Lab): Like others, I was not going to speak in the debate, but I want to make a short contribution.

The Parliament has been commended on the way in which it has handled the bill. The debate was very sensitive, and the bill has been steered through very well by Liam McArthur, as has been commented on many times.

In my view, it is important to allow the bill to go to the next stage. To do that, we have to support the financial resolution. As Mr McArthur said, we can further debate the issues at stage 2. Members have had a real opportunity to submit amendments, with 300 or so having been lodged. We will debate those amendments to try to strengthen the bill and will allow members to vote for or against it in a free vote. In that process, we will also be able to discuss the financial implications of the legislation.

I hope that members will ensure that the financial resolution gets through at this stage.

16:58

Edward Mountain (Highlands and Islands) (Con): Like many members, I was not going to speak in the debate, but I have to correct one or two points. There has been talk about people not being here and whether they should be here.

Some people cannot be here, and a lot of people will be unable to debate the amendments at stage 2 because they will be attending other committees. We should never criticise people who are unable to attend a meeting unless we know specifically why they cannot.

I agree with Pam Duncan-Glancy that the financial memorandum is in effect a blank cheque that is being written by the Government, which is saying that it will cover whatever the bill costs. I wish that that was the case when it comes to palliative care, because we know that palliative care is not correctly funded.

I have heard the arguments for supporting the financial memorandum because it will allow the bill to go further. However, my position has always been that I can never support the bill—not because of religious reasons but because of what I personally believe. It would be wrong for me to cast a vote this afternoon that would progress a bill that I cannot support in any shape or form, whether it is amended or not.

I will be forced to vote against the financial resolution today because of my conscience. I do not think that any member of this Parliament should criticise anyone who does that for that specific reason.

The Presiding Officer: I call the cabinet secretary to respond.

16:59

The Cabinet Secretary for Health and Social Care (Neil Gray): Presiding Officer, first, I offer to you publicly an apology that I have already offered to you privately. I also offer it to the rest of the chamber. It is not a reason for missing the start of this item of business, but it is important that colleagues are aware that I was on a call with other United Kingdom ministerial colleagues—Welsh and Northern Irish ministers—and I was not aware that business was running ahead of schedule.

The Scottish Government remains neutral on this bill. The Presiding Officer has made her determination that, due to the nature of certain amendments that have been lodged, a financial resolution is needed for Mr McArthur's Assisted Dying for Terminally Ill Adults (Scotland) Bill in order for those cost-bearing amendments to be voted on. The Scottish Government lodged the financial resolution to enable the Parliament to take a decision on the amendments, as only a minister can lodge a motion for a financial resolution. Without a financial resolution, any amendment that has a financial impact can be debated, but, depending on the degree of the financial impact, it may automatically fall as it cannot be voted on.

Jeremy Balfour: What costing has the Scottish Government given to the amendments should they pass at stage 2? Where does the cabinet secretary believe that that money would come from? From which budget would he take the money to pay for such costs?

Neil Gray: Those are matters for the Parliament to determine. This is a member's bill that has a free vote, and the Government is neutral on it. I will come on to elements around the costings shortly.

We are clear that it is for Parliament to decide on the bill, so it is for members to decide whether to support the financial resolution today. Crucially, the vote on the financial resolution is not a vote on whether members agree or disagree with the figures in Mr McArthur's financial memorandum. The Government has not put on record to the Health, Social Care and Sport Committee its position on the financial memorandum or on the policy underlying the bill. The vote is on whether the committee will be able to vote on cost-bearing amendments during its considerations at stage 2.

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

Decision Time

17:02

The Presiding Officer (Alison Johnstone): There are four questions to be put as a result of today's business. The first question is, that motion S6M-19422, in the name of Gillian Martin, on the Natural Environment (Scotland) Bill at stage 1, be agreed to.

Motion agreed to,

That the Parliament agrees to the general principles of the Natural Environment (Scotland) Bill.

The Presiding Officer: The next question is, that motion S6M-18730, in the name of Shona Robison, on a financial resolution for the Natural Environment (Scotland) Bill, be agreed to.

Motion agreed to,

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Natural Environment (Scotland) Bill, agrees to any expenditure of a kind referred to in Rule 9.12.3A of the Parliament's Standing Orders arising in consequence of the Act.

The Presiding Officer: The next question is, that motion S6M-19454, in the name of Gillian Martin, on a legislative consent motion for the Planning and Infrastructure Bill, which is United Kingdom legislation, be agreed to.

Motion agreed to,

That the Parliament agrees that the relevant provisions of the Planning and Infrastructure Bill, introduced in the House of Commons on 11 March 2025, and subsequently amended, relating to a new clause on wind generation stations that may affect seismic array systems, inserted after clause 28, so far as these matters fall within the legislative competence of the Scottish Parliament and alter the executive competence of the Scottish Ministers, should be considered by the UK Parliament.

The Presiding Officer: The final question is, that motion S6M-19456, in the name of Shona Robison, on a financial resolution for the Assisted Dying for Terminally Ill Adults (Scotland) Bill, 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.

17:03

Meeting suspended.

17:06

On resuming—

The Presiding Officer: We come to the vote on motion S6M-19456, in the name of Shona Robison, on a financial resolution for the Assisted Dying for Terminally Ill Adults (Scotland) Bill. Members should cast their votes now.

The vote is closed.

The Cabinet Secretary for Health and Social Care (Neil Gray): On a point of order, Presiding Officer. It is not clear whether my vote has registered.

The Presiding Officer: We will check that for you, Mr Gray.

I confirm that your vote was recorded.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Briggs, Miles (Lothian) (Con)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Chapman, Maggie (North East Scotland) (Green)
 Clark, Katy (West Scotland) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Findlay, Russell (West Scotland) (Con)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Greer, Ross (West Scotland) (Green)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 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)
 Martin, Gillian (Aberdeenshire East) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)

McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)

Against

Balfour, Jeremy (Lothian) (Ind)
 Bibby, Neil (West Scotland) (Lab)
 Choudhury, Foysol (Lothian) (Ind)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (Ind)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gosal, Pam (West Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Hoy, Craig (South Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Maguire, Ruth (Cunninghame South) (SNP)
 Marra, Michael (North East Scotland) (Lab)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O'Kane, Paul (West Scotland) (Lab) [Proxy vote cast by Michael Marra]
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Swinney, John (Perthshire North) (SNP)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)

Abstentions

Adamson, Clare (Motherwell and Wishaw) (SNP)
 Boyack, Sarah (Lothian) (Lab)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Constance, Angela (Almond Valley) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gray, Neil (Airdrie and Shotts) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division on motion S6M-19456, in the name of Shona Robison, on a financial resolution for the Assisted Dying for Terminally Ill Adults (Scotland) Bill, is: For 70, Against 31, Abstentions 11.

Motion agreed to,

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Assisted Dying for Terminally Ill Adults (Scotland) Bill, agrees to any expenditure of a kind referred to in Rule 9.12.3A of the Parliament's Standing Orders arising in consequence of the Act.

The Presiding Officer: That concludes decision time.

Cholangiocarcinoma

The Deputy Presiding Officer (Annabelle Ewing): The final item of business is a members' business debate on motion S6M-19085, in the name of Marie McNair, on cholangiocarcinoma awareness. The debate will be concluded without any question being put.

Motion debated,

That the Parliament recognises that October 2025 is Liver Cancer Awareness Month, with cholangiocarcinoma (CCA), which is also known as bile duct cancer, considered to be the second most common primary liver cancer in the world; acknowledges that CCA has few symptoms in its early stages and that people who present with it tend to have quite vague symptoms, such as nausea and loss of appetite, which makes it difficult to diagnose and often managed too late, leading to it having among the worst survival rates of any cancer; notes with concern that, although most cases occur in people over 60, prevalence of the condition appears to be increasing across all age groups, including younger people; notes calls for a comprehensive genomic testing programme, which was approved by NHS Scotland in 2023, to be implemented; believes that this could identify over four-in-five potentially treatable gene faults in CCA patients; welcomes groups such as AMMF, the UK's only charity solely dedicated to CCA, on providing information and support to people who need it, campaigning to raise awareness and funding research, and notes the view that more needs to be done to raise awareness of this type of cancer to improve outcomes for patients.

17:10

Marie McNair (Clydebank and Milngavie) (SNP): I am pleased to have secured this very important debate to raise awareness of cholangiocarcinoma, to coincide with liver cancer awareness month.

I am delighted to have Ann and Derek Winter from my Clydebank and Milngavie constituency in the chamber tonight, along with some supporters of the Alan Morement Memorial Fund—AMMF—which is the United Kingdom's only dedicated cholangiocarcinoma charity. I know that members will join me in giving a sincere welcome to Ann and Derek from Milngavie, and Benjamin Carey and Stewart Phimister, who are supporters of AMMF.

I also thank my colleague Ben Macpherson for hosting an AMMF event in June of this year, with calls for a fairer and faster deal for people who are diagnosed with cholangiocarcinoma in Scotland. It was a great event that confirmed the importance of taking the issue to the chamber.

I am holding the debate on behalf of my constituents Ann and Derek, in memory of their beloved son Barry. Barry Winter was born on 31 December 1970 and died of cholangiocarcinoma on 8 May 2008. Barry was a much-loved son, brother, husband, father and friend. He worked as

a senior press officer in what was then the Scottish Executive.

Barry had attended his general practice for some time and had been diagnosed with irritable bowel syndrome. When he suddenly became very ill in April 2007, he was diagnosed with cholangiocarcinoma. He was told that the condition affected only older people. Sadly, Barry, who had been married for only two years and had a four-month-old baby daughter, was informed that his condition was terminal.

Barry died 11 months later, leaving a young widow and a child who would never experience the love that her father had for her. Since that time, my constituents have worked hard to raise awareness of this tragic disease, which is the second most common primary liver cancer in the world and is also known as bile duct cancer.

Cholangiocarcinoma causes few symptoms in its early stages, and those that do present tend to be quite vague, such as nausea and a loss of appetite. It is difficult to diagnose, which means that it is often missed or managed too late. More worryingly, cholangiocarcinoma has one of the worst survival rates of any cancer.

I thank AMMF for providing me with up-to-date figures on the disease, as I believe that they provide important context. Between 2021 and 2023, the age-standardised incidence rate of cholangiocarcinoma in the population of Scotland was 6.18 per 100,000 people. In the past 20 years, the age-standardised incidence rate has increased by more than 62 per cent. More concerningly, it has been confirmed that the latest incidence rates suggest that cholangiocarcinoma is no longer a rare cancer in Scotland. Typically, a cancer is considered rare if fewer than six in 100,000 people are diagnosed with it. That worrying development highlights the importance of raising greater awareness of the disease and pushing for earlier detection. Between 2020 and 2022, the age-standardised mortality rate for cholangiocarcinoma in Scotland was 6.21 per 100,000 people, which reflects the poor prognosis with cholangiocarcinoma.

Deprivation is also a factor. The age-standardised incidence of cholangiocarcinoma among the most socially and economically deprived groups has increased almost twice as much as it has among the least deprived groups.

There is no standard cholangiocarcinoma patient. Many patients do not have a history of liver disease, and the cancer often presents without any clearly identifiable symptoms until it has reached its advanced stages.

All of that is why I feel that it is so important that we push forward with comprehensive molecular profiling tests for cholangiocarcinoma patients in

Scotland. Molecular profiling—also known as molecular testing or genomic testing—is used to determine which gene faults might present in an individual tumour. That information can be used to select the most appropriate treatment options for cholangiocarcinoma patients. According to AMMF, one of the tests that is currently provided by the national health service is being funded only temporarily and will expire by the end of 2025. Without that test, cholangiocarcinoma patients with the IDH1 gene fault will not be identified and will be unable to access the Scottish Medicines Consortium-approved treatment, ivosidenib, which can extend survival.

I welcome the fact that a comprehensive testing programme that was approved by NHS Scotland in 2023 would identify more than four in five potentially treatable gene faults in cholangiocarcinoma patients. I hope to see that implemented as soon as possible. It would stop NHS Scotland from missing opportunities to offer treatments and clinical trials for some cholangiocarcinoma patients, potentially extending their lives with loved ones, which is the most important thing.

I also welcome the fact that the Minister for Public Health and Women's Health, Jenni Minto, agreed to consider a business case for molecular profiling tests for cholangiocarcinoma. I would be grateful if the minister could comment on that in her closing speech and advise whether the Scottish Government can expedite the process to ensure that comprehensive molecular profiling tests for cholangiocarcinoma patients in Scotland are implemented without delay.

We owe so much to AMMF, to its supporters and to my constituents, Ann and Derek, for their tireless campaigning. Benjamin, whom I mentioned at the start of my speech and who is in the gallery, was diagnosed in 2023, six months after being misdiagnosed with pancreatic cancer. He is now travelling the world and is helping AMMF to raise awareness in the Scottish Parliament about NHS patient inequalities. I am grateful for his work.

It is up to us, as parliamentarians, to work with those who have been affected and impacted and to listen to what they are asking for. The fact that the disease is no longer considered to be a rare cancer must be a wake-up call for us all. We must urgently raise awareness of the symptoms and, crucially, push ahead with molecular profiling to ensure that those who are diagnosed with cholangiocarcinoma receive timely and appropriate care, better outcomes and, crucially, more time with their loved ones.

17:17

Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP): Having lost a much-loved family member to aggressive liver cancer at the start of the year, just as he entered his 60s, I thank Marie McNair for securing this debate. She has my strong support as we recognise October 2025 as liver cancer awareness month and, in particular, as we shine a light on cholangiocarcinoma, which is the second most common primary liver cancer worldwide. Cholangiocarcinoma, or CCA, is a condition that far too many people have never heard of—how many people in here ever think of their bile duct?—yet its impact on those who are diagnosed and on their families is absolutely devastating.

As we have heard, one of the greatest challenges with CCA is that it tends to hide in plain sight. In its early stages, it rarely presents with clear or specific symptoms. People might experience fatigue, nausea or a loss of appetite—symptoms that could easily be mistaken for minor or unrelated conditions. As a result, by the time that most people receive a diagnosis, the cancer has already progressed to a stage at which treatment options are limited. That delay in diagnosis contributes to what is, tragically, one of the poorest survival rates of any cancer. It is for precisely that reason that raising awareness among the public and healthcare professionals is so critical.

I, too, want to take a moment to recognise the incredible work that is being done by AMMF, which is the UK's only charity that is dedicated solely to CCA. AMMF provides vital information and support to patients and their loved ones, funds groundbreaking research and works tirelessly to ensure that CCA is no longer a cancer that slips under the radar. Its commitment is nothing short of inspiring, and I know that colleagues across the chamber will join me in thanking it for everything that it does.

Although CCA is most common in people over the age of 60, it is deeply concerning that we are now seeing an increase in cases among younger people. The reasons for that trend are rightly and urgently being investigated, but it reminds us that cancer does not discriminate by age, background or lifestyle. We must ensure that awareness-raising campaigns, screening tools and support networks reflect that reality.

Early detection saves lives. That is the case for many cancers. For CCA, of which early symptoms are so subtle, our best opportunity lies in science, research, innovation and access to genomic testing. In 2023, NHS Scotland approved a comprehensive genomic testing programme, which is a decision that represents a major step forward in cancer care. If fully implemented, the

programme could identify more than four in five of the potentially treatable gene faults in CCA patients. That is not just a statistic; it is hope. It is the hope that personalised medicine—the ability to tailor treatment to the individual genetic make-up of a tumour—can offer people more time, better quality of life and a genuine chance at recovery. I urge the Scottish Government and NHS boards to continue to prioritise the roll-out of the programme and ensure equitable access for all patients across Scotland, regardless of postcode or circumstance.

However, we cannot leave it to science alone. We must work hand in hand with charities, researchers, clinicians and, most important, people with lived experience. Charities such as AMMF, Cancer Research UK and the British Liver Trust play an essential role in not only funding research but breaking down the stigma and the silence that can so often surround liver diseases. Their campaigns throughout liver cancer awareness month bring colour, compassion and community to an issue that can otherwise feel isolating and bleak. As a family, we know how stigma can affect individuals who deal with such cancers.

Awareness is not a small thing. It is the first step towards earlier diagnosis, fairer treatment and better outcomes. We must do all that we can to ensure that people recognise the early warning signs, that general practitioners and other clinicians have the tools and training that they need to spot CCA sooner, and that CCA's effects are met with understanding and support instead of confusion and delay.

Finally, as we mark liver cancer awareness month, let us recommit ourselves collectively to shining a light on this rare—although, as we heard from Marie McNair, not as rare as it once was—and often misunderstood disease. We need to back the charities, the scientists and the families who refuse to give up. Let us ensure that no one in Scotland faces CCA in silence or without hope.

The Deputy Presiding Officer: I call Dr Sandesh Gulhane, who joins us remotely.

17:22

Sandesh Gulhane (Glasgow) (Con): I declare an interest as a practising NHS general practitioner. I congratulate Marie McNair on securing this members' business debate and raising vital awareness of cholangiocarcinoma, or bile duct cancer.

For GPs, cholangiocarcinoma is one of the most challenging diseases to detect. The symptoms are subtle and, often, non-specific: a bit of nausea, fatigue, loss of appetite or some discomfort under the rib—signs that could be almost anything. Sadly, by the time the symptoms add up to

something more concerning, it is often too late for curative treatment.

The motion for the debate recognises liver cancer awareness month and draws attention to the shocking fact that cholangiocarcinoma has one of the poorest survival rates of any cancer. It most often affects people over 60, but, unfortunately, we are seeing it appear in younger patients, too. As a GP, I know full well that early diagnosis saves lives, but early diagnosis requires the right tools and systems, which is why the debate matters so much.

The old saying goes that prevention is better than cure, but, for cancers such as cholangiocarcinoma, where prevention is difficult, precision medicine gives us our best chance to improve outcomes. No two tumours are the same; each one carries its own genetic fingerprint, influencing how it grows and how it responds to treatment.

Through molecular profiling—basically, analysing the tumour's DNA—doctors can identify specific mutations and target them with precision therapies. That is not science fiction; it is already changing lives.

For example, changes in genes called IDH1 and FGFR2 are found in one in seven people with this type of bile duct cancer. The good news is that there is now a drug labelled Pemazyre that is designed to target those specific changes. It is the first treatment made specifically for this cancer, and it is already approved for patients in England and Wales. For those who are eligible, it offers real hope and the chance of a longer and better-quality life than chemotherapy alone can provide.

However, in Scotland, access to such treatment depends on the implementation of a comprehensive genomic testing programme. The programme was approved by NHS Scotland in 2023, but it is yet to be fully funded and embedded into clinical practice.

Implementing that testing would allow more patients with cholangiocarcinoma to benefit from life-extending, targeted therapies. It would also strengthen our cancer intelligence, ensuring that we understand who might benefit most from emerging treatments that are very expensive.

The UK's only charity dedicated solely to cholangiocarcinoma, AMMF, has led the way in supporting research, raising awareness and providing patient support. Its advocacy reminds us that, although cholangiocarcinoma is rare, its impact is profound and patients deserve access to modern, evidence-based care.

Scotland has a proud record in medical innovation. We were among the first to embrace precision oncology for other cancers. We must do

the same here. By funding and implementing the genomic testing programme that is already approved, we can give clinicians the tools to act earlier, treat smarter and give patients and their families something invaluable: hope.

17:25

Carol Mochan (South Scotland) (Lab): I, too, thank Marie McNair for securing this debate in the chamber. I also thank AMMF for all the work that it does to support research on cholangiocarcinoma, raise awareness and support those who have been diagnosed. Its campaign and Marie McNair's call to ensure the funding for testing are so important, and I look forward to the minister's response to them.

Although it has often been documented that cholangiocarcinoma is rare, I was really interested in Marie McNair's point about the changing reality of that rarity—I had not picked up on that, so I was glad to hear about it in the debate. Bile duct cancer is aggressive and it is on the rise: it is considered to be the second most common primary liver cancer in the world. As we have heard from others, the incidence is higher in Scotland than in England; we must seek to understand why that is and what we can do about it.

The debate will help to highlight the causes of and risk factors for bile duct cancer, as well as to increase awareness. That is why it is so important that debates such as this are secured. Marie McNair is excellent at using her members' business debates to do that.

We have already heard that timely diagnosis and treatment are crucial, and we also know that the diagnosis of bile duct cancer can often come late, resulting in poorer outcomes. I want to highlight—as I often do—the health inequalities that others have mentioned. People in more deprived areas have higher rates of preventable cancers and are more likely to be diagnosed at later stages. When we are speaking about bile duct cancer, which tends to be diagnosed at a late stage, it is important to have that in our minds. We must always seek ways to ensure that the cancer inequality gap is closed. I know that the minister has spoken about that in the chamber; she might mention it again in her closing speech.

As we read in the motion, bile duct cancer symptoms are difficult to spot, particularly at an early stage. The risk factors are largely unknown and it is believed that the cause of bile duct cancer is likely to be a combination of factors, including other illnesses that cause chronic damage to the liver and bile ducts. Although it is most common in people over the age of 60, incidence of the cancer is increasing across all age groups, including

among younger people, which emphasises the need to increase public awareness of symptoms, risk factors and treatment options.

Although there is no guaranteed way to avoid bile duct cancer, people can take proactive steps to reduce their chances of developing the disease. When I was researching this, I looked at information from NHS Inform, which suggests that healthy lifestyle factors such as quitting smoking would also have positive impacts on people's health in that way. Smoking is a leading and silent killer. When smoking rates reduce across Scotland, people's health, lifestyles and outcomes improve. It is important that the Parliament commits to funding for smoking cessation and other health-improvement measures.

In relation to the link to liver damage, other measures that have come to light are reducing alcohol intake and minimising exposure to hepatitis B and hepatitis C viruses. Doing those will, we think, help with this cancer and others.

We know that there should be a greater focus on Scotland's relationship with alcohol and its culture of binge drinking. Through targeted interventions to lower excessive drinking rates, we will reduce people's chances not only of developing cancers such as cholangiocarcinoma, but of developing other diseases.

I repeat my appreciation to Marie McNair for bringing the issue to the chamber. Awareness of the condition is so important, and I know that the minister will give a good response to the debate.

17:30

Jeremy Balfour (Lothian) (Ind): I add my congratulations and thanks to Marie McNair for securing the debate. I must confess that I knew nothing about bile duct cancer. I have learned a lot just from listening to other members. The reason that I am speaking in the debate is that one of my constituents emailed me and asked whether I would briefly tell her story. It is my honour and privilege to do so. She wrote:

"I hadn't heard of it until it changed the course of my family's life in 2023. My beloved Mum, Valerie, was diagnosed with it in April 2023, after feeling a pain in her side. I couldn't begin to put into words how shocked and devastated we were when she was diagnosed with terminal cancer after minimal symptoms and still being at work up until very close to the diagnosis. The worst thing was being told that there was absolutely nothing they could do, despite symptoms only showing a few days before. From here, things escalated at a terrifying pace. Mum passed away just 33 days after her diagnosis aged just 63. I went from everything being fine, to planning a funeral for my Mum at the age of 25 only 33 days later."

I am sure that everyone would want to pass on their best regards and sympathy to my constituent.

Sadly, my constituent's story is not unique. It is a story that other people have told me since hearing about the debate. As other members have said, cholangiocarcinoma is very difficult to diagnose and, even when it is diagnosed, it is very difficult to treat. I think that we all agree that it is a cancer on which specialised research needs to be undertaken. We need to find ways of enabling people to receive an earlier diagnosis, and we need to find an effective treatment for dealing with a horrible disease.

As other members have said, bile duct cancer is a cancer that affects more people who are perhaps older, but it is becoming more common in younger people. I fully understand that there are budgetary pressures on every Government and that, in almost every members' business debate, members will ask the Government to find more money to fund the issue that has been raised, but I genuinely ask, on behalf of my constituent and all those who have gone through the same thing, for money to be found to put into specialised research, so that we can give hope to people who will face the condition in the future.

17:33

Jackie Dunbar (Aberdeen Donside) (SNP): I thank my friend and colleague Marie McNair for securing this evening's debate on cholangiocarcinoma awareness, the motion for which recognises that October is liver cancer awareness month. Sadly, incidence of the condition seems to be increasing. However, it was not until my colleague submitted the motion that I realised that there is more than one type of liver cancer. I simply did not know that, which is why it is so important that members' motions are debated in the chamber. As well as educating other MSPs, it serves to raise awareness among the public.

I had written down that, as the final speaker in the open debate, I was probably going to repeat facts, but the truth is that I will almost certainly repeat everything that everyone has already said. However, when it comes to a subject as important as folk's health and raising awareness, I am not going to apologise for repeating such information, because it is no bad thing to do so.

Cholangiocarcinoma is also known as bile duct cancer, and it seems to be increasing across all age groups, not just among the over-60s. Still, like me, most folk have never heard of it, yet it has the worst survival rates of any cancer. With that in mind, and with this month being liver cancer awareness month, let us change that and get the message out.

Although cholangiocarcinoma, or bile duct cancer, is considered to be rare worldwide, it is the

second most common primary liver cancer. It is not only difficult to diagnose accurately; it is difficult to diagnose early. By the time it is diagnosed, it is often too advanced for surgery, which is currently the only potential cure.

Why is it difficult to diagnose it early? The early symptoms of it are very vague. Nausea and appetite loss are two of the symptoms. Let us be honest. Whose first thought would be to go and get checked if those were their only symptoms? I know that my first thought would be that I had eaten something dodgy or had some sort of bug.

In later stages, the symptoms can include jaundice—the yellowing of the skin and the whites of the eyes—itchy skin, pale stools, dark-coloured urine, unintentional weight loss and abdominal pain. I urge folk to speak to their GP if they have any of those signs or are worried about any of the symptoms. Although it is unlikely that they will have bile duct cancer, it is best to get it checked.

I am aware that the Scottish Government is committed to raising awareness of possible cancer symptoms through its primary care cancer education platform, GatewayC, which provides tools to support early diagnosis efforts and decision making at the point of referral. I am also aware that the Scottish Government has recognised that significant work was needed to develop the necessary genomic testing. I would therefore appreciate it if the minister could give an update on the work that has been undertaken with that, if at all possible.

I thank Marie McNair for the debate this evening. I and others look forward to hearing the minister's reply.

17:37

The Minister for Public Health and Women's Health (Jenni Minto): I, too, thank my colleague Marie McNair for bringing the motion to the chamber, and I welcome the opportunity to close today's debate on cholangiocarcinoma. I also acknowledge the valuable contributions that my colleagues have made tonight, especially as this is liver cancer awareness month.

Even though it is estimated that one in two people will develop cancer in their lifetime, the reality of receiving a diagnosis of cancer can still come as a complete shock, especially for the rarer cancers such as cholangiocarcinoma.

Liver cancers continue to have a devastating impact on far too many individuals and families across Scotland. As members will be aware, the Scottish Government published our ambitious 10-year cancer strategy in June 2023. We remain determined to improve cancer survival rates and to provide excellent and equitable care for all people

who face cancer. At the forefront of that strategy is a dedicated focus on the less survivable cancers, including liver cancer, and improving outcomes for people who are affected.

Earlier this year, I had the privilege of speaking at the rethink liver cancer reception, which was hosted by AMMF and sponsored by my colleague Ben Macpherson MSP. As other members have done, I welcome Benjamin Carey to the gallery, as well as Ann and Derek Winter. It was a deeply moving experience to meet them and families affected by cholangiocarcinoma. I heard at first hand about the challenges that they face. I also thank Jeremy Balfour for sharing his constituent's experience and I ask Mr Balfour to pass on my thoughts to his constituent, as I am sure that everybody else in the chamber would wish to do.

Cholangiocarcinoma is a lesser-known and rarer cancer, so taking the opportunity in the chamber today to raise awareness of its common symptoms is vital to improving outcomes. I am thankful to my colleagues who have done that so eloquently.

We all know that the sooner cancer is detected and diagnosed, the better the outcome for the individual. Our earlier cancer diagnosis vision underpins our investment in a range of programmes aimed at supporting earlier diagnosis and ensuring that people receive timely and effective care. Our detect cancer earlier programme "be the early bird" continues, and the latest campaign, which was launched last month, encourages individuals aged 40 and over, particularly those in more deprived communities, to feel confident in seeking help with possible cancer symptoms. As Carol Mochan stated, we must ensure that we consider all groups in our society so that we avoid inequalities.

In August, we published the refreshed Scottish referral guidelines for suspected cancer, which are designed to support primary care clinicians in recognising symptoms that may indicate cancer and to ensure that people are on the right pathway at the right time. For the first time, those guidelines include criteria for non-specific symptoms. That update is especially important for rare or lesser-known cancers such as cholangiocarcinoma, where early signs, such as unexplained nausea or weight loss, can be subtle and easily missed. They are, as Elena Whitham described them, symptoms hiding in plain sight.

This year, we also launched Scotland's sixth rapid cancer diagnosis service. Those services rule cancer in or out more quickly for those with non-specific symptoms. Additionally, a primary care cancer education platform called GatewayC was launched across NHS Scotland in April 2024. It provides innovative and tailored information to support earlier cancer diagnosis efforts and enable effective decision making. That free online

platform is accessible to all primary care clinicians and includes information about liver cancers.

The Scottish Government has provided more than £14 million of funds in 2025-26 to reduce cancer waiting times across NHS Scotland, directing that work towards the most challenged pathways. We have also committed to additional funding for chemotherapy services that will reach up to £10 million a year by 2027, with £6.6 million being provided in 2025-26. By continuing to invest in cancer services and by reducing waiting times, we will detect cancer earlier and faster so that we can improve outcomes for people.

We have commissioned the Scottish HepatoPancreatoBiliary Network to lead the development of standardised pathways for HPB cancers. That work has been carried out in collaboration with the Scottish cancer network, the national centre for sustainable delivery and third sector partners, and includes reviewing existing clinical guidelines, identifying gaps and aligning best practice across Scotland. Tumour subtypes, such as bile duct cancers, will be included. That work is progressing at pace, and we expect the HPB network to work with the centre for sustainable delivery, which will separately be delivering the optimal diagnostic pathway for upper gastrointestinal cancers, including HPB, in 2026.

I understand the importance of expanded genomic testing for people with cholangiocarcinoma and the direct impact that that has on their care and their access to life-saving precision medicines. That was made very clear to me at the event in Parliament earlier this year.

Members will be aware that a wider programme of laboratory transformation and investment planning is under way to support a sustainable expansion of genomic testing. That is part of our long-term approach to deliver bold and ambitious action to reform and renew Scotland's health and care systems.

However, recognising the importance of that test to cholangiocarcinoma patients and their families, I have asked the NHS National Services Scotland, as the commissioner of genomic testing, to bring that testing into service ahead of the wider reform programme. Implementation planning within the service is now progressing rapidly and I will be able to provide members with an update before the end of this year. Although I understand the impact of any further delay, I assure members that we are doing all that we can to bring that testing to the people who need it as quickly as possible.

I sincerely thank those who provide valuable information, help and support to anyone who is affected by cholangiocarcinoma or liver cancer. The Scottish Government and our NHS continue

to work closely with third sector, community partners and social care partners to deliver our ambitious cancer strategy. We know that research is key to advancing how we prevent, diagnose and treat all forms of cancer and that it is of particular importance to cholangiocarcinoma.

I take this opportunity to recognise the significant investment that AMMF has made in both international and UK research institutions to fund research teams that are working to uncover the causes of cholangiocarcinoma, improve early diagnosis and develop more effective treatments. That includes nearly £150,000 that has been invested in Scottish institutions to fund cholangiocarcinoma-specific research, such as the trial in Glasgow that many of us have heard about today. I am pleased to learn that some patients have benefited from that trial, and it further reinforces our commitment to expanding genomic testing across Scotland, as I mentioned earlier.

I extend my thanks to all the third sector organisations, including AMMF, for supporting patients and families who are affected by cholangiocarcinoma, and to members for their contributions tonight. I look forward to working with them all to improve awareness, earlier diagnosis and outcomes for those who face less survivable cancers such as cholangiocarcinoma and to give those people hope.

Meeting closed at 17:45.

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