



OFFICIAL REPORT
AITHISG OIFIGEIL

Meeting of the Parliament

Thursday 13 November 2025

Session 6



The Scottish Parliament
Pàrlamaid na h-Alba

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Scottish Parliament

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

General Question Time

Electrofishing Trial

1. Edward Mountain (Highlands and Islands)

(Con): To ask the Scottish Government what evidence it received in relation to the decision to allow the continued use of electrofishing for razor clams beyond January 2025, when the trial that started in February 2018 was due to end. (S6O-05139)

The Cabinet Secretary for Rural Affairs, Land Reform and Islands (Mairi Gougeon): The razor clam scientific trial has yielded promising results that point to the potential for a sustainable commercial fishery, with appropriate management measures in place. A progress report was published in 2024 that presents those findings in detail, including completed stock assessments for two locations—the Firth of Clyde and Firth of Forth trial areas. The trial was extended for a further two years to gather data to update those stock assessments and enable completion of assessments for additional areas, giving us confidence that fishing for razor clams with that technique can be achieved sustainably across Scotland's seas.

Edward Mountain: The seven-year pseudoscientific and inconclusive experiment, which the Government said will now end in 2027, seems to be more about protecting a commercial fishery that is worth more than £5.5 million to just over 20 boats. The minister knows that electrofishing for spoons is banned in the European Union. Surely, then, in 2027, the Scottish Government, under the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021, will need to keep pace with the EU and ban electrofishing of spoons, or will it continue the farce of a scientific experiment?

Mairi Gougeon: As with many other areas when it comes to our fisheries, we like to lead by example. An example of that work is the roll-out of our remote electronic monitoring. However, it is important that we consider issues relating to why we had the trial in the first place and the type of fishing that we were attempting to stop. We want to make sure that it is sustainable, and it is important that we gather all the evidence for that, which is why the trial was initiated in the first place and why it has been extended. We want to ensure

that we have as robust an evidence base as possible for any future considerations.

Alasdair Allan (Na h-Eileanan an Iar) (SNP): Will the minister give an indication of the importance that the Scottish Government places on further developing a razor clam fishery in future, specifically in areas such as the Western Isles?

Mairi Gougeon: I assure the member that we put a great deal of importance on supporting our fishers in rural and island locations. As I have outlined, the trial that we have undertaken on razor clams was extended to ensure that we have a strong evidence base and that a sustainable and economically viable fishery for razor clams is possible in many areas around Scotland, including the Western Isles.

I am keen—as I know other members will be—to see the trial culminate in a commercial fishery, if the evidence supports that. The science and regulatory background to that is very complex, but it is important that we arrive at the right decision by using the best available knowledge.

Regeneration (South-west)

2. Emma Harper (South Scotland) (SNP): To ask the Scottish Government what support it is providing to help deliver regeneration in the south-west, including any plans for future infrastructure and housing investment. (S6O-05140)

The Deputy First Minister and Cabinet Secretary for Economy and Gaelic (Kate Forbes): We are delivering regeneration across the south-west of Scotland region through our place-based regeneration programmes, including more than £27.6 million through the regeneration capital grant fund. We will publish a new infrastructure delivery pipeline alongside the budget, the Scottish spending review and the draft infrastructure strategy early next year.

This financial year, we have made available more than £34 million in the south-west to support the delivery of the affordable housing priorities of local authorities. We have also committed up to £4.9 billion in housing investment across Scotland over the next four years.

Emma Harper: As the Deputy First Minister will know, communities across Stranraer and Wigtownshire are working and have worked incredibly hard to regenerate and renew the area following the withdrawal of ferries from the town in November 2011. Will the Deputy First Minister advise what funding the Scottish Government has provided over recent years to help that regeneration and directly boost the Stranraer economy?

Kate Forbes: A total of £16 million is earmarked for Stranraer marina through the Borderlands growth deal, and Stranraer and Wigtown will benefit from a share of £20 million in the deal's place programme to stimulate their reinvigoration. More than £700,000 in capital funding this year is helping to deliver priorities in the local place plan, building on the £2.7 million that has been provided for town centre regeneration and the millennium centre. A further £500,000 is enabling capacity building and supported delivery of the place plan. Last week, officials met Dumfries and Galloway Council and the local community to learn more about regeneration plans for the town.

Finlay Carson (Galloway and West Dumfries) (Con): I am sure that the Deputy First Minister is very aware of my decade-long lobbying and campaigning for much-needed investment in the A75 and A77, which, sadly, has been lacking from the Scottish National Party. However, given the importance of all forms of connectivity to economic regeneration, I want to highlight the railway line into Stranraer and the moves to develop the waterfront. I have been working with various parties for the past nine years to upgrade the railway station. What consideration is the Scottish Government giving to improving rail links to Stranraer, and how might that support wider efforts to revitalise the south-west?

Kate Forbes: I mentioned in my previous answer that the Scottish Government intends to publish a new infrastructure delivery plan alongside the budget. It is very important that plans that are included in the infrastructure delivery pipeline can be delivered with the capital budget that is available. We are all watching carefully to see what the chancellor will outline at the end of the month, because that will heavily inform the budget that my colleague Shona Robison can present and the infrastructure and transport plans that my colleague Fiona Hyslop can support.

Glasgow Airport (Rail Link)

3. **Pauline McNeill (Glasgow) (Lab):** To ask the Scottish Government what discussions the economy secretary has had with ministerial colleagues regarding the impact on Glasgow's economy, and the wider regional economy, of the absence of a rail link from Glasgow airport to the city centre. (S6O-05141)

The Deputy First Minister and Cabinet Secretary for Economy and Gaelic (Kate Forbes): Transport is key to our economic prosperity. The Glasgow connectivity commission and the second strategic transport projects review both identified Clyde metro as a transformational regional project, which we agree with. Development of the metro, which could include a

link to the airport, is being led by Strathclyde Partnership for Transport, supported by Glasgow City Council and Transport Scotland. Through the Glasgow city region deal, we are providing £6.1 million towards the case for investment for Clyde metro, which is anticipated to be completed early in 2027. That will provide a clear route forward for the project.

Pauline McNeill: I am sure that the Deputy First Minister agrees that a rail link from Glasgow city centre to Glasgow airport is not just about getting travellers to the airport but about getting workers there, particularly the 5,000 workers who are in advanced manufacturing in the district around the airport. I am sure that she will agree that another bus service will not cut it; the M8 cannot cope as it is. A rail link to the airport must be in the first phase of the Clyde metro project, which is the position of SPT and Glasgow City Council. I want to confirm that that is also Transport Scotland's position. What financial commitment will the Government make not just for the planning but for the delivery of the project?

Kate Forbes: I agree unequivocally with Pauline McNeill's analysis that the link will not just be about visitors but about workers and many others. It is a transformational project that will address a gap in public transport provision in the region and will allow more effective transport links. That is precisely why the Scottish Government has made the investment of £6.1 million, as I outlined in my first answer. It is important that we have a clear route forward for the project and that we pick up at the right point on how all key partners, led by SPT, can continue to support the delivery of the project.

Transport (Edinburgh Pentlands)

4. **Gordon MacDonald (Edinburgh Pentlands) (SNP):** To ask the Scottish Government what impact its transport policies are having on people in the Edinburgh Pentlands constituency. (S6O-05142)

The Cabinet Secretary for Transport (Fiona Hyslop): Public transport in the Edinburgh Pentlands constituency is primarily delivered by Lothian Buses. In October alone, more than 240,000 card holders in Edinburgh made 3.6 million free bus journeys through the young persons and older and disabled persons schemes. Residents and visitors also benefit from local, active and sustainable travel infrastructure developments and behaviour change projects, with Transport Scotland's investment through the active travel infrastructure fund, the people and place programme and the bus infrastructure fund. The Scottish Government has committed £20 million as part of the Edinburgh and south-east

Scotland city region deal to improve public transport infrastructure in west Edinburgh.

Gordon MacDonald: The United Kingdom Labour Government has recently ruled out introducing free bus travel for under-22s in England and Wales. Further, south of the border, older people are not entitled to free bus travel until they reach 66, unlike in Scotland, where entitlement begins at 60. Does the cabinet secretary agree that the Scottish National Party Government's travel policies are designed to help to reduce barriers relating to age, disability, income and geography, enabling better access to education, employment, healthcare, social activities and essential services?

Fiona Hyslop: I absolutely agree. The member is correct to identify all the various benefits that free bus travel can bring, but he is also correct to point out that the free bus pass for under-22s is available only here in Scotland under the SNP Government and that older people in England and Wales have to wait another six years to receive their free bus pass. That is another example of the SNP Government, at a time when household bills are increasing, providing support for older people, younger people and families, along with all the other benefits that he set out.

International Ferry Route (Rosyth)

5. Annabelle Ewing (Cowdenbeath) (SNP): To ask the Scottish Government whether it has made an assessment of the potential economic benefits of the reinstatement of an international ferry route from Rosyth. (S6O-05143)

The Minister for Agriculture and Connectivity (Jim Fairlie): I acknowledge the tenacity with which Annabelle Ewing has pursued the issue.

The Scottish Government is clear that a direct trade route between Scotland and Europe could have real economic and social benefits, which is why I have instructed my officials to consult on legislation that will enable the reintroduction of a ferry route, between Rosyth and Dunkirk. Last week, I met the project sponsors of the ferry service proposal to confirm that a short consultation will be launched as soon as possible, with a Scottish statutory instrument planned to be laid early next year.

The proposed changes will increase access to the European Union market for Scottish exports, which have been negatively impacted by Brexit—which we did not vote for—by allowing flexibility on the location requirements for a border control post.

We will do all that we can to ensure that a direct freight and passenger ferry service to Europe is delivered as quickly and efficiently as possible.

Annabelle Ewing: As the constituency MSP for Rosyth, and, as the minister noted, having pursued the issue—along with others, on a cross-party basis—for some years, I very much welcome the Scottish Government's now taking the lead on the removal of the Brexit obstacles to the re-establishment of an international passenger and freight ferry route from Rosyth.

However, time is of the essence. In that regard, will the minister confirm when the consultation on the draft regulations will be commenced and how long the consultation will last? When exactly will the regulations be laid in the new year? Will the minister also advise us whether the United Kingdom Government has confirmed a timetable for its dealing with the reserved components of the border control obstacles that remain outstanding?

Jim Fairlie: I am pleased that the work on the consultation has already begun and that it is proceeding at pace. A short consultation will be launched as soon as possible, with time for an SSI to be laid before the Scottish Parliament is dissolved prior to the elections in 2026. The Deputy First Minister has sought confirmation from the UK Government of its willingness to address at pace the components of effective border control that remain reserved. I will instruct my officials to share further details with Ms Ewing as soon as possible.

Richard Leonard (Central Scotland) (Lab): I refer members to my entry in the register of members' interests, which notes that I am the convener of the National Union of Rail, Maritime and Transport Workers Scottish parliamentary group.

I welcome the Government's consideration of the proposal, which would benefit our international links. However, in its consideration of the proposal, can the minister give an assurance that any operator would have to follow the fair work principles and recognise trade unions, and that we will not see the blatant negation of workers' rights that we witnessed at P&O Ferries, which sacked and replaced 800 seafarers by video message?

Jim Fairlie: The Government will continue to communicate with potential operators in Scotland's main ports and to explore the opportunities for all new commercial ferry services, so that Scottish exports and passengers have more direct routes to and from Europe. All those considerations will be taken into account.

Income Tax

6. Craig Hoy (South Scotland) (Con): To ask the Scottish Government whether it plans to increase income tax in the forthcoming Scottish budget. (S6O-05144)

The Cabinet Secretary for Finance and Local Government (Shona Robison): As is the normal course for any budget, we will outline our income tax policy for 2026-27 in the Scottish budget, on 13 January 2026.

Craig Hoy: Let us be clear: the Scottish National Party has broken its manifesto pledge on income tax and has repeatedly misled this Parliament about how many Scots may pay more tax than they would in the rest of the United Kingdom.

Today's Audit Scotland report shows that more than £1 billion of projected income tax gains from previous tax rises have simply not materialised. If the SNP increases tax again in January, it will only deepen the fiscal doom loop that this Government is presiding over.

Will the cabinet secretary now listen to the Scottish Conservatives and engage in a zero-based budgeting approach to identify the savings that are required to restore sustainability to Scotland's public finances?

Shona Robison: I repeat that, as the Scottish Fiscal Commission has said, the majority of taxpayers pay less in Scotland than they would elsewhere in the UK.

Of course we will look at the Audit Scotland report, but our income tax policy has meant that there is more money for households. Protecting investment in our public services and the social contract would be put at risk by the Tories' unfunded tax policies.

On the day that the two top global credit rating agencies—*[Interruption.]*

The Presiding Officer (Alison Johnstone): Let us hear one another.

Shona Robison: —are giving Scotland the highest feasible credit rating that it could achieve, citing our credit strengths as a nation—*[Interruption.]* Craig Hoy might not want to hear this, but I will say it anyway.

The Presiding Officer: Let us hear one another.

Shona Robison: Standard & Poor's said that

"Scotland's economy is strong, with high GDP per capita in an international comparison",

and the other agency said that

"Governance has a positive impact on the rating ... stemming from good budgeting practices, a supportive institutional framework and a good fiscal track record."

I know who the public will believe. It will not be Craig Hoy—it will be the credit rating agencies. That, of course, shows the underlying strength of the Scottish economy and our fiscal management.

ScotWind (Investigation)

7. Fergus Ewing (Inverness and Nairn) (Ind): To ask the Scottish Government whether it will request that the Auditor General conducts an investigation into the ScotWind offshore wind leasing round, in light of the finding in the Future Economy Scotland report, "Rethinking ScotWind: Maximising Scotland's offshore wind potential", that, on a per megawatt basis, a comparable leasing round in England and Wales is projected to raise up to 40 times more than the £755 million raised in one-off fees in Scotland. (S6O-05145)

The Cabinet Secretary for Constitution, External Affairs and Culture (Angus Robertson): The ScotWind leasing round, which was developed by Crown Estate Scotland, was informed by a 2021 review that was based on expert independent advice to ensure long-term value. It is important to take a holistic view of all the economic value that can be derived from ScotWind—not simply initial option fee payments. For example, ScotWind developers have committed to investing an average of £1.5 billion per project in Scotland, which is expected to deliver jobs and significant economic benefits.

I note that Mr Ewing has written to the Auditor General to ask for an investigation. Scottish Government officials discuss future audit programmes with Audit Scotland, but, ultimately, any decision will be a matter for the Auditor General.

Fergus Ewing: The cabinet secretary has not answered the simple question, and he seems to take complacency to new, Olympian heights.

The report found that we have lost a sum of between £15 billion and £30 billion. That is between two and four times the whole of the Scottish Government's capital budget in one year. Surely there has to be an investigation into why there was an auction with a cap. Is getting the best price not the purpose of an auction? Whose advice was that decision based on? How on earth was advice not obtained about comparable value figures that were available just south of the border?

Angus Robertson: I am sure that Mr Ewing knows this, but the English and Welsh leasing round 4 is not comparable to ScotWind. It comprised fixed-bottom developments in shallower waters, in contrast with the ScotWind programme, which is comprised of a majority of projects that use floating technology further offshore in more challenging conditions, therefore requiring a higher cost base for projects to be constructed.

As I have already confirmed, reviews have been based on expert independent advice. If Mr Ewing has any suggestions about those, I would be

happy to pass them on to the Cabinet Secretary for Climate Action and Energy.

The Presiding Officer: That concludes general question time.

First Minister's Question Time

12:00

Grooming Gangs Inquiry

1. Russell Findlay (West Scotland) (Con): Taylor was a vulnerable child in local authority care in Glasgow. She should have been protected, but she was preyed upon by grooming gangs. Last night, she wrote to John Swinney, telling him that she and her friends were plied with alcohol and drugs and were sexually abused by at least 10 Pakistani men.

Taylor and other victims say that there must be a grooming gangs inquiry in Scotland. They say that it is the only way to uncover the scale of the abuse, establish why it went unchecked and ensure that it cannot continue. Will John Swinney agree to the inquiry that is being asked for by Taylor and other victims?

The First Minister (John Swinney): First, I confirm to Russell Findlay that I have received the letter from Taylor. I express to the Parliament my admiration of her courage to speak out on such an important and very difficult subject. I am deeply saddened to hear of any cases of sexual abuse. As the Parliament knows, I have taken significant action during my term in office as a minister to ensure that the issue has been addressed.

The Government is undertaking work already through the national child sexual abuse and exploitation strategic group, which is looking at previous inquiries, evidence and practices to establish what further actions and recommendations are required. Police Scotland is actively reviewing current and historical child abuse investigations to determine what issues would need to be addressed in any potential inquiry. The Government has remained open to the question of a grooming gangs inquiry, but a series of steps is being taken to explore those issues at the moment.

It is vital that any accusation of criminal conduct is drawn to the attention of the police, as Police Scotland has a duty to address such complaints by making inquiries.

Russell Findlay: Taylor's social work files allegedly show that Police Scotland failed to investigate. She said:

"It made me feel sick to my stomach. It's like they didn't even bother to ask any questions. That's the bit that gets me the most, because it could have been stopped, and it never was."

Another grooming gang victim, Fiona Goddard, was trafficked from England to Glasgow and was

raped by groups of men. She said that, as far back as 2014, police in West Yorkshire were

“well aware of links to Scotland, but clearly no one bothered to investigate further.”

Victims do not trust that what happened to them will be fully investigated by organisations that they believe turned a blind eye or even engaged in a cover-up.

Has John Swinney spoken to Police Scotland about those new allegations, and does he believe that the actions of the authorities should be independently examined?

The First Minister: In relation to Taylor’s case, Police Scotland has said:

“A complaint about the police was received in September 2025. The complainer was spoken to and we confirmed information had been passed to us, but since no report was made to police in reference to any crime, this complaint did not fit the criteria as a complaint about the police. The complainer was advised she should make a report to police if she had been a victim of a crime. The complainer confirmed she was happy to have the complaint closed with this advice.”

I put that on the record simply to say that it is vital that anybody who believes that they have been the victim of a sexual crime comes forward to the police and makes a complaint. My expectation as First Minister is that such a complaint would be taken deadly seriously by the police and would be investigated.

On the question of trust in how such matters are handled, we have seen examples of extensive prosecutions for sexual misconduct and childhood sexual abuse in Scotland. A range of prosecutions have been successfully taken forward by the police and the Crown, which are determined to address the very serious issues that Mr Findlay puts to me. I hope that that gives victims of such crimes confidence that, if they come forward, their concerns will be properly and fully investigated by Police Scotland, which would be my expectation as First Minister.

Russell Findlay: Any attempt to shift the blame on to victims for how and when such crimes are reported is highly questionable. Taylor was a child. The authorities knew about the crimes at the time, on the basis of social work reports.

Of course, grooming gangs are not confined to any one community. Earlier this year, a group of white men and women were jailed for the horrific abuse of children in Glasgow. Last month, a Romanian gang was convicted of abusing 10 young women in Dundee. This is not a historical problem; it is happening today. The number of reports of online child sexual abuse made to Police Scotland has more than doubled in the past year alone.

How can John Swinney hope to stop child abuse now, when he will not support a full and fearless investigation into the industrial-scale abuse of recent years?

The First Minister: First, nothing that I am saying is about shifting the blame—I say that respectfully to the Parliament. I am simply putting on the record factual information that Police Scotland has provided to me.

My parliamentary record demonstrates that I am prepared to ensure that significant efforts are made to address abusive conduct in our society. The Scottish child abuse inquiry was sponsored under my leadership as education secretary and as Deputy First Minister for many years, and it does vital work in making sure that the voices of victims are heard loud and clear in our society.

On the question of online child abuse, I was clear in my answer to Martin Whitfield last week in the Parliament that I want to make sure that every step that the Government and other authorities in Scotland can take to tackle online child abuse is taken. The efforts that have been made at the Gartcosh crime campus, under the auspices of Police Scotland, have been lauded around the world as an example of integrated proceedings involving multiple agencies. We aim to ensure that organised crime networks in Scotland are shattered as a consequence of our efforts. I assure Mr Findlay of our determination to carry out all that activity.

As I said to Mr Whitfield last week, we are also determined to work collaboratively to ensure that a legislative approach is in place that uses the powers of the United Kingdom—powers that the Scottish Parliament does not have—to tackle the culture of online abuse, which is attacking the very fabric of childhood in Scotland today as a consequence of the lawlessness that is perpetrated by online agencies.

Russell Findlay: The First Minister talks about his parliamentary record. That record shows that, just weeks ago, he voted against my party’s attempts to instigate a grooming gangs inquiry in Scotland.

In a previous answer, the First Minister said that the national child sexual abuse and exploitation strategic group is looking at these issues. However, victims such as Taylor are concerned because the same authorities that failed them sit on that Government group, and they fear that it is little more than another Scottish National Party talking shop.

In July, the group discussed Baroness Casey’s report on grooming gangs elsewhere in the United Kingdom. The minutes of that meeting state:

“there is no current evidence that the issues identified in Casey are presenting in the same way in Scotland”.

In the light of the available evidence, that claim is patently untrue. Does John Swinney agree that grooming gangs are a problem in Scotland, not just elsewhere?

The First Minister: Mr Findlay is not setting out properly the effect of the amendment that his colleague Liam Kerr lodged to the Victims, Witnesses, and Justice Reform (Scotland) Bill, because all that that amendment would have required was the victims and witnesses commissioner, who has not yet been appointed, to undertake a report to consider whether any further action was required in that respect. Therefore, that is not something that could happen today. The commissioner would have to first be appointed and then consider whether it was appropriate to take any action, so it is a complete and utter distortion to say that there was a grooming gangs inquiry proposal in front of the Parliament that was not supported—*[Interruption.]*

The Presiding Officer (Alison Johnstone): Let us hear one another.

The First Minister: The reason why I cited the action that I did is that that action is happening today. The national child sexual abuse and exploitation strategic group is looking at these questions, and Police Scotland is actively reviewing current and historical abuse investigations. That is happening today, in Scotland, under the direction of the Scottish Government, and we will consider the group's findings.

I reiterate the fact that the Government remains open to the question of having an inquiry into grooming gangs. However, I am satisfied that the police and our judicial system will address these issues, and we will reflect on whether any further scrutiny is required in the light of those investigations.

National Health Service (Winter Preparedness)

2. Anas Sarwar (Glasgow) (Lab): Later today, we will hear from the Cabinet Secretary for Health and Social Care about the Government's so-called national health service winter preparedness plan. We have these announcements every year, yet the crisis in our NHS continues. Let us take the example of delayed discharge: this time last year, I called for action on the almost 2,000 hospital beds per day that were being lost because patients could not be discharged. This year, the number is almost exactly the same. Last year, the health secretary admitted that the crisis in the NHS happens not just at Christmas but all year round, so why are we facing another winter unprepared? Why has another year gone by and the Scottish

National Party has wasted it? Why do Scots continue to suffer because of John Swinney and his SNP Government's incompetence?

The First Minister (John Swinney): Over the course of the past year, the Government has focused on doing a number of things to reduce pressure in our NHS system. That is why long waits and waiting lists are now coming down.

The point that Mr Sarwar raises is about the flow of patients through our health and social care system, which I accept is the critical issue. That is why every NHS board now has frailty services in accident and emergency departments, which help with older and more vulnerable patients in particular. The average length of stay for patients is being reduced as a consequence of the introduction of frailty services. That is one thing that has changed materially. In addition, our efforts aim to reduce pressure on the health service through reducing waiting lists to ensure that we have adequate measures in place.

Other interventions include the hospital at home service, and the support that has been put in place through the strong local government settlement that we provided this year to strengthen health and social care partnerships and ensure that more and more people can be supported at home rather than in hospital.

Anas Sarwar: The level of delayed discharge is almost exactly the same as last year, which demonstrates that there has been no progress. Every year, the SNP has a new plan, yet, every year, things get worse. Let us look at two other measures: A and E, and cancelled operations. Last winter, more than 90,000 patients waited for more than four hours in A and E; that figure is well over 4,000 higher than the winter before. However, the A and E performance statistics going into this winter are worse than those for last year. Let us look at operations: last winter, almost 4,500 operations were cancelled, but, in the months leading into this winter, 8,640 have already been cancelled, which is almost 600 more than in the months leading into winter last year.

As I said, every year, the SNP has a new plan, yet, every year, things get worse. John Swinney was supposed to be the guy who steadied the ship and made things better, but it is obvious to everyone that he has failed, is it not?

The First Minister: I do not think that this is a great week for Mr Sarwar to talk to me about steadying the ship, given the chaos that I see in the Labour Government in London.

Let me reassure Mr Sarwar with the fact that, in the past 12 months, there has been an increase in the number of operations that have been performed in Scotland. In September, there was an even higher increase in the number of

operations that were carried out. The throughputs—in other words, the activity levels—in the health service are increasing, which is why we are making headway on reducing the waiting lists and waiting times that people are experiencing.

There are enormous pressures on A and E. One issue that I was briefed about on Tuesday by the chief medical officer is the expectation that this winter's flu season will be particularly challenging for us, due to the prevailing strain of flu that is emerging. Therefore, there will be pressure on our emergency services, which is due to other pressures that are the result of wider health considerations.

I assure Mr Sarwar that the Government's efforts to increase the number of general practitioners so that we have more access to healthcare, to expand the number of frailty units, and to reduce waiting lists and waiting times are all focused on ensuring that our health service can meet the needs of the people of Scotland.

Anas Sarwar: The truth is that every part of our NHS is at breaking point—all because of the Scottish National Party Government.

Let us look at John Swinney's record. On his watch, the NHS is now in permanent crisis. Hundreds more operations have been cancelled this year than were cancelled last year. Thousands more patients are facing unacceptable A and E waits. Ambulances are waiting for hours outside A and E. Thousands of people are being forced to remortgage their homes or to borrow from family in order to go private. Hundreds of thousands are waiting in pain and anxiety on NHS waiting lists.

To put it simply, our NHS is not safe in John Swinney's hands. This is not a winter crisis—it is an SNP crisis, and it is putting lives at risk. Does that disastrous record not show that we must make this winter the last in which the SNP is in charge of our NHS?

The First Minister: As I have set out to the Parliament, a whole series of examples of progress has been made in the national health service—not least the fact that the number of new out-patient waits lasting for longer than a year has fallen for four consecutive months. The total numbers on waiting lists for out-patients, in-patients and day cases have decreased, so progress has been made in that respect.

Activity in the national health service has increased, with extra appointments being made available in a whole range of disciplines. Operation numbers are up. A record number of hip and knee operations have been delivered as a consequence of interventions that I have made. In preparation for winter, we have frailty services in A and E departments the length and breadth of the

country to ensure that people's needs are being met.

Since I became First Minister, I have focused on ensuring that I strengthen the national health service to meet the needs of the people of Scotland. If anybody is looking around and wondering what a Labour Government in Scotland might be like after the elections in May, they will see the very disappointing spectacle of the United Kingdom Labour Government. Look at the behaviour and performance of the UK Government over the past 15 months. *[Interruption.]*

The Presiding Officer: Let us hear one another.

The First Minister: There has been a cut to winter fuel payments for pensioners, no action on the two-child limit, and the chaos of the past few days, in which the Prime Minister's team has been briefing against his health secretary and Labour Party politicians have been fighting among themselves. The people of Scotland can rely on having, in me, a First Minister who fights for the people of Scotland. I will leave it to the Labour Party and its failed UK Government to fight among themselves.

Primary Schools (Class Contact Time)

3. Alex Cole-Hamilton (Edinburgh Western) (LD): I declare an interest in that my wife is a primary school teacher and a member of the Educational Institute of Scotland.

When John Swinney was Cabinet Secretary for Education, the Scottish National Party made a manifesto commitment to cut teachers' class contact time. The SNP promised to deliver an hour and a half less of time in front of classes each week so that there would be more time to do lesson prep, marking and all the other things that teaching involves. Now, nearly five years on, that has not happened, and teachers are so angry about it that they could strike by the end of January. Why has the First Minister not delivered on the SNP's manifesto commitment to our teachers?

The First Minister (John Swinney): That is an important issue, and I am determined to make progress on it. When we negotiated our budget agreement with local authorities last year, one of its provisions was to make progress on exactly that issue. There were a number of other commitments in the agreement that was reached with local authorities, and various obligations were placed on the Government on financial support for local authorities, to enable there to be no restrictions on council tax and for a variety of other issues. Every single one of the commitments that the Government made has been honoured and

fulfilled, but we await progress from local authorities on class contact time.

I have made it very clear to the president of the Convention of Scottish Local Authorities that I am not prepared to tolerate a situation in which we move at the pace of the slowest local authority, which is what the Government is being presented with just now. I will have the opportunity to discuss the issue when I address the COSLA annual conference in St Andrews later today.

It is an important issue on which I want to make progress, because I do not want education to be disrupted by industrial action. I do not believe that there is a need for that, because we could be making progress on the issue. There are sufficient teachers in the system to reduce class contact time in the way that Mr Cole-Hamilton puts to me, but it needs progress from our local authority partners, which the Government will insist on.

Alex Cole-Hamilton: It is a pretty pathetic excuse for the First Minister to pin this on councils, when so many of the same councils are run by his party. Let us get all this straight: the SNP Government is blaming SNP councils for preventing the SNP from keeping SNP election promises. With that kind of contortion, the First Minister must be attending some kind of secret yoga classes.

Teachers do not want to strike; they just want the Government to keep its promises. Strike action a couple of years ago caused pupils to miss up to a dozen days of school. It caused havoc for working parents. Will the First Minister give families a cast-iron guarantee today that there will be no strikes in the new year?

The First Minister: Mr Cole-Hamilton raises with me the logistics of how these changes are made. I cannot instruct Scottish councils to reduce class contact time. I need to do it by agreement, because the Education (Scotland) Act 1980 gives operational responsibility for the running of our schools to councils. Normally, Mr Cole-Hamilton is at the front of the queue to demand that I respect local authorities and local decision making, and here I am doing exactly that.

The point that I have made to the Parliament is that the Government reached an agreement with local authorities about reducing class contact time. I have kept my side of the bargain. I want local authorities to keep their side, which is about reducing class contact time.

I do not want there to be any disruption to education. We have just managed to negotiate a pay deal for teachers; it has been accepted by teachers, so there will be no disruption due to pay as a consequence of that negotiation by the Scottish Government and local authorities. I want to make progress on class contact time, which is

exactly what the Cabinet Secretary for Education and Skills and I are focused on doing.

“Independent Report on Regional Economic Development in Scotland”

4. Kevin Stewart (Aberdeen Central) (SNP): To ask the First Minister what the Scottish Government’s response is to the report on regional economic growth by former University of Glasgow principal, Professor Sir Anton Muscatelli. (S6F-04452)

The First Minister (John Swinney): All contributions by Professor Muscatelli are worthy of consideration, and the Scottish Government will consider this one. On the report’s main topic of regional economic structures, I note that we are already committed to increasing regional empowerment and will provide further information on our plans in the coming weeks.

We note that Professor Muscatelli also identifies the requirement for a “supportive immigration policy” to contribute to economic growth and the need for the Scottish Government to “influence” the United Kingdom Government’s broken system. We need an immigration system that supports Scotland’s distinct demographic needs, and I urge the UK Government to finally recognise that.

Kevin Stewart: It was Anas Sarwar who said:

“Read my lips: no austerity under Labour”.

Now his Westminster bosses threaten to inflict more than £1 billion of cuts to Scotland’s budget. The cuts would fly in the face of the economic growth that Scotland needs, as outlined in Professor Muscatelli’s report. Does the First Minister share my view that that threat proves, beyond doubt, that decisions on Scotland’s finances should be made here in Scotland, with a fresh start with independence, and not by a Westminster Government that fails Scotland at every turn?

The First Minister: I agree with Mr Stewart on the fundamental points. Many of those points were made by the credit rating agencies, which indicated that we have in this country a “strong” economy, “prudent financial policies” and budgetary planning with the ability to adjust where necessary in a “timely” manner, and that our

“economy is strong, with high GDP per capita in an international comparison.”

That demonstrates that, where we are able to exercise self-government, it is successful for Scotland. I want us to be able to exercise more self-government with independence and to pursue the economic opportunities that would be right for an independent Scotland.

Craig Hoy (South Scotland) (Con): Sir Anton Muscatelli's report is damning on the impact of Scottish National Party tax rises. Perhaps Anas Sarwar can pass that on to Rachel Reeves before she inflicts yet more damage on the Scottish economy.

Will the First Minister now stop playing the daft laddie on income tax and concede two points: first, that he has broken his manifesto pledge to freeze income tax; and, secondly, that he has repeatedly misled this Parliament, as have his ministers, on how many Scots are now paying more tax than they would if they lived in England?

The First Minister: We have maintained our manifesto commitments in relation to taxation. On the issue of the tax paid by people in Scotland, the Scottish Fiscal Commission's briefing paper, which was published on Tuesday, indicated clearly that the

"majority of Scottish taxpayers pay less"

in taxation than they would if they lived in the rest of the United Kingdom. *[Interruption.]* That is what I have always said to the Parliament, and I will keep on saying it. Mr Hoy might not like that, but I am going to keep on saying the things that are the case.

The Presiding Officer: Let us ensure that everyone gathered here can hear what is being said.

Daniel Johnson (Edinburgh Southern) (Lab): I welcome the interest in this important report from Scotland's leading economist Professor Sir Anton Muscatelli, which was commissioned by Scottish Labour. Let us try having a supplementary that is actually on the detail of the report.

The report comes out in the same week as an Audit Scotland report identified that the Scottish Government has £1.1 billion less to spend because earnings are growing less quickly in Scotland than they are in the rest of the United Kingdom. Does the First Minister agree with the observation in both Muscatelli's report and Audit Scotland's report that there has been a failure to identify the substantial economic levers that are available to the Scottish Government, and to march with them? In particular, does he agree with the detail in the Audit Scotland report that there has been a failure to focus on policies that could grow earnings and wages in Scotland? After all, that is not only right for the Scottish economy; it is also right for Scottish workers, is it not?

The First Minister: There are several points in what Daniel Johnson has said to me. In relation to the question of wealth generation, since 2007, under this Government, gross domestic product per person in Scotland has grown by 10.2 per cent, compared with growth of 6.8 per cent in the

United Kingdom. Meanwhile, productivity has grown at an average rate of 0.9 per cent per year in Scotland, compared with the UK average of 0.3 per cent. That debunks the point that Mr Johnson has put to me.

Of course, there are structural inequalities in the United Kingdom in terms of economic activity and wealth, which the Scottish Government is trying to counter with the limited powers of devolution. We could do more with the powers of independence, which would give us more scope to act in that respect.

What should be causing much more cheer and optimism in the Parliament today is the reports of the credit rating agencies, which demonstrate that Scotland has a large and well-diversified economy that supports tax-generation capacity. They also demonstrate that we have governance that has a positive impact on the credit rating, stemming from good budgeting practices, a supportive institutional framework and a good fiscal track record. It is pretty obvious that the Opposition in this Parliament cannot cope when anything good is said about Scotland or about the performance of the Scottish Government. This is a day for Scotland to be proud of our economic track record.

Income Tax

5. Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): To ask the First Minister whether the Scottish Government will maintain its manifesto commitment to freeze income tax rates and bands. (S6F-04455)

The First Minister (John Swinney): As in the normal course of any budget, we will outline our income tax policy for 2026-27 in the Scottish budget, on 13 January 2026.

Rachael Hamilton: I have it here:

"Freeze income tax rates and bands, and increase thresholds by a maximum of inflation".

It says it in the manifesto. However, Labour is set to do exactly what John Swinney wants: Rachel Reeves will break her manifesto commitment and raise taxes for hard-working Scots. According to Audit Scotland, the Scottish Government will face a £1 billion shortfall. *[Interruption.]*

The Presiding Officer: Let us hear Ms Hamilton.

Rachael Hamilton: John Swinney seems set on breaking his promises, too. Can he tell us how much that will cost Scottish taxpayers?

The First Minister: Obviously, there is a lot of talk about tax at the moment, and there is a lot of uncertainty about the UK Government's position, which may well have implications for us. The Scottish Government will take the opportunity to

consider those issues and will set out in an orderly fashion the approach that we will take on tax, given that we may well have a different tax landscape to consider. That is what the people of Scotland would expect us to do.

Peatland Restoration

6. Ariane Burgess (Highlands and Islands) (Green): To ask the First Minister whether the Scottish Government is still on track to restore 250,000 hectares of peatland by 2030. (S6F-04446)

The First Minister (John Swinney): Through peatland action, our peatland restoration programme, we have restored around 90,000 hectares to date, including 14,860 hectares in 2024-25. This year, we are on track to deliver more than 12,000 hectares of restored peatland.

In the draft climate change plan that was published last week, we included a proposal to expand and extend our programme to restore 400,000 hectares by 2040. That reflects an increase in our ambition. Protecting, managing and restoring degraded peatlands is a vital part of mitigating and adapting to the climate and nature emergencies.

Ariane Burgess: Eighty per cent of our peatlands—approximately 1.6 million hectares—are degraded. That means that they are one of our largest single sources of emissions. They cannot support nature restoration or provide solutions to issues such as flooding.

It is vital that we urgently step up restoration efforts, but, in the new draft climate change plan, the Government is slowing things down. Increasing restoration by 10 per cent a year represents a major deceleration compared with the previous 2030 target. First Minister, why is your Government going backwards on that key policy at the same time as pledging to do more for climate and nature?

The Presiding Officer: Always speak through the chair.

The First Minister: As I set out in my earlier answer, we are taking a number of steps to extend our commitments on peatland restoration. That is one part of the programme for climate action that has been set out to Parliament. By the end of this year, we will have set out the planning that will be necessary to achieve the 2040 ambitions.

I agree with Ariane Burgess on the importance of taking such action to help us on our journey to net zero, and that is exactly the focus of the Government's climate change plan.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): In Midlothian, peat is still being extracted. It is dug up

commercially through a licence under the Town and Country Planning (Scotland) Act 1997, which requires only 50-year periodic reviews of licences for mineral permissions. The issue is one that I have pursued for some time. Given that it seems bizarre and even counterproductive for that legislation to allow peat extraction to take place over 50-year periods while the Scottish Government is pledging to restore peat, will the Government undertake to review it?

The First Minister: I hope that it gives Christine Grahame some reassurance to learn that national planning framework 4 includes provision whereby development proposals for new commercial peat extraction, including extensions to existing sites, are not supported, except in relation to use in the whisky industry.

We continue to work towards delivering our commitment to ban the sale of horticultural peat, and we are currently exploring all legislative options for establishing new restrictions. I hope that that gives Christine Grahame some reassurance, but I would be happy to engage further on that question.

Fergus Ewing (Inverness and Nairn) (Ind): The 14,860 hectares of peatland that were restored last year accounted for a reduction in carbon emissions of approximately 282,000 tonnes. However, an initial estimate suggests that one wildfire at Dava and Carrbridge in July this year accounted for 590,000 tonnes of carbon emissions, which is more than twice as much as the total reduction that was achieved through peatland restoration.

Given that the aim is the overall reduction of carbon emissions, would not true greens—true greens like myself—wish to see a little more money being spent on tackling wildfires effectively? Perhaps the money could come from the peatland restoration budget.

The First Minister: I do not think that Mr Ewing has put an either/or question to me. I do not want wildfires to happen in Scotland. They are happening because of climate change. We have to take the long-term climate action that is required to reduce the temperature of the planet.

As Parliament knows, I have been in Malawi and Zambia and have seen at close quarters the ferocious damage of climate change in those communities. It is happening here in Scotland: the wildfires are a symptom of the problem and we have had water scarcity in the north-east of Scotland right up until early October.

We cannot ignore the effects of climate change in our society. We have to take action, which is why the Government is committed to peatland restoration, and it is why, as Mr Fairlie set out in his statement to Parliament, the Government is

committed to undertaking effective collaborative work to tackle the risk of wildfires in our society.

The Presiding Officer: We move to general and constituency supplementary questions. There is, as ever, much interest, so concise questions and responses are appreciated.

Housing Provision (Motor Neurone Disease)

Bob Doris (Glasgow Maryhill and Springburn) (SNP): My constituent Chelsea was diagnosed with motor neurone disease in 2024. With her condition now worryingly deteriorating, she finds herself in wholly unsuitable accommodation with her husband, who is her full-time carer, and her four children. A larger, appropriately adapted property would afford Chelsea and her family quality of life in the remaining precious time that they have together.

Despite the best efforts of MND Scotland and the representations that I have made to various housing providers, the size of the property that is required has been a stumbling block. First Minister, I know that a new property for Chelsea and her family is not in your gift, but in such circumstances, families quite rightly look to us all for a solution. Will the First Minister consider the plight of Chelsea and her family and use his office to see whether a solution to this dreadful situation can be identified?

The First Minister (John Swinney): I am sorry to hear of the case that Mr Doris brings to my attention on behalf of his constituent Chelsea. I send Chelsea and her family my very best wishes.

One of the important issues here is the ability to adapt properties to meet the needs of individuals or, potentially, to construct new-build properties. That cannot be done overnight. We have increased the budget for adaptations to £20.9 million. One of the reasons for doing that was to make sure that we had suitable accommodation for cases such as Chelsea's. If Mr Doris would like to share details with me, I will use whatever endeavours I can in my office to try to resolve the situation.

While I am speaking about MND, I also pay tribute to Sheriff Alastair Carmichael, a sheriff in Dundee who is very courageously continuing to work as a sheriff with adaptive technology and has shared his case publicly with us all. I wish to express my admiration for Sheriff Carmichael and for the courageous example that he sets for us all in the face of the challenges that he is experiencing. He is an example to us all, as I know that Chelsea and her family will be.

Supreme Court Judgment (Sexual Offences Trials)

Murdo Fraser (Mid Scotland and Fife) (Con): Yesterday, the United Kingdom Supreme Court issued a judgment in the cases of David Daly and Andrew Keir, which, while upholding their convictions, raises serious issues about the conduct of trials involving sexual offences. Legal experts say that the judgment could trigger multiple appeals by those who are convicted of sexual offences.

The courts have a difficult task in balancing the need to protect complainants—usually women—from intrusive questioning about their behaviour, while also guaranteeing the accused a fair trial. How will the Scottish Government respond to the judgment?

The First Minister (John Swinney): The Supreme Court judgment gives detailed consideration to the complex issues that are involved in the admissibility of evidence in sexual offences trials. It is clear from the judgment that there is no requirement for a change in the provisions in the law that specifically regulates those matters, which are sections 274 and 275 of the Criminal Procedure (Scotland) Act 1995.

The Supreme Court said that it is for all judges in sexual offences cases to reflect the ruling as they would any other Supreme Court ruling that was relevant to them in the handling of such cases. It is therefore a matter for the courts, which, as Mr Fraser will know, operate independently of the Government. I know that the judiciary will consider the issues that arise as a consequence of the Supreme Court judgment, but there is no requirement for us to change the law.

Supreme Court Judgment (Sexual Offences Trials)

Claire Baker (Mid Scotland and Fife) (Lab): In addition to the issues raised in Murdo Fraser's question, Parliament recently passed the Victims, Witnesses, and Justice Reform (Scotland) Act 2025, which looks to make the experiences of victims and witnesses easier. What assurances can the First Minister give to women who are now concerned about the risk of having to go through an appeal process? What does the Supreme Court decision mean for evidence in future rape and sexual assault cases?

The First Minister (John Swinney): My substantive point was that there is, in my view, no requirement for legislative change because the decision is about court procedure. Claire Baker's question highlights important issues relating to the conduct of court cases, which can have a bearing on the type of questions that are asked and on the type of evidence that is given and can cause

enormous distress to the victims in those cases, who are invariably women.

The Government will carefully consider the implications of the ruling in the course of time and the courts will have to reflect on those issues. It would be deeply regrettable if there was any return to some of the court practices that were deeply distressing to the victims of sexual crime and I set out today my desire to ensure that that is not the outcome of the Supreme Court judgment.

Energy Bills (Social Tariffs)

Emma Roddick (Highlands and Islands) (SNP): New modelling by the Scottish National Party Government shows that a social tariff on energy bills could lift more than 200,000 Scottish households out of extreme fuel poverty. Although the powers to compel energy companies to act remain at Westminster, the Scottish Government must do all that it can to encourage progress, especially because the United Kingdom Government has broken its promise to reduce bills by £300. Can the First Minister outline how much households could expect to save under a social tariff? Will he outline what engagement his Government is undertaking to make a social tariff a reality for those who need it most, including those in the Highlands and Islands?

The First Minister (John Swinney): We shared the final report of our social tariff working group with the UK Government in March this year, asking it to act on the recommendations. Analysis this week shows that, if those recommendations were implemented, around 660,000 households in Scotland would see their bills go down by an average of £700 under a targeted bill discount, lifting more than 150,000 households out of fuel poverty. We continue to seek engagement with the UK Government on that work and our position remains that it must take urgent action to protect households and to deliver on its promises, which it has singularly failed to do to date.

Killer of Keith Rollinson (Early Release)

Douglas Ross (Highlands and Islands) (Con): Keith Rollinson died in February 2024 after being brutally attacked while working as a bus driver in Elgin. His killer received a sentence of only four years and four months and his family have now been told, through the victim notification scheme, that he could be released as early as next year.

Keith's widow, Sue Rollinson, has called that "disgusting" and said that she feels

"broken-hearted to think that Keith has not had justice".

She also said:

"I don't think he should be released early. We've been let down totally".

Sue Rollinson is right, is she not?

The First Minister (John Swinney): I have every sympathy with Mrs Rollinson for the loss that she has suffered, and I pay tribute to her husband, who should not have experienced what he experienced in the course of his responsibilities.

Issues of sentencing are taken forward independently by the judiciary, and it would be inappropriate for me to question sentences that are set out. Various legislative issues have to be considered before anyone is released, and that process will take its course, but I take the opportunity to express my sympathy to Mrs Rollinson on the heartbreak that she suffered in the loss of her husband and the anxiety that the issue will be causing her today.

Ferry Disruption (Isle of Lewis)

Rhoda Grant (Highlands and Islands) (Lab): Ferry passengers in Lewis have been experiencing incredible disruption due to the MV Isle of Lewis being unable to carry any vehicles since last week. That has been particularly difficult and trying for those travelling to and from hospital appointments, because, even if they can get an alternative booking, that adds more than three hours' drive to their journeys. All road haulage is also disrupted.

It feels as if this is the start of another winter of constant disruption with no end in sight. What alternatives have been put in place for Lewis? What alternatives will be put in place for Barra when that ferry returns to its normal route at some point, possibly next week? What steps will the First Minister take to ensure that islanders are never left in this situation again?

The First Minister (John Swinney): I understand the difficulties that have been experienced. I understand that cars are now able to be taken on the MV Isle of Lewis, which is the ferry operating on the Ullapool to Stornoway route. In addition, CalMac has put on additional sailings of the MV Hebrides between Uig and Tarbert. I accept that that involves a longer journey for travellers from Lewis, but CalMac has provided additional capacity on that route.

We are going through the winter maintenance period and operating to a winter timetable where there are fewer sailings. However, CalMac will be working—and the Cabinet Secretary for Transport is deeply engaged in all these questions—to make sure that effective and sustainable services are available to all island communities. The Government will be actively working to ensure that that is the case.

The Presiding Officer: We will have two further brief supplementary questions.

Economy and Employment

Kenneth Gibson (Cunninghame North) (SNP): This week saw another example of SNP Scotland and the Labour United Kingdom being on different trajectories. While unemployment in Scotland continues to fall, in the rest of Britain it has risen to its highest level since the pandemic. This morning, we saw that UK growth in the last quarter was at a pitiful 0.1 per cent. Will the First Minister outline the SNP Government's commitment to growing Scotland's economy and supporting people into work, particularly our younger generation?

The First Minister (John Swinney): It is a key focus of my Government to improve economic opportunity. We are now seeing very distinct patterns of unemployment between Scotland and the rest of the United Kingdom. We continue to have substantial success in growing the economy and attracting investment.

The credit rating score that we achieved last night from Moody's and Standard & Poor's, which is the best rating that we could possibly have achieved, is a tribute to the strength of the Scottish economy, the strength of this Government's fiscal management and the strength of the institutions that we have at our disposal. It is good news for Scotland, and it is a proud day for our country.

Violence in Schools

Liam Kerr (North East Scotland) (Con): Ten years on from Bailey Gwynne's tragic killing in Aberdeen and promises of action from the Government, hard-hitting figures show that incidents of pupil violence in Aberdeen schools have quadrupled while, across the city, the number of crimes recorded in schools is rising year on year. However, let members be in no doubt: the issue is not confined to Aberdeen. For years, the Government has promised but failed to stem the violence in our schools. When will the Government start taking real action, such as anti-weapon lessons in classrooms, and finally stop these horrific incidents?

The First Minister (John Swinney): Let me make it clear that there is absolutely no place for violence in our schools in any way, shape or form. The Government's behaviour guidance, which has been constructed in collaboration with local authorities and trade unions, is designed to enable us to address those issues. Many of the techniques that Mr Kerr talked about—education on violence and the danger of carrying knives, for example—are taken forward in our school system. The mentors in violence prevention programme and the steps that are taken in relation to the no knives, better lives campaign are all shared in our schools.

I reinforce the importance that the Government attaches to education and measures of that type to ensure that pupil behaviour does not result in tragedies such as the loss of Bailey Gwynne, which is at the heart of Mr Kerr's question.

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

Craig Hoy (South Scotland) (Con): On a point of order, Presiding Officer. I fear that the First Minister may have misled Parliament again today, so I seek your advice on how we can invite him to correct the record. The SNP manifesto quite clearly committed to freezing income tax rates and bands, yet in the budget of 2023-24, both income tax rates and income tax bands rose above inflation. The First Minister has yet again misled not just the Parliament but the public who are watching. I seek your advice as to how we can finally get the truth from the First Minister when he appears in this Parliament.

The Presiding Officer: Thank you. Mr Hoy will be aware that the content of members' contributions is not a matter for the chair. There is of course a mechanism, which all members will be well aware of at this stage in the session, whereby any inaccuracies or otherwise can be corrected.

Before we move to the next item of business, I will suspend the meeting briefly to allow those who are leaving the chamber and the public gallery to do so.

12:49

Meeting suspended.

12:51

On resuming—

Tourette Syndrome

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is a members' business debate on motion S6M-19389, in the name of Sarah Boyack, on supporting Tourette Scotland and greater awareness and inclusion for people with Tourette syndrome. The debate will be concluded without any question being put.

Motion debated,

That the Parliament recognises what it sees as the vital work of Tourette Scotland in providing support, advocacy and education for individuals and families affected by Tourette syndrome across Scotland; welcomes the release of the new documentary film, *I Swear*, which shines a powerful light on the lived experiences of people with this condition and challenges and stigma surrounding it; notes, with concern, reports from parents, educators and young people, including in the Lothian region, that many pupils with the condition are not receiving adequate educational support or understanding in schools; further notes the view that there is an urgent need for national guidance and consistent training for teachers and school staff to ensure that pupils with Tourette syndrome are supported to reach their full potential; notes the calls for the inclusion of Tourette syndrome-specific content in the Scottish Government's wider Additional Support for Learning (ASL) framework and mental health strategies; highlights what it sees as the importance of British Sign Language (BSL) and communication inclusion guidelines to ensure accessibility and understanding for those with the Tourette syndrome and co-occurring conditions, and notes the calls on the Scottish Government to work with Tourette Scotland to develop a national plan, increase funding for support services, and raise awareness across education, health and social care and the wider public.

12:51

Sarah Boyack (Lothian) (Lab): I feel privileged to open this debate on a condition that affects many people in our communities. It is difficult for us to imagine what it is like for your body to act without your say-so and for words to leave your lips that you did not intend to say, but that is the daily reality for tens of thousands of Scots.

Although it is estimated that one in 100 Scots may have Tourette syndrome, for too long it has been an undiscussed and underresourced condition. An example of those barriers is clear in the case of my constituent Finn. He was prescribed comprehensive behavioural intervention for tics—CBIT—therapy to help with his Tourette's, only to discover that no one in north Edinburgh was trained in how to do it. It got worse, because on inquiring whether he could receive the treatment anywhere else in Scotland or in Edinburgh, he was told no. It surely cannot be, in a country as well resourced as ours, that patients are still unable to receive the treatment that is

recommended by child and adolescent mental health services.

Far too many people who face Tourette's go through the process of diagnosis only to find that support on the other side is lacking. That is equally true for their families. It is hard for parents to know, when their child is at an early stage, whether they are suffering from Tourette's and how to cope with a child who is not fully in control of what they say or what their body does. Far too many parents feel helpless in trying to balance all the life changes that are required with a Tourette's diagnosis. Often, one parent has to give up work to look after their child with Tourette's due to disruptions at school, leaving a family with less income and stalled careers.

Wonderful organisations such as Tourette Scotland provide a range of services and support to parents and to people with Tourette's. My constituent Tyler would not be where he is today without the support of Tourette Scotland. In his second year at school, he was noticed by someone who was running the first chances project. She helped Tyler to find a goal and showed him that he is able to achieve the things that others can. With the right support, Tyler was able to thrive, first at college, and then at university, where he graduated with a joint degree. That was only thanks to the amazing support and grant funding to help manage his Tourette's. This summer, Tyler went to the USA to take part in Camp America for three months, helping to support kids with disabilities as a camp counsellor.

Tyler's story should stand as an example of how Tourette's does not have to be a barrier to life. With the right support, those with the condition can achieve great things, but it should not only be the role of third sector organisations or the national health service to provide that support. We need to foster an environment that allows those with Tourette's to thrive, wherever they are in life. I am pleased that my office has already been in touch with the Scottish Parliament's engagement office to introduce it to Tourette Scotland, in a bid to make our Parliament a more Tourette's-friendly environment. In many environments, Tourette's can still be a challenging hurdle to overcome.

A constituent of mine, Alan, shared the experience of his son, Frankie, with me. Frankie had first-hand experience of the misunderstandings that Tourette's can bring in education settings. He was often punished for things that were outwith his control, as no one recognised his condition. It is hard to state how disruptive that can be for a child's education and their confidence with managing Tourette's. It can have a major impact on a child's mental health due to the punishments that they receive for their uncontrollable actions, or the humiliation that they

are subjected to because of a lack of understanding of the condition. Even when a diagnosis is made, schools are often ill equipped to deal with it effectively due to a lack of training and resources. However, it does not have to be that way.

When I spoke to Alan about his son, he told me about the practical steps that he believes are vital for ensuring that those with Tourette's receive the necessary support. There should be clear National Institute for Health and Care Excellence and Scottish intercollegiate guidelines network guidance for Tourette's diagnosis; a national training programme for schools, so that school staff and teachers are properly equipped to support those suffering from Tourette's; and early recognition and intervention in schools for students, so that we can support kids from an early age to ensure that they have positive outcomes despite their condition. Those are not fairytale policies—they are achievable. We just need the political will to achieve them.

I am glad that we are joined in the public gallery by constituents who have Tourette's. Every single one of them will have had to overcome challenges relating to their condition. It is vital that we use that momentum to deliver lasting change so that, for future generations, a Tourette's diagnosis does not need to carry the burden that it once did.

Last week, I went to see the wonderful film "I Swear", which illustrates the challenges of living with Tourette's across the world. It is emotional and inspiring, and gives everyone an insight into the challenge that people with Tourette's face. I think that everyone should go and see it, because it is a call for action. No child should see their educational attainment crumble in front of them because of a condition that they cannot control. No parent should have to give up work because the education system is unable to deal with their child's Tourette's. No patient should have to go through the ordeal of a diagnosis just to find that treatments are thin on the ground or non-existent.

That is why I will finish by calling on the Scottish Government to work with Tourette Scotland to create a national plan to increase funding for support services and to raise awareness across all parts of our society. We are not asking for utopia—rather, it is the standard that Tourette's patients and their families should expect and, more importantly, deserve.

12:58

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): This is the first time in my 25 years in the Parliament that Tourette's has been discussed. I thank the member for securing the debate in the chamber,

and I welcome those in the gallery who are listening to this significant—I would add milestone—debate on Tourette's.

The main symptom of the syndrome is tics, which can be vocal or motor. They can include whistling, sniffing or clearing your throat, repeating a sound or phrase and occasionally swearing. A person cannot control them—they just happen. The syndrome usually develops in early childhood, and it is even estimated that one in every 100 Scots has Tourette's. Sometimes it is so mild that it cannot be identified. There is no known cure, but the condition can be managed. Most important of all, I believe, is for the public to be educated to understand the condition so that we can remove the stigma.

John Davidson, who lives in Galashiels, is a constituent of mine who has Tourette's. I first met John—although he will not remember it; I do not expect to be remembered all the time—many years ago while visiting Langlee community centre in Galashiels. I was there for a meeting and, in the near distance, I could hear shouting and swearing. Like many, I was taken aback, but then I was told, "It is only John," and that he had Tourette's. I had heard of it, but I had not encountered it, so that was a first.

Not much is widely known about the condition even now, so it is much misunderstood. People think that it is a sign of terrible rudeness and express their distaste one way or another, but John has worked his whole life to change that. I think that he became a reluctant poster boy for Tourette syndrome when he was just 16. The little-known condition, which had previously been described as "a wild madness", caused him to spasm, jerk, swear uncontrollably and shout explicit sexual phrases.

To this day, John still works at Langlee centre. He has also been the subject of not a few documentaries, including the 1989 BBC programme "John's Not Mad", which enabled him to bring Tourette syndrome into the living room in a way that had never been done before. That approach has continued, turning into a lifetime of advocacy to further publicise and increase understanding of the condition. In 2002, at the age of 30, he appeared in "The Boy Can't Help It"; and, in 2009, when he was 37, he was in "Tourette's: I Swear I Can't Help It". Latterly, as has been said, the new film "I Swear", which is based on his life, is a powerful piece of storytelling that reflects not only the challenges that he has faced but his determination and humour.

John has made Scotland, and, indeed, the United Kingdom, a more understanding place—I hope—for people living with Tourette's.

Emma Harper (South Scotland) (SNP): John Davidson presented at the famous Wigtown book festival this year. Does Christine Grahame agree that his book, “I Swear”, along with his television work and his appearance at the book festival, are other ways in which to raise awareness of Tourette’s?

Christine Grahame: They are, indeed.

What John has accomplished was done not for reasons of self-aggrandisement but because of a determination to sweep away the misconceptions around the condition, to help others in the same position and to support their families and the wider public. John’s life is an example of how personal experience shared bravely and honestly can shape public attitudes for the better. I have no doubt that it has been tough for him—and for others—and will continue to be so. He is still dealing with the condition and, certainly, there is still public opprobrium, but the new film that I referred to will ensure that his message reaches a whole new public.

I thank John and others for what they have achieved and will continue to achieve, and I say this: only he could have done it in this way, with determination, dignity, authority and humour.

13:02

Finlay Carson (Galloway and West Dumfries) (Con): I thank Sarah Boyack for bringing this important debate to the chamber. I am aware of her long-standing support for and commitment to Tourette Scotland, and I am delighted to make a contribution on the subject.

For decades, Tourette Scotland has been a lifeline for many, providing support, advocacy and education for individuals and families who are affected by Tourette syndrome across our country. From peer support groups to school training sessions, its work is tireless and transformative. Despite those efforts, we know that many children and young people with Tourette syndrome still face significant barriers, particularly in education.

My eldest son, Hugh, suffered from a facial tic. I know that, at the time—from his mid-teens up to his late teens—it was very distressing for him. However, my wife, Jackie, who is a councillor in Dumfries and Galloway, told me that, when Tourette Scotland delivered training in a local school, only a handful of staff turned up. The following statistics suggest that such training should perhaps be mandatory.

Recent data suggests that around 1 per cent of children and adolescents globally are affected by Tourette syndrome. In Scotland, that translates to thousands of pupils, many of whom also live with co-occurring conditions such as attention deficit

hyperactivity disorder, anxiety and obsessive-compulsive disorder. However, according to Audit Scotland, more than 284,000 pupils—40 per cent of our school population—require additional support for learning. Despite that, funding and training remain inconsistent and, in many cases, inadequate. That is not just a failure of policy but a failure of compassion.

Bravery can take many forms. It is not always about physical endurance. Sometimes it is about confronting and overcoming a mental condition. Performing live before tens of thousands of music fans at Glastonbury takes incredible courage at the best of times, but when someone takes to the stage months after revealing that they have Tourette syndrome takes that courage to a completely new level.

Step forward, Scots singing sensation, Lewis Capaldi. He admitted publicly that stress and anxiety can worsen the tics that are now a constant part of his life, albeit he is learning to manage them. Few will forget watching him during his 2023 gig, when he stood alone on stage, unable to sing the words to his classic song, “Someone You Loved”. If he was looking for an answer, he only had to listen as the crowd helped him to finish the song. That moment was powerful, not just for him but for everyone living with Tourette syndrome.

Capaldi chose to go public to prevent speculation, such as people thinking that he was on drugs before shows. Before his diagnosis, he feared that he had “some horrible degenerative disease”. Since then, he has undergone treatment and learned coping strategies. Importantly, he has become an advocate, inspiring thousands and highlighting the condition that affects nearly 300,000 people in the UK.

Similarly, we have just heard the remarkable story of John Davidson MBE from Galashiels. Many will remember the 1989 documentary, “John’s Not Mad”. John was just 10 when his tics first appeared. He was misunderstood, bullied and even hospitalised. He faced unimaginable challenges. Yet, through resilience and optimism, he transformed his life and became one of Scotland’s leading voices for Tourette awareness.

His new book, “I Swear: My Life with Tourette’s”, has been turned into a feature film, as we have heard, and shines a light on the lived experience of those with Tourette syndrome and how it challenges stigma and misconception. I know that Rachael Hamilton attended the cinema in Gala to see it; everybody was laughing and crying, and it received a huge round of applause at the end.

We must do more. We must have national guidance and consistent training for teachers and school staff. We need Tourette-specific content in

our additional support for learning framework and mental health strategies. We must ensure that communication is inclusive, through British Sign Language and other accessible formats, because those who have Tourette's often have co-occurring conditions.

Crucially, we must work with organisations such as Tourette Scotland to develop a national plan. That means increasing funding for support, better integration across education, health and social care and a public awareness campaign that reaches every corner of Scotland.

Let us honour the work of John Davidson, Lewis Capaldi and the many families who have fought for recognition, and ensure that every child with Tourette syndrome is supported to their full potential.

13:07

Pam Duncan-Glancy (Glasgow) (Lab): I thank my colleague Sarah Boyack for bringing this important and, indeed, milestone debate to the chamber, as Christine Grahame has pointed out.

I also thank Tourette Scotland for providing support, advocacy and education for people living with Tourette syndrome and their families, including in my region of Glasgow.

As has already been said, with one in 100 school-age children affected by Tourette's, the issue affects every part of society. However, as yet, it is not fully understood. That is why debates such as this are important.

One thing that is not commonly understood about the syndrome is that it rarely comes alone. As other members have mentioned, most people who have a Tourette's diagnosis also have other complex conditions, such as ADHD, OCD, anxiety or autism spectrum disorder, to name but a few. As with many conditions, it can be difficult for people to consider that more than one issue can affect people at any one time.

We are, of course, all multidimensional, and we need our systems and services to recognise and support that in all of our diversity. That includes the education system. However, for young people with Tourette's, including in the Glasgow region, the system falls below what we would expect. Some pupils do not get the additional support in schools that they need, which has a huge impact on their life.

Although many young people with Tourette syndrome have no additional difficulties at school, some may struggle. The form that that takes can be wide-ranging and includes the discomfort of holding tics in, which uses up a lot of energy and concentration and can distract from school work. It can also make it really difficult to maintain

concentration. It is crucial that we support young people to relax, to be themselves and to help others to understand when and how their condition affects them, so that they get the best possible chance at learning.

There are also specific adjustments that can be made at school that will help pupils. Writing can sometimes take a little longer for those with Tourette syndrome, and simple solutions can help, such as the provision of worksheets, rather than having to copy things down, or a list of tasks, rather than having to remember what is being asked. Assistive technology can help, too.

Tourette Scotland and others have highlighted those issues and believe that there is an urgent need for national guidance and consistent support for teachers and school staff to ensure that pupils with Tourette syndrome are supported to reach their full potential. The Scottish Government is reviewing wider additional support for learning, so perhaps it could consider specifically the needs of that group of young people when it does so.

Another solution to support people who live with Tourette syndrome is inclusive communication. That must be a feature of all of our Government's work, so that everyone can enjoy the right not only to learn but to participate in every aspect of society. If the Government were to agree to the calls from Tourette Scotland to deliver a national plan for support services and to raise awareness across education, health and social care and the wider public, inclusive communication could be a key feature of such a plan.

We are shining a light today on the experience of families who are living with Tourette's, not just because of the work of organisations such as Tourette Scotland, the campaigners and activists who we have heard about today and my colleague Sarah Boyack, but because of the release of the new film "I Swear", which sets out, as films so often do, to help others to see the beauty in difference, as well the challenges and stigma that surround it. Such films are important—I want to see more and more films on our screens that tell the story of disabled people and people living with conditions such as Tourette's.

I thank not only the film producer, but the executive producer, John Davidson, who the film is about, for making the film and for sharing the story far and wide. It is worth noting that the actor Robert Aramayo, who plays John Davidson, said that John was his most important resource in playing that role. However, his importance in the role of executive producer extends beyond that, because having more people living with those conditions both on screen and working in screen is crucial. On this occasion, the involvement of the Tourette's community in the film shows real leadership by those who made it.

I will end with words from John Davidson. In a BBC article about the film, John said that the

“film raises awareness but ... also gives people the grit and determination to keep going”.

He then asks people to

“fight on for their kids, go to schools, go to your local MPs”,

because

“We need people to stand up and listen.”

His words have now been said in Parliament and are on the parliamentary record. It is incumbent on us all to do as he asks—to stand up and listen, so that people can understand a little more about Tourette syndrome and how we can all work to improve the lives of people who are living with it.

13:12

Rona Mackay (Strathkelvin and Bearsden) (SNP): I thank Sarah Boyack for bringing this debate to the Parliament. I very much welcome the chance to take part in it.

Many people talk about the good old days, when everything was better than it is today and we did not have the problems that we have now. However, I believe that society has come on in leaps and bounds in many areas, particularly when it comes to removing stigma from medical issues and allowing the public to understand the once-not-talked-about conditions that many people suffer from.

As we know, Tourette syndrome is a neurological disorder that causes involuntary, sudden and repetitive sounds and movements called tics. Initial symptoms are typically tics, which can include motor movements such as shoulder shrugs, or vocal sounds such as throat clearing, which usually appear in childhood. The condition can be associated with other conditions, such as ADHD and OCD. Tics can be triggered by different things, including stress, excitement or tiredness. Symptoms of Tourette syndrome usually start around the age of six and can get more noticeable around the age of 10. For some people, the condition improves with age. The syndrome, which is more common in boys than in girls, is not curable but can be relieved by following guidance on wellbeing and relaxation.

Tourette Scotland is a fantastic organisation that informs and supports the estimated 300,000 children and adult sufferers throughout the UK. I completely agree with Sarah Boyack’s motion that people with Tourette’s should be supported in schools as part of the wider additional support needs framework, and I agree with others who have spoken about the lack of guidance and support on the issue. I look forward to hearing the minister’s remarks in that regard.

I mentioned earlier, as have others, the importance of removing stigma from the condition. One way to do that is through the creative arts. High-profile figures such as Lewis Capaldi and David Beckham have been quite open about their condition, which is to be greatly welcomed.

The film that we have all been talking about, “I Swear”, has taken the world by storm. My young constituent Scott Ellis Watson, of Bishopbriggs, is a rising star, and his debut performance in the film has been widely acclaimed. I was proud to lodge a parliamentary motion to congratulate him, and I look forward to presenting him with it shortly. The film topped the box office as the number 1 film in Scotland and across the UK in its first week of release. Much credit is due to Scott’s family—his proud parents, Julie and Jimmy, and his siblings, Stella and John—for their encouragement. The fact that the film, which was produced by StudioCanal, has been such a success is fantastic news for sufferers, because it means that people will better understand what they are going through, which can only be a good thing.

Scott plays teenaged John Davidson and, as has been widely referenced, his performance is so impressive. John’s real-life experiences of navigating daily challenges with Tourette syndrome are powerfully captured in the production. By working closely with John, Scott was able to highlight how the condition can impact young people, both educationally and socially, at a time in their lives when life can be difficult enough. Scott portrays John just as he is in real life—dignified, funny and clever—as we have heard. That is why the film is so important. Tourette’s is a human condition that is often hereditary, and we should know that the people who are affected are just like us, with their own personalities and emotions.

I hope that the debate and that important film will lead to greater understanding of Tourette’s among the public and our educational and clinical institutions. That is the very least that people deserve.

13:16

The Minister for Drug and Alcohol Policy and Sport (Maree Todd): I am delighted to respond to the debate on behalf of the Government as we discuss the support that is available to people with Tourette syndrome and the awareness of the condition. I thank all members who have spoken for their thoughtful contributions. In particular, I thank Sarah Boyack for this important and—as my colleague Christine Grahame said—milestone motion.

My colleagues have mentioned a number of their constituents. It is heartening to hear about

some of the immense successes. For example, Tyler, despite having a challenging diagnosis and there being a lack of support available to him, has achieved huge success. It is inspiring and meaningful for people to hear about such stories. It is also great to be reminded of Lewis Capaldi, David Beckham and other high-profile people who have spoken about their diagnosis, because it is a diagnosis that is widely misunderstood.

The condition has been around for a very long time. Georges Gilles de la Tourette described it in 1885, but it took us until the 1960s and 1970s to understand the neurological processes that influence the condition, instead of seeing it simply as a behavioural condition. Our understanding has continued to grow ever since.

Sarah Boyack made a number of healthcare asks. There are barriers to achieving a Tourette's diagnosis in Scotland, but the situation has significantly improved recently. There has been a 16 per cent increase in the number of neurology staff at all grades in NHS Scotland over the past 10 years, as well as a 47 per cent increase in the number of neurology consultants, so we are increasing capacity. We have also increased our capacity for imaging, which is part of the diagnosis process, by providing 13 mobile MRI and four mobile CT scanners to help people to get the diagnostic tests that they need. Some boards now deliver additional activity seven days a week, 12 hours a day, to reduce diagnostic waits.

As a junior health minister, I recognise the challenges in accessing treatment. I am keen that we pick up issues relating to access to therapies with colleagues in the health ministry, because that would be useful. I recognise how debilitating Tourette syndrome can be, and I assure members that we are committed to ensuring that everyone who lives with Tourette syndrome in Scotland is able to access the best possible care and support.

The Government has a vision of a Scotland that is free from stigma and inequality, where everyone fulfils their right to achieve the best mental health and wellbeing possible. Some of the stories that we have heard during the debate clearly illustrate that we need to do a great deal more to achieve that vision. I want the stigma around the condition to end, and I want our young people to be supported to reach their full potential. I commend the tireless efforts of Tourette Scotland in supporting people through the physical and emotional challenges that the condition brings.

The Cabinet Secretary for Education and Skills has committed to a review of additional support for learning, and she convened a cross-party round-table meeting to engage with members and local government. They discussed priorities and their thoughts on the scope of the review to improve support for children and young people who require

additional support for learning in school. I understand that the education secretary is considering the next steps following that productive session. I strongly encourage Tourette Scotland to engage with the education secretary on that process to ensure that its asks are heard within that general review of ASL.

Sarah Boyack: I very much welcome the minister's comments about the action that she has committed to. When I left the screening of "I Swear", I reflected that the condition affects not just the NHS and education but every part of our lives, including transport and the police. There is a big issue around public sector education and learning, and there is also a need to promote wider awareness among the public, so that we all understand the condition and think about what we can do to support people. We also need awareness so that we do not react in a way that makes somebody's life worse.

Maree Todd: I absolutely understand the point that my colleague has made. The film "I Swear" will probably do more for public understanding than anything that the Government can do. I commend the creative effort that went into the film. Sometimes, creative projects such as that can shift public understanding in a way that Government campaigns cannot. I am confident that my colleagues across the Government would be content to engage on the issue to see whether there is more that we can do.

There was record investment—more than £1 billion—in additional support for learning by local authorities in 2023-24. The budget for 2025-26 set out an additional £29 million for additional support for learning, which includes an allocation for local and national programmes to support the recruitment and retention of the ASL workforce, ensuring that we build on the work being delivered through the additional support for learning plan. That funding will be used to improve outcomes for all children and young people with ASN, in line with the Education (Additional Support for Learning) (Scotland) Act 2004, and it will build on existing spend on inclusion to ensure the broadest possible reach.

All teachers undertake ASN training during their initial teacher education, which is a requirement to meet the professional standards for registration with the General Teaching Council for Scotland. We remain committed to exploring options for initial teacher education, and we are considering further steps to improve the support that is available for teachers in other areas.

There is a wide range of free professional learning opportunities set within the Scottish context, which individual educators, establishments, local authorities and unions can use and adapt to suit their context. They are

provided by a range of organisations, including Education Scotland, professional organisations, unions, health bodies and third sector organisations. We work with third sector organisations such as the national autism implementation team to produce materials that support professional learning and development for those working with autistic learners.

As Pam Duncan-Glancy said, the condition is often diagnosed alongside others. We are working with partners to develop that work further and to improve the support that is available. Teachers have access to an inclusion, wellbeing and equalities professional learning framework via Education Scotland, as is outlined in the most recent additional support for learning action plan update.

I thank everyone who has contributed to the debate, Tourette Scotland and the individuals who have come along to hear the debate for highlighting the needs of people with Tourette syndrome. We will continue to work with people with lived experience, third sector partners and education providers to improve the lives of people with Tourette syndrome across Scotland.

13:24

Meeting suspended.

14:00

On resuming—

Portfolio Question Time

Education and Skills

The Deputy Presiding Officer (Liam McArthur): Good afternoon. The first item of business this afternoon is portfolio questions, and the portfolio on this occasion is education and skills. I remind members who wish to ask a supplementary question to press their request-to-speak buttons during the relevant question.

University Tuition Fees

1. **Kevin Stewart (Aberdeen Central) (SNP):** To ask the Scottish Government how many university students have benefited from free tuition since the Scottish Government abolished tuition fees. (S6O-05147)

The Minister for Higher and Further Education (Ben Macpherson): Analysis of data from the Student Awards Agency Scotland, otherwise known as SAAS, shows that approximately 740,000 students—that is around three quarters of a million—have benefited from free tuition fees on higher education courses between 2007-08 and 2024-25.

Kevin Stewart: It is gratifying that 740,000 people have benefited from free tuition here, when students in England and Wales are about to face tuition fees of £9,535 per year. Will the minister assure me and my Aberdeen Central constituents that university tuition in Scotland will always be free under the Scottish National Party?

Ben Macpherson: The Scottish Government is resolute in its commitment to free tuition, which ensures that higher education in Scotland is based on the ability to learn and not on the ability to pay. Free tuition is a policy that we stand by, and tuition fees will not be reintroduced under the SNP Government.

Free tuition helps learners not to accumulate as much debt through their studies. For example, through free tuition, undergraduate students in Scotland do not accrue a potential additional fee debt of around £28,000. The fee debt in other parts of the United Kingdom is significant. For example, in England, around £53,000 of debt is accrued. We have the lowest average debt in the UK, and we also have impressive rises in widening access. Collectively, state-funded investment in higher education is to the benefit of us all.

Miles Briggs (Lothian) (Con): What consideration has the minister given to equity within the current loan-based system? According to the 2024 London Economics report entitled

“Examination of higher education fees and funding in Scotland”, under that system, graduates who learn earn less over their lifetime pay more back in interest than graduates who earn a lot more money—a situation which predominantly benefits men, to the detriment of less well-paid female graduates.

Ben Macpherson: Miles Briggs raises points about debt that is accumulated through SAAS student loans. As I mentioned, as Scotland does not have tuition fees, such debt is much lower for students studying in Scotland than it is in other parts of the UK. As I stated in my previous answer, and according to a Student Loans Company publication in June 2025, average student debt in Scotland is still the lowest in the UK, at around £17,990, compared with £53,010 in England. I take the point that we need to continue to consider how those loans are repaid, but every Scottish student starts on the basis of having less debt on average.

Curriculum (Artificial Intelligence)

2. Willie Coffey (Kilmarnock and Irvine Valley) (SNP): To ask the Scottish Government how AI might shape the future curriculum in Scotland. (S6O-05148)

The Minister for Higher and Further Education (Ben Macpherson): As a Government, we are committed to ensuring that children and young people are equipped with the skills and knowledge to live in a world in which AI is ubiquitous. To that end, the curriculum improvement cycle, led by Education Scotland, is continuing at pace. That will ensure that our curriculum remains relevant and better supports high-quality teaching and learning, while examining the skills, knowledge and understanding that children and young people will be required to develop. That work will include consideration of the place of AI in the curriculum, with specific academic expertise feeding into that process.

Willie Coffey: The minister might be aware of the discussion on AI that has been taking place at the Economy and Fair Work Committee. The opportunities for the use of AI in education in the areas of lesson planning, marking, research and materials preparation are very attractive, but there are clear risks, too. Will the Government’s revised strategy, which is due in spring next year, embed a clear sense of responsibility and ethical standards in any AI framework for our schools? Could the minister see the day when young people at school will be able to use their own personalised AI assistants to help them on their learning journey?

Ben Macpherson: Willie Coffey is right to emphasise the work of the Economy and Fair

Work Committee. I also pay tribute to the work of the Education, Children and Young People Committee. Indeed, a number of the Parliament’s committees have been looking at the issue and, as I said, the curriculum improvement cycle is looking at the issue from a Scottish Government perspective in terms of the curriculum and our young people.

Across Government and society, we need to think carefully but rapidly about how we respond to the technological revolution of AI. The economies that will succeed in the 21st century, through all reasonable and objective analysis, will be those that utilise AI effectively, so we need to get to a place where our young people and other people in our economy know how to use AI, and how to use it ethically, responsibly and productively.

Douglas Ross (Highlands and Islands) (Con): My supplementary question is on the bit of the question about the continued development of the curriculum. Exams play a role in that, in gauging not just how students have done but whether the curriculum has been set properly.

I want to ask the minister about a Scottish Qualifications Authority report, “Exploring Perspectives on National Qualification Marker Recruitment, Retention and Experiences”, which is detailed in today’s *Herald*. It is about on-going serious concerns in relation to the 2024 higher history exam. In the report, markers have been critical about the exam, how it was set and how it was marked. Some markers are now “discouraged” from marking on behalf of the SQA. They say that

“the standards ... were inconsistent and lacking transparency”

and that leaders who were part of the markers meeting spoke to people in “unprofessional” ways.

I have tried time and again to get answers from the Government on the issue. Will the minister commit to going back to his department and asking for a full review of the 2024 higher history result? Markers are still raising concerns, and some of them will not take part in future.

The Deputy Presiding Officer: That is not relevant to the original question. However, if the minister has anything to add, I am happy to allow him to do so.

Ben Macpherson: I appreciate that Mr Ross has put that on the record in the Parliament’s *Official Report*. As ministers, we will consider what has been raised, and I will inquire with officials about whether and when an official ministerial response can be issued to Mr Ross on those matters.

School Buildings (Asbestos)

3. Marie McNair (Clydebank and Milngavie) (SNP): To ask the Scottish Government when it last met with the Convention of Scottish Local Authorities or the education trade unions to discuss concerns about the presence of asbestos in school buildings. (S6O-05149)

The Minister for Children, Young People and The Promise (Natalie Don-Innes): Local authorities hold the statutory responsibility for managing and controlling asbestos in their schools. However, the Scottish Government continues to closely engage with COSLA, local authorities and the Health and Safety Executive on the issue. Furthermore, the cabinet secretary met NASUWT representatives last year to discuss asbestos in schools.

It is important to note that health and safety is not a devolved matter, and that the HSE holds United Kingdom-wide responsibility for enforcing the Control of Asbestos Regulations 2012.

Marie McNair: The potential for exposure to asbestos in situ can be avoided by its removal. The Educational Institute of Scotland, other trade unions and many campaigners support the phased removal of asbestos from schools and other public buildings. Will the minister request that the Cabinet Secretary for Education and Skills meet me and the Clydebank Asbestos Group to discuss how we can take forward such a policy in Scotland?

Natalie Don-Innes: We absolutely recognise the concerns about asbestos in schools and other public buildings. Since this Administration came to power, more than 1,150 school infrastructure projects have been completed, and significant investment by local authorities and the Scottish Government has helped to reduce the amount of asbestos in the school estate. However, as I mentioned in my original answer, local authorities hold the statutory responsibility for managing and controlling asbestos in their schools. For that reason, I encourage Marie McNair and the Clydebank Asbestos Group to raise the matter directly with the local council.

Martin Whitfield (South Scotland) (Lab): As was highlighted in the chamber earlier this year during the debate on the action for mesothelioma day, Scotland has one of the highest rates of mesothelioma in the world. Statistics show that, between 2011 and 2018, 94 female teachers in the UK lost their lives from an asbestos-related condition. The total figure for the general female working population is only 1,800, which means that teachers represent 5 per cent of that number. The issue is critical to them and it will be critical going forward—as has been mentioned by the EIS.

I understand that the Scottish Government feels that the responsibility lies with councils, but what can the minister say about the Government's responsibility to all the people of Scotland in relation to asbestos, which is an insidious and horrendous product that causes long-lasting painful periods before death?

Natalie Don-Innes: I appreciate the seriousness of the issue that Mr Whitfield raises. The Scottish Government recognises the hazard of asbestos. We expect local authorities to provide a safe environment for all school users. As I have already mentioned, the Health and Safety Executive has a United Kingdom-wide responsibility for enforcement of the control of asbestos regulations. However, recognising the seriousness of the matter, we continue to engage with COSLA, the Health and Safety Executive, local authorities and other interested parties to explore setting up a working group, to see what further progress can be made.

The Deputy Presiding Officer: Question 4 was withdrawn.

Higher and Further Education and Apprenticeships (Funding)

5. Kenneth Gibson (Cunninghame North) (SNP): To ask the Scottish Government whether it has revised the funding model for higher and further education and apprenticeships, to ensure it reflects current requirements. (S6O-05151)

The Minister for Higher and Further Education (Ben Macpherson): The Scottish Government is investing more than £2 billion to give people access to education, training and other activities that help them prepare to succeed in life. The Scottish Funding Council and Skills Development Scotland are responsible for the details of how that investment is distributed. The work that is under way to reform the skills landscape seeks to ensure that we have the most effective structures in place to meet our post-school training, education and skills needs in the future.

We continue to work closely with our agencies and stakeholders across the economy to respond to the challenges that the sectors face. I am aware that there are specific challenges affecting some institutions and sectors, and if it would be helpful, I would be happy to meet Mr Gibson to discuss any of those issues in relation to his constituency interests.

Kenneth Gibson: I thank the minister for that helpful answer and would be delighted to meet him.

Not all courses are the same. Delivering an engineering course costs, on average, £10,000 a year; for health sciences, the cost is £8,000; for

information technology, it is £7,000; and for business, it is £6,000. Does the minister agree with Audit Scotland that core funding should reflect the true delivery cost of a course and that targeted funding for science, technology, engineering and mathematics subjects and capital investment in advanced infrastructure are vital if we are to provide greater opportunities for young people and secure the economic growth that is essential to Scotland's future prosperity?

Ben Macpherson: We are grateful for the report from Audit Scotland that was published a few weeks ago and for what Audit Scotland relayed to the Public Audit Committee this week.

We are seeking to deliver an interconnected series of reforms that will make the post-school education system simpler, more responsive and more agile. We are also improving careers support, creating new national skills planning arrangements alongside colleagues in the economy directorate, enhancing apprenticeships, modernising qualifications and seeking to ensure that funding is targeted at the right opportunities.

There are great examples in Scotland in which business and higher and further education are working together to make sure that we fulfil the economic need in the regions and make sure that we provide opportunities that people can benefit from. Those examples include Ayrshire College, which I visited this week, and the City of Glasgow College, which I was at this morning.

There are situations where the need for consideration of funding is greater, and I am grateful to the member for raising the issue.

Pam Duncan-Glancy (Glasgow) (Lab): Trade unions have highlighted major concern about engagement during the Government's reforms to skills. This week, they have contacted me specifically to say:

"It is clear that decisions affecting the workforce are being made in forums where neither staff nor representatives have a voice."

They have requested representation on project boards but that has not been prioritised. They are also unclear whether the changes will result in compulsory redundancies.

Does the minister believe that the trade unions should be represented in the process, including on the project boards? Will he take the opportunity now to guarantee that there will be no compulsory redundancies? Will he publish a detailed workforce impact assessment before any changes take effect?

Ben Macpherson: I thank the member for raising those important points. In the short period of my tenure in this role, I have sought to engage proactively and reactively with trade unions. For

example, this week I have met the University and College Union and the Educational Institute of Scotland, and this morning I attended a Scottish Trades Union Congress event. I want to engage with trade unions on the issues that come under my responsibility. On the specific points that the member raised, if either she or the trade unions—or both—want to write to me about those matters, I will consider that correspondence carefully.

Miles Briggs (Lothian) (Con): Data from His Majesty's Revenue and Customs shows that, between 2020 and 2024, £875 million was raised by Scottish employers from the United Kingdom-wide apprenticeship levy, but research has found that, during the same period, Scottish National Party ministers spent just £704 million on apprenticeships. What investigation is the new minister implementing to find out what has happened to the £170 million that has not gone to apprenticeships, even though that is what the levy is meant to deliver? Will he look at how the greater transparency that is needed can be provided through the bills that are going through Parliament?

Ben Macpherson: On the apprenticeship levy and how the revenue from that is spent in Scotland relative to how it is spent in other parts of the UK, we need to consider the particular technicalities and nuanced arguments that have been set out to Parliament several times. I have relayed that to stakeholders, including members of the business community, in my tenure in this role so far.

Engaging with employers on the apprenticeship levy and the provision of apprenticeships in Scotland is a key priority for me and the Government. Of course, we are delivering a record number of 25,000 modern apprenticeships. Is there more demand for apprenticeships in our economy and our society? Yes, there is. Are ministers determined to help to increase the number of apprenticeships where we can, with the resource that we have, in order to meet the needs of the economy and to help our young people—and, crucially, those who are retraining—to learn and succeed? Yes, we are—that is a priority for us.

I thank the member for raising an important point, on which I look forward to having further engagement with him, stakeholders and the business community.

Poverty-related Attainment Gap (Local Authority Support)

6. Michael Matheson (Falkirk West) (SNP): To ask the Scottish Government what support is currently provided to local authorities to improve literacy, numeracy, and outcomes for young

people, while tackling the poverty-related attainment gap. (S6O-05152)

The Minister for Children, Young People and The Promise (Natalie Don-Innes): Over the past decade, through the Scottish attainment challenge, £1.75 billion has been invested in closing the poverty-related attainment gap in literacy and numeracy. We are seeing an impact, as the literacy attainment gap in primary, and the literacy and numeracy gaps at level 3 in secondary, are the narrowest that they have ever been.

We are determined to make further progress. As well as providing the attainment challenge funding, we continue to fund our read, write, count with the First Minister and reading schools programmes, as well as the school library improvement fund.

Michael Matheson: The minister will recognise that pupil equity funding and strategic equity funding are central to helping to support schools and local authorities to tackle the child poverty-related attainment gap. Falkirk Council has recorded a further narrowing of its numeracy attainment gap due to actions that have been taken by schools and education teams through the support of strategic equity funding. Given the importance of that funding, what impact data is being gathered in order to guide future decisions on the use of SEF?

Natalie Don-Innes: With the support of pupil equity funding and strategic equity funding, the poverty-related gap in positive initial destinations for school leavers reduced by two thirds between 2009-10 and 2024. The poverty-related attainment gap at national 5, higher and advanced higher levels narrowed in this year's results, and the poverty-related attainment gap in primary school literacy is at a record low.

It is clear that that funding is having a hugely positive impact, which is why the cabinet secretary has been very clear in saying that it will continue to be provided through 2026-27, to provide certainty to schools and local authorities.

School Provision (Robroyston)

7. Paul Sweeney (Glasgow) (Lab): To ask the Scottish Government what discussions it has had with Glasgow City Council regarding reports of a lack of sufficient local school provision in Robroyston. (S6O-05153)

The Minister for Children, Young People and The Promise (Natalie Don-Innes): Although it is the statutory duty of local authorities to manage their school estate, Scottish Government officials have been engaging with Glasgow City Council on this matter.

It is also worth noting that, through the £2 billion learning estate investment programme, the Scottish Government continues to provide substantial support to the council for its school estate, including funding for a new Gaelic primary school and Linburn academy.

Paul Sweeney: In 2009, Glasgow City Council identified Robroyston as a community growth area and approved massive family-oriented housing developments, under the condition that extended primary and secondary school capacity would follow. That was to be funded through the community growth fund.

Young families have moved in under the impression that that extra capacity would follow, but we are now at the end of 2025 and there is still no new school provision, with Smithycroft secondary school now being at full capacity and the plan to install modular accommodation being wholly unsuitable. I have spoken to dozens of parents who are now looking to move elsewhere.

Robroyston is right at the limit of the catchment area, and the walking route that Glasgow City Council suggests children take from Robroyston to Smithycroft is through an unlit graveyard, which is clearly an unsafe route. Will the minister join me and families from Robroyston to walk the route to Smithycroft secondary school to see the conditions and hear the families' concerns for herself?

Natalie Don-Innes: It is, of course, disappointing and concerning to hear the families' concerns. As I have said, we have been engaging with the local authority on the matter and have provided funding to support the school estate in the area. Obviously, I am answering questions on behalf of the cabinet secretary today and I am more than happy to share the member's concerns and the request for a meeting with her.

Colin Beattie (Midlothian North and Musselburgh) (SNP): Can the minister outline how the 2025-26 Scottish budget, which Paul Sweeney did not vote for, is supporting schools and local authorities to respond to the needs of Scotland's children and young people?

Natalie Don-Innes: The 2025-26 Scottish budget saw significant investment in our schools and local authorities to support our children and young people. It provided local authorities with £186.5 million to maintain teacher numbers, alongside continued funding of up to £200 million for the Scottish attainment challenge to close the poverty-related attainment gap.

Additional support for learning was strengthened with an additional investment of £29 million to improve outcomes for all children and young people with additional support needs, in line with the Education (Additional Support for Learning)

(Scotland) Act 2004. That will build on existing spend on inclusion to ensure the broadest possible reach.

I hope that that assures the member that those on-going considerations and the work on the previous budget support our school and learning estate and, most importantly, our children and young people.

The Deputy Presiding Officer: Question 8 was withdrawn. That concludes portfolio questions on education and skills.

Point of Order

14:21

Douglas Ross (Highlands and Islands) (Con): On a point of order, Presiding Officer. This is now the third day in a row that I have tried to raise the issue of the court case between For Women Scotland and the Scottish Government. In relation to my previous two attempts, ministers have said that they absolutely cannot comment on a live on-going case. I do not believe that. I think that they actually can comment on a live on-going case.

I understand that, after First Minister's questions today, the First Minister's official spokesperson confirmed on the record that it is a choice of the Government not to comment on the case that it has taken to court to try to get biological males to be imprisoned in the female prison estate. It is not a legal requirement that ministers cannot comment. I reiterate that the Government's spokesperson has confirmed that ministers have chosen not to comment rather than that they are legally prohibited from commenting. That is directly opposed to what the cabinet secretary told members repeatedly on Tuesday.

What actions can we as back-bench members take to get truthful answers from Government ministers? Can Angela Constance be recalled to the Parliament to explain why she told us that she was legally unable to comment on a case that the Government has now confirmed that it is just choosing not to comment on? What further action can we take in the Parliament to get answers on this serious issue?

The Deputy Presiding Officer (Liam McArthur): I thank Douglas Ross for the advance notice of that point of order. It is worth reflecting on the fact that an urgent question was selected earlier in the week, which, it is safe to say, was a result of the fact that the Presiding Officer deemed that question to be admissible under rule 7.5.1 of standing orders, and that, although there are issues of sub judice attached to the issue, the Presiding Officer was satisfied that the bar of contempt had not been reached by the nature of those questions.

Although members should avoid any comment on the facts or the evidence of the individual case, opening up discussion around policy issues relating to the case was allowed. As a party to the case, it is for the Scottish Government to decide the level of detail that it wishes to go into in response to questions. That is perhaps as far as I am able to advise on that aspect of the point of order.

On the point about pursuing the matter further with the cabinet secretary, that is possible through

business managers making requests of the Parliamentary Bureau in the normal way. I am sure that that would merit further discussion.

There will be a brief pause before we move on to the next item of business to allow those on the front benches to change.

Winter Preparedness (Health and Social Care)

The Deputy Presiding Officer (Liam McArthur): The next item of business is a statement by Neil Gray on winter preparedness and national planning priorities for health and social care. The cabinet secretary will take questions at the end of his statement, so there should be no interventions or interruptions.

14:25

The Cabinet Secretary for Health and Social Care (Neil Gray): Earlier this year, we published our operational improvement plan, service renewal framework and population health framework, which together set out the short, medium and long-term actions that we will take over the next 10 years. Fundamental to our approach is giving greater control to those who best understand our national health service and social care system: the committed workforce that runs those services every day.

Our focus on winter this year is very much in line with that. It involves supporting services to plan for winter pressures in a way that best suits their local circumstances while ensuring consistency across the country through nationally agreed priorities and principles. However, today does not represent the start of our winter planning. On the contrary, we have been working since last winter to learn lessons and support NHS boards and social care partners to plan their own preparedness and response.

We have worked with partners in both the NHS and the Convention of Scottish Local Authorities to agree local plans that are underpinned by our national principles, and I am pleased to share those more widely today through the publication of our document “Surge and Winter Preparedness in Health and Social Care Services—National Planning Priorities and Principles”. That planning document builds on experience of previous years and sets out what matters most: prioritising care for those who need it most; taking preventative measures to keep people well; ensuring that people receive the right care, in the right place at the right time; supporting the mental health and wellbeing of the workforce; and maximising capacity by improving patient flow and access, reducing delayed discharges and tackling long waits.

Those principles will ensure that people continue to receive high-quality care even when demand increases and not only in winter but year round, including during periods of surge demand due to respiratory viruses, heat-related illness or major local events. Every year, when the

temperature drops and winter arrives, viruses such as the flu are a concern. As this year's winter vaccine marketing campaign reminds us,

"For some, flu hits harder",

and it can be extremely serious. Although it is too early to predict what the dominant flu virus strain will be this season or how the season will evolve, I am paying close attention to the data.

With cases starting to rise and emerging evidence suggesting that this may be another particularly difficult flu season, I urge all those who are eligible for vaccination to come forward and make it a priority to get protected. No matter what, vaccination remains our best defence and one of our most important preventative public health interventions. Almost everyone who is eligible to receive a winter vaccination should now have been contacted with an appointment or a prompt to book one. I encourage anyone who is eligible but who has not yet heard to check the NHS Inform winter vaccines page for more information.

Members will remember that, at the peak of the season last year, we saw emergency hospitalisations increase significantly, with more than 6,500 adults being admitted to hospital as a result of flu. This year, given the early rise in cases among children and teenagers, I specifically encourage parents and carers to support children to have the vaccine when it is offered to them at school. That is also vital in helping to prevent transmission of the virus to older or more vulnerable family members and friends. Contrary to what we have heard in some quarters, vaccines are safe and effective and save lives, and I ask for the support of colleagues from across the chamber to reinforce that message.

The readiness of our services to respond to winter is closely tied to the progress that we are making to strengthen our NHS. Waits, particularly by those who have been waiting for more than a year, are coming down for the fourth month in a row. I know that some in the chamber seek to suggest that we are not making progress, but that does a disservice to the incredibly hard-working staff whose efforts mean that our NHS is turning a corner and delivering tangible improvements.

We are also treating more people, with more than 31,000 more appointments and procedures between April and September this year than in the same period in 2024. Diagnostic backlogs are being tackled by increasing capacity through enhancing radiology services and mobile scanning units so that, by March 2026, 95 per cent of those who are referred will be seen within six weeks. We are expanding the number of hospital at home beds to 2,000, making that Scotland's largest hospital.

We have increased access to front-door frailty services in accident and emergency departments, improving patient flow and outcomes. I saw that at first hand on my recent visit to Dumfries and Galloway Royal infirmary's acute frailty unit. The average hospital stay for those who are admitted to that unit is now 3.4 days compared with a typical 17.5-day average hospital stay for frail older patients.

We are rolling out a theatre scheduling tool that is increasing operating theatre productivity by up to 20 per cent for some specialties.

We are also seeing progress on urgent and unscheduled care. We are working closely with both NHS 24 and the Scottish Ambulance Service to ensure that they are as resilient as possible ahead of winter. Following a £5 million investment, NHS 24 has implemented new call centre and clinical support systems that are bringing benefits and efficiencies for patients and staff. Over 90 per cent of eligible ambulance requests are now transferred digitally by NHS 24, eliminating manual transcription, reducing errors and significantly speeding up the process for patients.

I am pleased to confirm that the Scottish Ambulance Service will recruit more than 290 new front-line staff this year, including newly qualified paramedics and ambulance care assistants, some of whom I had the great pleasure of meeting when I visited the Queensferry contact centre earlier this week.

To ensure a resilient system that can adapt to the challenges that we face requires a collective effort. That is why I am pleased to confirm today that I am also directing boards to take a new subnational planning approach to some key priorities. On digital care, business systems, emergency access standards and orthopaedic elective services, I expect boards to work together to achieve a significant and measurable impact for patients and communities. That will see us optimise the capacity in our system. In doing that, I want to ensure there are no barriers to boards working collaboratively to deliver high-quality, safe and effective care to patients and communities across Scotland.

Although boards' geographical boundaries and current accountabilities will remain, there will be new expectations about structured subnational planning and delivery. To deliver that, NHS boards are putting in place two subnational planning structures—one focused on the east of Scotland and one focused on the west of Scotland—building on the good joint working that is already in place. That is about ensuring that the same high-quality care is provided no matter where people live and, in particular, how we ensure that the unique needs of our Highland, rural and island communities are being met.

There will also be a vital role for our special health bodies in engaging with and supporting that new planning approach, and I have been clear that I expect trade unions to be engaged as that work develops. Indeed, our workforce will be pivotal in ensuring that this approach to service planning brings improvements for staff and patients, and I look forward to engaging with staff-side colleagues on the effective implementation of the approach when I meet them next week.

I turn to social care. I recognise that our response to winter must be a whole-system response and that our social care sector has an incredibly important role to play. I acknowledge the real challenges that the sector is facing at the moment—not least the United Kingdom Government's increase to employer national insurance contributions, which is costing social care providers £84 million, and its increasingly harsh and restrictive approach to international social care workers.

I also acknowledge the historical and systemic issues that the sector is facing when it comes to funding and structure. Although investment has reached record highs, Scotland's adult social care sector faces strain. There is much more work to do in the longer term, and I reiterated that when I met COSLA's spokesperson for health and social care, Councillor Paul Kelly, yesterday. I do not shy away from that and neither does he. However, we know that the sustained pressure on the system exacerbates over the winter months, and I am determined to ensure that that pressure is relieved as much as possible.

That is why I confirm today that we have identified up to £20 million to bolster social care capacity and support front-door resilience in the areas where need is most evident. That funding will be delivered through health boards to build on the examples of success that we have seen in NHS Lothian and NHS Forth Valley, where the sharing of resource across the health boards and health and social care partnerships has delivered significant improvement. Investing in social care is the right thing to do, but it will also help to reduce hospital admissions and, ultimately, relieve pressure on our NHS acute services.

The measures that I have outlined today represent only a small slice of the vast amount of work that is already under way. Although I have outlined some of the real progress that we have made so far, I am committed to providing a more comprehensive report for the end of the current session of Parliament. That will include reporting on progress against our operational improvement plan, service renewal framework and population health framework, as well as a final report against our NHS recovery plan for 2021 to 2026.

Taken together, all that will demonstrate how we have progressed recovery from the huge impact of the pandemic and how we are modernising our NHS and social care services for the years ahead. I thank our dedicated NHS staff, who I know will continue to work tirelessly in the coming weeks and months. I will continue to ensure that we are prepared not only for this coming winter but all year round.

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

Brian Whittle (South Scotland) (Con): I thank the cabinet secretary for advance sight of his statement. Christmas will be on 25 December this year, and Hogmanay will be on 31 December—I mention that to the cabinet secretary because, given the lateness of his statement, I can only assume that the Scottish Government has somehow missed the fact that winter typically comes round once a year, after autumn. If it can miss that, who knows what other annual events might sneak up on it?

Last winter was one of the toughest that Scotland's NHS has ever faced, and this year looks set to be worse. Patient waits for ambulances can be measured in hours or days, not minutes. Delayed discharge is still a massive issue—a decade after the Scottish National Party pledged to end it—and one in six Scots is on a waiting list. The Scottish Government has announced more funding for general practitioners, but that will come in future years and will not come close to the cuts that have seen GPs' share of NHS funding fall from 11 to 6 per cent. The Government announced walk-in GP clinics, but the location of the first one has not yet been chosen.

This year's flu outbreak is predicted to be one of the worst in years, but the vaccination rate among healthcare staff fell to 35 per cent last year. Members of the public who are being offered flu and Covid jabs are being told by health boards that they will not get them until well into December, despite cases of both viruses already being on the rise. That hardly points to any level of preparedness. How does the cabinet secretary propose to properly fund primary care and get more people vaccinated more quickly? Does he accept that it might have been better had he woken up to these entirely predictable issues before November?

Neil Gray: On the timing, the statement that I bring to Parliament—as I said in my statement, which Brian Whittle had advance sight of—is not the start of the process for winter planning. That

has been under way for months. Indeed, as I said in my statement, it began last winter, when we learned lessons from the seriousness of the situation when, as Brian Whittle describes, there was an unprecedented spike in flu cases. That is why the work that we have done on vaccination leading into this year is so important, why the marketing campaign is directed as it is, why we are explicit in our messaging around ensuring that people who are eligible are getting access to the vaccination programmes, and why we are supporting parents to do so for their children.

Mr Whittle references investment in primary care and GPs, which gives me the opportunity to say that the investment that is coming is the single greatest increase in investment in general practice that has ever been delivered in Scotland. It has been delivered by negotiation and consensus with the Scottish committee of general practitioners of the British Medical Association and the Royal College of General Practitioners. Nor have we waited for that; we have increased investment in general practice this year as well. That is because we recognise—as I know Mr Whittle does—the need to shift the balance of care and move to a more preventative approach, and that starts with primary and community care that is led by general practice.

Jackie Baillie (Dumbarton) (Lab): I thank the cabinet secretary for his statement, but it comes two months later than it did last year, and he knows that every day counts.

A mutated H3N2 flu is heading this way—it has devastated Australia, has closed schools in Japan and is surging in India and mainland Europe. The flu season has already started, more than five weeks early, and vaccination rates are down. There are 400,000 fewer adults vaccinated now than there were this time two years ago. Children's vaccination rates are also down, and some areas have not even started. In the Highlands and Islands, GPs were promised that they would be able to deliver vaccinations to increase take-up rates, but nothing appears to have happened.

Today, the cabinet secretary and I attended a Royal College of Nursing conference at which we both spoke about the importance of prevention instead of the crisis-driven, sticking-plaster approaches that are so common under this Government. By not delivering vaccinations at pace and scale to protect the population and to protect our NHS from winter pressures, has the cabinet secretary failed at the first hurdle of prevention?

Neil Gray: I recognise the potential prevalence of H3N2. I received a briefing on that from the chief medical officer, alongside the First Minister, earlier this week. It is too early to say whether that will be the dominant strain of flu this year, but I

recognise Jackie Baillie's points about the impact that it has had elsewhere in the world. That is also why my statement points to the need to ensure that we are asking people to take up their vaccination appointments, which I hope the member will reiterate in her communications.

I expect that everyone who is eligible for a vaccination has now received an appointment. If they have not, they should contact NHS Inform and seek the advice that they need. I encourage everyone to take up the vaccine and parents to enable their children to take up the vaccine. We know that H3N2 has initially been most prevalent in children and teenagers. In order to prevent the spread from becoming more critical for adults, which happened last year, we need to ensure that immunity is provided, and that is exactly what we are investing in across Scotland.

Rona Mackay (Strathkelvin and Bearsden) (SNP): I recognise the importance of the Scottish Government's hospital at home service, which prevented 15,470 people from spending time in hospital in 2024-25. I note that the cabinet secretary referenced the use of frailty services in A and E wards. Those services are crucial during the colder period. Can the cabinet secretary outline how the Scottish Government will ensure that the work of those services is supported and enhanced going forward?

Neil Gray: Rona Mackay is absolutely right: we have made strong progress to ensure that every health board has frailty services in its A and E departments. Implementation is at different stages, and all boards continue to develop their services. The service will particularly help older patients, with the average length of hospital stay reduced by around 14 days and no increase in readmissions. We have been speaking about the preventative approach that we need to shift to, and that is exactly the type of preventative approach that is proven to work. We are also on track to deliver 2,000 hospital at home beds by December next year. We are shifting the balance of care from acute hospital-based settings into the community and into people's homes whenever possible, ensuring that people get the right care in the right place and at the right time. That is underpinned by £200 million of record funding going into the health service.

Liam Kerr (North East Scotland) (Con): NHS Grampian is already in crisis. Despite the best efforts of hard-working crews who are doing their absolute best, the average emergency ambulance turnaround time at Aberdeen royal infirmary is now almost two hours, and one in 10 ambulances are stacked for over four hours. That is in the context of a £68 million overspend this year. Incredibly, neither the cabinet secretary nor his overdue plan even mention NHS Grampian. What precisely will

the cabinet secretary and his overdue, last-minute plan do to guarantee that ambulance response times will not get even worse for the people of the north-east this winter?

Neil Gray: I met Ambulance Service staff last month, when I visited the ARI, and I heard directly from them the concerns that they have and about the incredible work that has been done by the hospital ambulance liaison officer—HALO—staff at the front door of our hospitals. I pay tribute to them for that work. I am also impressed by the work that is being done by Ambulance Service colleagues and by our unscheduled care leadership in NHS Grampian to come forward with an improvement plan for the health board. That is being overseen by the oversight board and the assurance board, which is relevant to NHS Grampian's escalation status. We have committed additional funding to NHS Grampian for its unscheduled care pathway work.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): Approximately one in three people over the age of 65 in Scotland fall each year, while about half of those who are over 80 fall at least once a year. Falls are the most common reason for an ambulance being called for an older person, and they are a leading cause of hospital admissions for unintentional injuries. In winter, slips on untreated pavements increase the number of falls, but the cost to the NHS, the Ambulance Service and accident and emergency departments of hospitalisations and perhaps social care after hospitalisation can be reduced. Gritting pavements is the responsibility of local authorities, but will the cabinet secretary consider authorising NHS boards to provide funding to local authorities specifically to help them to grit pavements? I have no doubt that that would prevent at least some falls, which have a cost not just for the individuals' health but for the public purse. Why not pilot that approach and see whether I am right?

Neil Gray: I absolutely agree with the premise of Christine Grahame's question. She is absolutely right that slips, trips and falls are a significant reason why we have increased admissions to hospital over winter. I can assure her that part of the reason why the plan is jointly published with the Convention of Scottish Local Authorities is that we recognise that many of the drivers of poor health and admissions to our health system involve issues beyond the health service, including, as she points out, gritting pavements and ensuring that walkways are cleared. I am more than happy to continue my discussions with COSLA colleagues, to ensure that they are taking those responsibilities seriously.

Paul Sweeney (Glasgow) (Lab): On Saturday morning, I spoke to a nurse who had just finished

her night shift at Glasgow royal infirmary's A and E department. She said that the corridors in that department are already filling up with elderly patients who are stuck on trolleys and are unable to be admitted to wards, and that she and her colleagues are terrified that the situation is only going to get worse as the winter deepens, given that it is only mid-November. From conversations that she has had with colleagues from other hospitals, she knows that corridor care is the norm in many hospitals across Scotland. Will the cabinet secretary give a personal guarantee to my constituent and her colleagues at Glasgow royal infirmary that this winter preparedness plan will finally end the disgrace of corridor care in Scottish hospitals?

Neil Gray: I pay tribute to the work that has been done by Mr Sweeney's constituent and many others, not just in Glasgow royal infirmary but elsewhere in NHS Greater Glasgow and Clyde and across the health service in Scotland.

As Mr Sweeney knows, corridor care is not a phenomenon solely in Scotland but is a challenge that all hospitals face—I have family members in the north of England who see a very serious situation in that regard at present. That is not to say that I do not accept the challenge that is before us—of course I do. I see it when I go out, and I hear it from staff. I do not accept that the situation is either an inevitability or a norm. It is one that we must tackle, which is why I will work with our staff and health boards to ensure that improvements are made.

Clare Haughey (Rutherglen) (SNP): The Scottish Ambulance Service is a vital component of emergency care throughout the year, but particularly in winter, and Scotland is not unique with regard to the pressures that ambulance teams face. I note that, under the Labour Government in England, the category 1 and 2 ambulance response times in September were the slowest since February, while the category 3 and 4 response times were the slowest since December 2024. I welcome the steps that the cabinet secretary announced in his statement to shore up Scotland's ambulance service, and I welcome the news this week of an increase in the number of call handlers for the service and NHS 24. Will the cabinet secretary outline how those changes will bring benefits for patients over the winter months?

Neil Gray: Clare Haughey puts on the record important context relating to the challenge that is being faced in all parts of the United Kingdom, despite what Labour colleagues here might say.

As I set out in my statement, we are increasing investment to strengthen the Scottish Ambulance Service and NHS 24 ahead of winter. More staff will help to address capacity challenges, improve care for those who need urgent treatment and

ease pressure on accident and emergency departments. Additional roles in the Ambulance Service's integrated clinical hub mean that more patients can be treated without unnecessary hospital visits, freeing up crews to deal with life-threatening emergencies.

Likewise, the recruitment of new NHS 24 staff will reduce call handling times, manage rising demand and enhance clinical supervision, ensuring faster and safer triage for patients. We have also significantly increased the number of paramedics in recent years, and those changes will deliver tangible benefits for people across Scotland during the busiest months. I pay tribute to our Scottish Ambulance Service staff and thank them for the work that they do.

Maggie Chapman (North East Scotland) (Green): The winter period will place extra pressure on unpaid carers as well as paid staff. I note that the "National Planning Priorities and Principles for Surge and Winter Preparedness in Health and Social Care" document states:

"support for the wellbeing ... of ... carers should be embedded in surge planning".

Will the cabinet secretary provide more detail about what that support should entail and how unpaid carers can find out what extra assistance they might be entitled to?

Neil Gray: I thank Maggie Chapman for raising a critical issue. All MSPs know well the critical role that our unpaid carers play. In my area, the Lanarkshire Carers centre provides phenomenal advice and support to local unpaid carers. I expect those types of services to pass on the type of advice and support that Maggie Chapman is looking for, and I will provide further detail on where those services are in writing to Ms Chapman following my statement.

Alex Cole-Hamilton (Edinburgh Western) (LD): This morning, the cabinet secretary and I attended a conference that was organised by the RCN for nurse activists. He will remember the moral injury that was etched into the faces of the nurses at that conference—caused by things such as corridor care and not being able to provide timeous support to patients, some of whom have been languishing on waiting lists, along with 800,000 of our fellow Scots.

Does the cabinet secretary recognise that, for as long as 2,000 Scots are stuck in hospital, well enough to go home but too frail to do so without investment in social care in our communities—without either a care bed to receive them or a care package to bring them home—the problem will only get worse as the winter months draw in?

Neil Gray: I accept the premise of Alex Cole-Hamilton's question, as I did at the RCN

conference this morning. Later this morning, I set out to the Royal College of Midwives my gratitude to staff for the work that they are doing. I want to address the challenges that staff raised and celebrate the remarkable contribution that they deliver. Too often, their contributions and individual innovation and service delivery go unnoticed, to the detriment of their work, in favour of people outlining only the challenges in the system.

The best way that we can address moral harm and injury is by improving access to our health service and reducing waiting times. We are turning a corner in that regard, thanks to the investment in the budget that Mr Cole-Hamilton supported, as well as the incredible endeavours of our staff. I agree with him on the situation regarding delayed discharge and social care. That is why, as I said in my statement, I have allocated additional resources for social care.

Fulton MacGregor (Coatbridge and Chryston) (SNP): The recent media reports about the upcoming flu season are very concerning, as the cabinet secretary has said. Will he outline the measures that will be taken to ensure a high level of uptake of flu vaccinations as we approach the colder weather, when flu becomes more prevalent in our communities? What more can members across the Parliament do to encourage uptake in our communities?

Neil Gray: I thank Fulton MacGregor for giving me the opportunity to put on the record the importance of vaccination as part of our preparedness for winter. Experts in Public Health Scotland and the Scottish Government are closely monitoring the flu situation, but vaccination remains the best protection against flu. That is not just my message—the message of experts is clear that everyone who is eligible should come forward for vaccination.

We are working with health boards to make access easy and convenient, supported by a national campaign and engagement with trusted community voices to highlight the seriousness of flu. In concert with the chief medical officer, I have written to all NHS chief executives and social care providers in Scotland to ask them to set out how they are supporting health and social care workers to get vaccinated. Digital reminders have been introduced, and health and social care staff are receiving prompts to get vaccinated. Boards are also offering drop-in clinics and appointments that can be booked in any health board area, making it simpler for people with busy lives.

Finlay Carson (Galloway and West Dumfries) (Con): Presiding Officer, like you, the cabinet secretary is understandably proud of his Orkney roots—he often mentions that when he explains how he understands rural issues—so you can

understand my surprise and disappointment that the national planning priorities make no explicit mention of rural health challenges.

Across health and social care in Dumfries and Galloway, there is a combined funding gap of £58 million. Given that and the unique pressures in areas such as Dumfries and Galloway, including workforce shortages, long travel times and limited access to specialist care, how will the cabinet secretary ensure that rural communities are not disadvantaged? How will he ensure that, in practice, the new planning structures to optimise capacity address the distinct needs of rural and remote communities, rather than resources being focused on urban centres, where economies of scale are achieved?

Neil Gray: Finlay Carson is absolutely right. In my discussions with colleagues on moving to a subnational planning structure for planned care activity, for instance, I have been explicit that I expect there to be support for rural and island communities to ensure that they are treated equitably. I do not expect our system to move forward with transportation happening in only one direction. NHS Highland's national treatment centre is evidence of people travelling from the central belt to a Highland resource. That demonstrates that we are looking to ensure better equity both in the provision of healthcare and in who we expect to travel where.

Stuart McMillan (Greenock and Inverclyde) (SNP): The cabinet secretary will share my concerns about the pressures that Scotland's social care sector faces this winter—pressures that have been exacerbated by Labour's increase to employer national insurance contributions. We know that social care workers play an invaluable role in our communities, so will the cabinet secretary outline what steps the Scottish Government is taking to ensure that NHS boards improve flow from hospitals to social care settings, and set out what additional support is being put in place to support the social care sector?

Neil Gray: Social care providers face real financial pressures from the UK Government's increase to employer national insurance contributions, as Stuart McMillan highlighted, which is expected to cost the sector an additional £84 million. That is coupled with workforce shortages across the care sector that have been exacerbated by a significant decline in the number of health and care visas that are being granted by the Home Office—there was a 77 per cent drop in the year to June 2025.

We are working closely with partners to understand the impact of those issues, to identify further mitigating actions and, at the same time, to improve hospital flow and reduce delayed discharge. That is critical.

The money that we are announcing today will be targeted at the local systems that are most in need in order to deliver faster discharge and better integration with social care. Alongside that, record funding of £15 billion for local authorities in 2025-26 will help to strengthen resilience.

The Deputy Presiding Officer: That concludes this item of business. Before we move to the next item, there will be a brief pause to allow a change of front-bench members.

Scottish Parliament (Recall and Removal of Members) Bill: Stage 1

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is a debate on motion S6M-19565, in the name of Graham Simpson, on the Scottish Parliament (Recall and Removal of Members) Bill at stage 1. I invite members who wish to speak in the debate to press their request-to-speak buttons. I call Graham Simpson, the member in charge of the bill, to speak to the motion.

14:56

Graham Simpson (Central Scotland) (Reform): It has taken a long time to reach today's stage 1 debate on the Scottish Parliament (Recall and Removal of Members) Bill. I first suggested that we should do something in this area in the previous session of Parliament, following a number of conversations with my then party leader, Ruth Davidson. I got things formally moving on the bill at the start of this session, the end of which we are perilously near. The bill was introduced in December 2024 and has been at stage 1 for 11 months. It should not take this long for a member's bill to be dealt with. In the past, we have seen bills fall due to lack of time.

I can now, at last, say that I am grateful to the non-Government bills unit for its work on the bill so far. We still have a lot of work to do in a very short space of time. I also thank the Standards, Procedures and Public Appointments Committee for its report, which I will come on to. I also thank the former Minister for Parliamentary Business, Jamie Hepburn, who is sitting in the chamber, for his positive engagement on the bill.

If the Parliament does not get the bill over the line in this session, Scotland will be left as the only part of the United Kingdom without a recall system. That would represent a failure of Parliament that I do not want to see. We must collectively rise to the challenge. The Welsh are now edging ahead of us, having taken evidence from me as they thought about how they might tackle the issue. Last week, their Government introduced a bill that includes a recall process for all members of their Parliament.

My bill would improve democratic accountability by ensuring that MSPs can be removed more easily if our conduct falls short of what our constituents could reasonably expect. The first part of my bill would introduce a recall system for the Scottish Parliament, drawing on the Recall of MPs Act 2015, but adapting those provisions to ensure that they work with our distinct electoral system.

The bill sets out that any member will be subject to a recall petition if one of two trigger conditions is met. The first trigger is if the Standards, Procedures and Public Appointments Committee recommends to Parliament a sanction of 14 days or 10 sitting days, and Parliament resolves to sanction the member for that period. The second trigger is if the member is sentenced to prison for a period of up to six months.

The Presiding Officer would then begin the recall petition process. That would be a four-week process for the electorate to indicate whether they consider that the member should be subject to recall. For a constituency member, if a threshold of 10 per cent of the electorate in that constituency signing the petition were met, the member would be removed from office. They would have the option of running in the resulting by-election to seek to regain their seat. For regional MSPs, my original proposal—the one in the bill that is before us—was to have a recall petition process across the region, which would require 10 per cent of the region's electorate to sign a recall petition. In addition, at least three constituencies within that region would have to reach the 10 per cent threshold.

Kenneth Gibson (Cunninghame North) (SNP): Opposing the suggestion that MSPs who change political parties should be recalled, Mr Simpson, who is now a Reform MSP, said:

"People switch parties for various reasons. They could have been mistreated by their current party. They might find coming into work a total nightmare and think that they cannot put up with it any longer. Would you punish somebody who was in that situation by subjecting them to a recall vote? I do not think that you would; it would not be fair."—[*Official Report, Standards, Procedures and Public Appointments Committee*, 19 June 2025; c 11.]

I will not ask Graham Simpson whether he is working through some emotions with that comment. I just want you to know that I am always here if you need someone to talk to. However, surely if someone is elected in a closed ballot and that person switches party, they should not continue in the Parliament.

The Deputy Presiding Officer: Always speak through the chair.

Graham Simpson: I am always happy to speak to Mr Gibson and to take up his offer of help.

What he otherwise suggests is not something that I agree with. I think that it is outwith the scope of the bill, but no doubt that will be tested at stage 2.

I am suggesting that a yes/no poll would be held across the region on a given day. That would allow the electorate to vote to keep or to remove the member by a simple majority. If the member were removed, they would be replaced by the next

member on the party list to which they were elected—that would address Mr Gibson’s point. If the member is an independent, they would not be replaced.

Part 2 of my bill reduces the length of custodial sentence that results in the automatic removal of an MSP from more than 12 months to six months. It also provides that if an MSP does not attend parliamentary proceedings in person for a six-month period without a good reason, the SPPA Committee can recommend to Parliament that they are removed from office. The Parliament would then vote on whether to resolve to remove them.

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

Graham Simpson: If I get the time back.

The Deputy Presiding Officer: There is a wee bit of time at this point, if the member wishes to take the intervention.

Graham Simpson: I will take one more intervention.

Sue Webber: What might you consider to be “a good reason”?

Graham Simpson: If you are perfectly fit and able to come in, you should come in. That is the position.

I turn to the committee report. I am grateful to the committee members—

Craig Hoy (South Scotland) (Con): Will the member take another intervention?

Graham Simpson: No, I will not take any more interventions—maybe I will do so later.

I am grateful to the Standards, Procedures and Public Appointments Committee members for unanimously recommending that Parliament supports the general principles of the bill. The committee report comments on all areas of the bill, but it is fair to say that it does not make clear the committee’s collective position on a number of the provisions. For example, I am not sure whether the committee is for or against my potentially confusing and expensive proposal for the recall of regional members.

I assumed from the committee’s evidence and from its members’ questioning that it would be against that proposal, so I wrote to the committee on the day that its report was published to advise that I am now intending, if the bill passes stage 1, to amend that process to reflect the simpler approach that is proposed in the Welsh Government’s new bill. That would remove the recall petition process for regional MSPs and replace it with a straightforward poll on whether to retain or remove a member, which would be

decided by a simple majority across the region. If the member lost that vote, they would be replaced by the next person on the party list, in the usual way.

That change would deal with many of the concerns that were raised in the committee’s report, and I would welcome comments from members across the Parliament on that proposal during the debate. What I am now proposing is a Scottish system that models its approach to the recall of constituency MSPs on the UK Parliament’s system and its approach to recall of regional MSPs on the Welsh Government’s system.

On the provisions on disqualification for a lack of physical attendance in the Parliament, my starting point for the bill was the fact that any MSP could, in theory, not attend the Parliament, either remotely or in person, for their entire term. That is the fact of the matter, and it is the law that councillors cannot get away with that, unless they have a good reason to be absent. I am of the view that it is not unreasonable to expect a fit and healthy MSP to come into the Parliament at least once every six months, and most people would agree with that.

Throughout the bill process, I have been clear that people’s personal circumstances should be dealt with in confidence, and I am not really sure why there has been confusion on that point. The committee had concerns about how the process would work in practice. It took issue with the role that the committee is being asked to perform and the lack of detail in the bill as to how the process would work and the criteria to inform its deliberations on what is or is not a reasonable excuse. The committee was dead against imposing a physical attendance requirement on MSPs.

Alex Cole-Hamilton (Edinburgh Western) (LD): Will the member take an intervention?

Graham Simpson: I am afraid not, Mr Cole-Hamilton—perhaps I will be able to give way during my closing speech.

It could be that that element of the bill will be removed during stage 2, which would be a shame.

I will support Kevin Stewart’s interesting amendment. I do not see it as a wrecking amendment, as some have suggested. I will listen with interest to Mr Stewart, as I always do, and I look forward to his contribution at stage 2—if we get there.

The most important element of the bill is recall, and I am absolutely determined to see a recall process being introduced during this parliamentary session. To that end, I also accept that introducing a change in the length of prison sentence that is

required to lead to a member's automatic removal from the Parliament might not carry the overall support of the Parliament. If those provisions were removed, the recall process would still kick in for members who received a prison sentence of less than 12 months.

I am interested to hear the views of members from across the chamber.

I move,

That the Parliament agrees to the general principles of the Scottish Parliament (Recall and Removal of Members) Bill.

15:07

Kevin Stewart (Aberdeen Central) (SNP): I congratulate Graham Simpson on getting his member's bill to this stage. I recognise that it takes a lot of effort to progress a member's bill through the Parliament—in this case, as Mr Simpson said, it has taken some 11 months thus far. The Parliament needs to look at the resourcing of the non-Government bills unit, so that life is made easier for members, and I hope that that can be done.

Let me begin by saying that there is a place for many of the provisions in the bill, and I will support the general principles today, but that I have concerns about some aspects of Mr Simpson's proposals. I strongly believe that a parliamentary complaints and sanctions process, backed by appropriate guidance, must be put in place in relation to section 2 of the bill. I have no skin in the game as I will not be returning to the Parliament after the next election, but I want to see a fair system in place for MSPs of all political colours.

On the removal provisions, I am sure that no one in the Parliament would disagree that a member who is imprisoned for a period should be removed, but I have some concerns about the proposal to remove someone who is unable to come to the Parliament for 128 days.

I could give lots of examples of such a scenario, but I will not go into them as we need to tease them out during stage 2. I was ill before the summer recess and unable to come to Edinburgh and to the Parliament. However, during most of my time away from the Parliament, I continued to do my job: I asked questions; I voted; I took part in stage 2 proceedings; and I continued to deal with correspondence and oversee my constituency casework. Not being in the Parliament physically does not necessarily mean that people are not doing their jobs. Also, does anyone have the right to pry into people's health issues, their caring responsibilities and so on? I am glad that Mr Simpson said that such issues should be treated with confidentiality. There are arguments about what constitutes reasonableness and, again, those

need to be teased out. In my opinion, the Parliament should be very careful in all its decisions on the proposal.

I turn to the recall provisions. Much has been made of the fact that those aspects of Mr Simpson's bill are largely based on the system that is in place at Westminster. However, that is not necessarily the case. At Westminster, complaints that MPs have breached the code of conduct are investigated by the independent Parliamentary Commissioner for Standards, whose independent report is considered by the Committee on Standards before conclusions and recommendations are made to the whole House of Commons, which decides whether to impose a sanction on the MP involved. That can involve an apology to the house or, in more serious cases, suspension or expulsion. There is also a right of appeal for members.

The Committee of Privileges can consider any matter concerning MPs that is referred to it by the Commons, and it has the same parliamentary members as the Committee on Standards. It can recommend that the MP apologises or is suspended or expelled, and that recommendation goes to the House of Commons for a vote. Again, there is a right of appeal. Complaints about expenses are dealt with by the Independent Parliamentary Standards Authority compliance officer, and, again, MPs can appeal against any suspension. If an MP is suspended for at least 10 sitting days under the Recall of MPs Act 2015, constituents can trigger a by-election as long as at least 10 per cent of eligible voters sign a recall petition. However, the whole situation is preceded by independent processes in the UK Parliament, where there is a right of appeal.

I believe that the introduction of a workable recall mechanism for the Scottish Parliament is possible, I believe that it is the right thing to do, and I believe that there is support across the Parliament for introducing it. However, it is clear to me—and I know that other members across the chamber share my view—that there must be a better, more independent process ahead of that recall with clear guidance on sanctions. That can happen only if a process is put in place in advance and if that process is independent and not open to abuse, bias or political motivation.

In its stage 1 report on the bill, the committee notes that

"the evidence provided that the provision for a parliamentary-sanction ground for recall could influence the Parliament's consideration of applying a sanction to a Member, and that this process carries potential to be politicised."

How can any MSP have confidence or feel secure in a justice process for any future Scottish Parliament MSP if we know that partisan politics

might be put before the process and that prejudice might be put before Parliament?

Again, I reiterate that I strongly believe that a parliamentary complaints and sanctions process that is backed by appropriate guidance in relation to section 2 of the bill must be put in place by the Parliament. I urge members to support the amendment in my name. I assure Mr Simpson and others that I will work with any member to get the bill right. The Parliament must get it right.

I move amendment S6M-19565.1, to insert at end:

“, and, in so doing, believes that consideration should be given to agreeing a parliamentary complaints and sanctions process, backed by appropriate guidance, in relation to section 2 of the Bill.”

15:14

The Minister for Parliamentary Business and Veterans (Graeme Dey): I thank Graham Simpson for his open and constructive engagement on the bill, and the non-Government bills unit for its work on it. I, too, thank the Standards, Procedures and Public Appointments Committee for its stage 1 report. The committee has carefully considered the strengths and weaknesses of the bill, and I note the committee's conclusions and recommendations with interest.

I welcome what I believe to be the intent of Kevin Stewart's reasoned amendment to the motion, which would enable us to address one of the key challenges that the bill presents: its interaction with the on-going review of this Parliament's complaints and sanctions regime. However, I recognise that there might be other views, and I look forward to the debate.

We all want a Parliament in which the highest standards are upheld and in which the public can have confidence that those who represent them will be held to account when they do not meet those standards. We need to have in place robust, fair, transparent and efficient systems so that voters can hold their representatives to account. However, we need those systems to be workable for this Parliament and for the people who elect its members.

The Parliament in Westminster has in place a system for voters to recall MPs, as we have heard, and the Welsh Government has just introduced a bill to introduce recall provisions in the Senedd. Surely, we should be no different in our ambition, although I reiterate that we need a system that works for Scotland.

As the committee has concluded, there is broad support for the principle of recall and for the introduction of recall measures in the Scottish Parliament, and the Scottish Government supports

the general principles of the bill. However, the committee has made a clear statement on the challenges that it presents. The committee's report highlights

“some fundamental issues that would need to be addressed at Stage 2 for the Bill to be able to deliver its intended purpose.”

It also highlights issues of detail that would need further attention.

As we have heard, we await the outcome of the independent review into the parliamentary complaints process. It is important that the Parliament understands and agrees what the complaints and sanctions process would look like before it is finally asked to endorse a bill that will, in part, depend on that process and could result in an elected member being subject to the recall procedure.

At present, the Parliament's standing orders note the available sanctions under the Interests of Members of the Scottish Parliament Act 2006. However, the 2006 act discusses sanctions only in relation to a breach of the register of members' interests. There is no legislative basis for sanctions under the code of conduct, and there is no guidance. We would all want that to be addressed so that members of the Parliament now and in the future can trust and have confidence in the processes and procedures. That is why the Government is minded to support Kevin Stewart's reasoned amendment.

The Scottish Government's support for the general principles of the bill is conditional on changes to the bill at stage 2, reflecting the significant concerns that are raised in the committee's report. To his credit, Mr Simpson has already begun that work, and we have discussed potential changes to the regional recall process in the light of the committee's concerns. As we have heard, Mr Simpson has written to the committee outlining his thinking on a new single-stage approach. We would be happy to work with him and other members to develop amendments on that and other areas that strike the right balance between complexity and cost, as the committee recommended.

The committee's concerns with the bill go beyond simply the processes for regional recall. The committee questions whether the threshold for the recall and removal of MSPs on the ground of criminal offence has been set at the right level. It calls for new provisions on campaigning rules and for a rethink of the provisions on physical non-attendance in the building as a ground for disqualification.

I will focus initially on the attendance provisions. I note that the committee is explicit on the issue, stating that it

“does not think a Member’s absence should be considered a misconduct issue”,

and that “requiring physical attendance” is not the correct basis on which to disqualify someone from membership of the Parliament. It is not for the Government to take the lead in matters that rightly belong to the Scottish Parliament to consider, but the Government has heard what the committee has to say and understands entirely its concerns.

The committee has taken issue with the process of managing non-attendance, should those provisions remain in the bill. We recognise those concerns. We should not create a system that requires a committee of the Parliament to seek, hold and make judgments on personal information about MSPs and their family members, including on what sort of excuses should be determined reasonable, with the prospect of the removal of an MSP as an outcome. Without a clear, objective and fair process for non-attendance issues to be investigated, we risk exposing members with caring responsibilities or health issues to possible disqualification, instead of those people who the bill seeks to capture.

The committee has raised concerns about the criminal offence triggers for recall and removal in the bill, and it has asked Mr Simpson

“to reflect on whether the bar for the recall and removal of MSPs on the grounds of criminal offence has been set at the right level.”

Laws are in place that disqualify an MSP if they receive a custodial sentence of more than 12 months and are imprisoned as a result. The bill proposes to lower that threshold for disqualification to sentences of six months and to introduce a separate trigger for recall if an MSP receives a custodial sentence of less than six months for a criminal offence.

Would it not be simpler and clearer to retain the 12-month threshold for removal and make a custodial sentence of 12 months or less a trigger for recall? Twelve months is the maximum sentence in non-jury trials and is a recognised threshold in our justice system. The Government would be willing to work with members on amendments to that effect.

Finally, the committee has asked Mr Simpson to consider—

Alex Cole-Hamilton: Will the minister give way?

Graeme Dey: Absolutely.

Alex Cole-Hamilton: This is the intervention that I wanted to make during Graham Simpson’s opening speech; I still intend to make an intervention when he is making his closing remarks. We are talking about figures for recall. One such trigger that I would like to explore—

perhaps with the member in charge of the bill and with the Government—is when members of the Scottish Parliament are included on the list of people who are barred from working with children and vulnerable adults. In such cases, they should not be allowed to retain their seats in this Parliament because they can no longer hope to do their job. Would the minister be prepared to work with me on that?

Graeme Dey: I would certainly be prepared to explore that with the member. He gets to the nub of today’s activity: we should be exploring whether the proposals in front of us are as robust as they should be, whether they go too far or whether they need to be expanded on, so that we design a system that is fit for purpose. I am more than happy to commit to working with the member on that.

The committee has asked Mr Simpson to consider provisions to address campaigning rules during the recall petition signing period. We can all agree that we need transparency on expenditure and donations in relation to recall provisions, just as we do for electoral events.

We have heard that there is much work to be done to get the bill right and relatively little time in which to do it. If the Parliament agrees to it, we will work with Mr Simpson and colleagues across this chamber on elements of the bill, so that the support for the general principles that the Scottish Government offers today can lead to continued support in the stages ahead.

The Deputy Presiding Officer: I call Martin Whitfield to speak on behalf of the Standards, Procedures and Public Appointments Committee.

15:21

Martin Whitfield (South Scotland) (Lab): I thank everyone who contributed to the scrutiny of the Scottish Parliament (Recall and Removal of Members) (Scotland) Bill; the respondents to the Standards, Procedures and Public Appointments Committee’s call for views; the stakeholders and academics who gave evidence; the Scottish Government for its input; and, of course, Mr Simpson for introducing the bill.

The intention behind the bill is to improve the democratic accountability of MSPs during a parliamentary session. Mr Simpson has proposed a process by which members may be recalled on the grounds of their conduct. He has also sought to broaden the criteria for automatic disqualification of members.

I will set out the main conclusions and recommendations that the committee has reached on those issues. First, I will turn to the issue of recall. Our evidence indicated that there is broad

support for allowing for the recall of members of the Scottish Parliament. We heard that recall would give the public greater say in holding members accountable for their conduct and that it could promote public confidence and trust in this institution. Mr Simpson has described recall as “a deterrent”, and we agree that issues of conduct should be the primary focus of any recall system introduced to the Parliament.

Of course, recall is not a new idea. In ancient Greece, the Athenians had a system of ostracism, whereby politicians could be exiled for up to 10 years. To quote Diadorus the Sicilian,

“The Athenians, it appears, pass such a law not for the purpose of punishing wrongdoing, but in order to lower through exile the presumption of men who had risen too high.”

Therefore, it is an ancient problem.

I digress. Mr Simpson has not gone that far. Instead, his proposal is inspired by the established process at Westminster for the recall of MPs. Although the committee agrees that that is a sensible approach, we stressed that any recall system must work with our electoral system of constituency and regional MSPs.

The bill proposes that a member may be subject to recall on the grounds either of receiving a parliamentary sanction of at least 10 sitting days or of being convicted of an offence and receiving a custodial sentence of less than six months.

Our witnesses were broadly in favour of keeping the grounds limited to those areas. The Electoral Reform Society noted that the parliamentary sanctions process can appear rather “opaque to the public”; we recognise that clarity would be essential when communicating the reasons as to why any recall-triggering sanction had been recommended.

During our evidence gathering, the question arose of whether a member who changes or leaves their political party should be subject to recall. Of course, members will have their own views on the matter. The committee notes simply that

“such an approach would be unique within the ... UK”.

We make a number of recommendations on the arrangements for recall petitions, with a view to ensuring that the process is as accessible as possible. We think that providing for a maximum number of 10 petition-signing places is a useful guide for the petition officers. Since those places are likely to be different from our normal election polling stations, their locations and opening times must be communicated clearly. The cut-off point for determining eligibility to sign a petition must also be made clear, and provision should be made

for signing by post or by proxy, so that all with the right to sign a petition can do so.

On the 10 per cent threshold for determining a successful petition, some witnesses suggested that that might be relatively low, and we heard no clear views on an alternative figure. However, we recognise that the purpose of the threshold is to indicate whether there is public interest in moving to the next phase of a recall process. In addition, we think that there may be merit in closing a petition early if that threshold has been reached.

In relation to the proposed dual threshold for petitions to recall regional MSPs, the committee asks Mr Simpson to consider whether that could present a higher bar for recall of regional MSPs than for recall of their constituency counterparts.

In relation to successful petitions, the bill provides us with different processes for filling vacant constituency and regional seats. Although a constituency seat is to be filled through a normal by-election, in which the recalled member could stand, a regional seat could be filled through a regional poll, which would offer the recalled member an opportunity to retain their seat. If they were unsuccessful in the poll, the seat would be filled in the way that regional vacancies are usually filled. Stakeholders had significant concerns about the idea of a regional poll, and I welcome the proposals that have been made to seek to amend that.

I listened very carefully to Kevin Stewart’s contribution regarding his amendment to the motion, but I am afraid that I remain unclear about what he envisages in relation to section 2, so I cannot support the amendment. If the issue had been raised with the committee at stage 1, we could have explored and reported on it and allowed the Parliament to take an informed view on Mr Stewart’s amendment. If the general principles are agreed to today, there will be an opportunity to explore the range of ideas that Mr Stewart raised, and I would welcome engagement in that process.

I turn to the provisions in part 2 of the bill for the removal of members for not physically attending the Parliament for 180 days without reasonable explanation. We understand that the public and members may hold expectations that MSPs should physically attend the Parliament. However, the committee must have regard to our standing orders, which enable members to take part in proceedings remotely on an equal basis and thereby represent our constituents fully without physically attending. The committee has concerns about the proposed process for deciding whether a member has a reasonable explanation for—

Jackson Carlaw (Eastwood) (Con): Will the member give way on that point?

Martin Whitfield: I am more than happy to, Mr Carlaw.

Jackson Carlaw: Therein lies the problem, because, if we had passed this legislation in 2015, the hybrid arrangements that we now have would not have been reflected in it, and members could thereby have been recalled. Similarly, we do not know what the arrangements might be in a future session of Parliament, for which we might now set out criteria in the legislation. Therefore, it seems to me that we are trying to predict the future in ways that I think we cannot absolutely do.

Martin Whitfield: I am grateful for that intervention. It is true that there are known unknowns and unknown unknowns. We do not know what the position would have been if history had chosen differently. We need to look at the position that we are in now. As a representative of the committee that has the responsibility for standing orders, I point out that we need to take account of what we do at the moment. It is right to say that a not insignificant number of members have been able to fully contribute to proceedings of this Parliament remotely, which would not have been possible without the hybrid arrangements that we now have.

The committee had concerns about the process for deciding what constituted a reasonable explanation for absence. The proposed process gives rise to serious questions about privacy. It would seem inappropriate to make the committee the vehicle for investigating, and for making a decision on, a member's explanation. The committee is not persuaded by that proposal. We would invite Mr Simpson—

Sue Webber: Will the member give way?

Martin Whitfield: I am happy to.

Sue Webber: I am recalling the committee's discussion on the use of language and how we were careful not to use the word "excuse" in any of the recommendations in our report. Would the convener comment on that?

Martin Whitfield: Absolutely, because looking at the data and the reasons for the excuse are challenging, because it presupposes a need to explain an absence. I welcome Mr Simpson's offer to reconsider those elements in the bill.

To conclude, fundamental issues need to be addressed if the bill is to deliver its intended purpose. I welcome the Scottish Government's confirmation that it will support members across the chamber in that regard. I also appreciate and understand that Mr Simpson has indicated that he will look at a number of those issues. For the purposes of stage 1, the committee recommends that the Parliament agrees to the general principles of the bill.

15:30

Sue Webber (Lothian) (Con): I start by saying that I fully support the principle that is at the heart of the bill, which is that members of Parliament must be accountable to the people who elect us. The proposal formed part of the Scottish Conservatives' 2021 manifesto and it aims to allow the public to better hold politicians to account in Holyrood. Accountability sits at the core of public trust and, when standards fall or when the actions of members of the Scottish Parliament damage confidence in the institution, it is right that there should be a mechanism that enables the public to respond. The principle must, however, be underpinned by a system that is fair, workable and fit for the realities of modern public life, and perhaps that changes as things evolve.

The bill attempts to address two important issues: the removal and recall of members who have been convicted of crimes or sanctioned by the Parliament, and the introduction of a recall process such as the one that exists at Westminster. Those are serious matters and they deserve serious scrutiny.

I recognise the effort that has gone into the bill but, as it is drafted, I have several concerns, not about its intent, but about how it would work in practice and whether it would deliver true accountability without unintended consequences.

First, on recall and the principle of defection, our list system in Scotland is designed to reflect proportional representation. People vote for parties as much as they vote for individuals. That means that every MSP who is elected on a regional list owes their place in the chamber to the voters who supported that party's platform. If a member chooses to defect from the party under which they were elected, they no longer represent those voters and they no longer have that mandate. That, to me, is a democratic betrayal.

In those circumstances, there should be a clear consequence. Either the individual should be subject to a recall process, or, more straightforwardly, they should just resign and allow the next candidate on the party's list to take their place. That would make it clear that seats in the Parliament belong to the voters, not to politicians' personal ambitions.

Mark Griffin (Central Scotland) (Lab): I have no strong opinion on that either way, but I reflect on Ms Webber's colleague Mr Kerr, who has been a strident campaigner on loosening the grip of party whips on business in the Parliament. Does she not feel that removing or recalling an MSP who has changed party could strengthen party business managers' grips on their own groups and therefore the business in Parliament?

Sue Webber: Mr Kerr has been a whip in our party, and I am sure that he enjoyed every moment of it. As I said, I am giving my opinion and I feel passionately about the party that got me here. That is where we are.

Secondly, I return to the proposal that members should be removed for failing to physically attend Parliament for 180 days. We have heard a lot about that from Mr Stewart. I understand the desire to ensure engagement and accountability, but I have concerns about how that would work in practice. We have embraced hybrid working, not just in response to the pandemic but as a reflection of modern working life. I also take into consideration Mr Carlaw's comments.

We know that being a good MSP is not just about sitting in the chamber. It is about being in our constituencies, meeting community groups, listening to businesses, visiting schools, representing local people and picking up the casework that Mr Stewart spoke about. We also know that things sometimes happen in our lives that are out of our control. Members might have long-term health conditions, caring responsibilities or other legitimate reasons for needing to work flexibly. To suggest that a member could lose their seat simply because they were not physically present for a period of time risks undermining the process and it could discourage people with caring duties, disabilities or whatever from standing for election, and we want this place to be inclusive. It is a goal to ensure that our MSPs are doing their jobs, but there are better and fairer ways to measure that than simply counting the days that they are in the building.

Thirdly, on recall itself, the overarching objective of a recall provision is to enhance the trust that citizens have in their elected politicians and to empower them to act if an elected member breaches the code of conduct or behaves in a way that does not befit the privilege of holding public office. If the recall process does not meet the public's understanding of integrity and accountability, it will not meet the objective of enhancing trust in democracy, which we need right now. Done badly, it risks further undermining trust, so any recall system must be clear, consistent and credible and it must not become a political weapon or a tool for personal or partisan vendettas. It must also be proportionate, so we must ensure that the threshold for triggering a recall is high enough to maintain stability in this chamber without being so high that it becomes meaningless. That is a fine balance.

The system must be transparent and affordable, but it is estimated that the full cost of the bill's proposals for the recall of a constituency MSP would be about £0.5 million and that the cost of recalling a regional MSP would be close to £2.7

million. I understand that there are moves to change that, but those costs are far too high to be acceptable either to Parliament or to the public. I recognise the challenges in the bill regarding the recall of regional members and I appreciate that amendments to simplify the process are being considered. That is sensible.

Ultimately, it is a matter of balance. We need a mechanism for accountability, but we cannot say that we want a Parliament that is representative and that welcomes working parents, carers and people with lived experience while passing rules that would penalise them for not being in the chamber every day and we cannot talk about democracy and integrity while allowing members to defect mid-term and still cling to seats that they won under a different party banner.

I turn briefly to what I will call Kevin Stewart's wrecking amendment, which would undermine the entire purpose of the bill, because I want colleagues to be clear what the member is about. The amendment is about some in the Scottish National Party trying to settle scores over Michael Matheson rightfully being punished for wrongly claiming £11,000 from taxpayers. He was sanctioned by this Parliament for his actions, and rightfully so, but it seems that some in the SNP are still trying to ensure that such a sanction can never happen again. Scottish Conservative MSPs will not vote for that amendment, which would tear up a long-established process that has already seen misbehaving members being punished. SNP members might want to sneak that change through by the back door, but we will not give our backing to an amendment—

Kevin Stewart: Will the member accept an intervention?

The Deputy Presiding Officer: Ms Webber is concluding—I hope.

Sue Webber: I am closing, and in my final section.

I will not be backing the amendment because it would fundamentally change what Parliament is voting on today. I urge colleagues in all parties to see through that amendment and to reject it.

Conservative members support the general principles of the bill, but we will continue scrutinising it as it progresses through Parliament.

15:37

Richard Leonard (Central Scotland) (Lab): If ever a piece of legislation raised more questions than answers, it is this one, but I think there are a few principles that we need to consider. We need to defend the principle of equality and of equal treatment—of the equal application of rules and laws to list and constituency members of this

Parliament alike. There should be a presumption of political equality.

The second principle is that this should not be cost driven or financially led. Before 1832, only 2 per cent of the population had the vote. Before 1928, women and men still did not have an equal right to vote. Had shallow arguments of money values above human values been applied then, we would never have achieved universal suffrage and the equal franchise.

Michelle Thomson (Falkirk East) (SNP): I thank Mr Leonard very much because I realise that he is in full flow. I accept what you are saying about historical precedent, but you are surely not suggesting that we should not give cognisance to the cost in any way whatsoever. We have to, because we are a responsible Parliament.

The Deputy Presiding Officer: Please always speak through the chair.

Richard Leonard: What I said was that we should not be cost driven or financially led.

The third principle is that there does need to be a credible equality impact assessment worthy of the name, because we know from bitter experience that women, for example, are much more likely to be targeted by vindictive campaigners and petitioners than men. So far, this has not been seriously addressed in the presentation of the bill at all.

We must also embrace the principle of compassion—principle number 4. Over the summer, I researched the life of Clarice McNab Shaw. She was a pioneer who, in 1913, became the first-ever woman Labour councillor in Scotland, on Leith Town Council. In 1945, she was elected as the MP for Kilmarnock. The election was in July. She was sworn in in August, but became so seriously ill that she was never able to return to Parliament to deliver her maiden speech or to take her seat. She continued to respond to constituency correspondence and continued to attend Ayr County Council meetings until February 1946, but on 2 October 1946 she was forced to resign her parliamentary seat. Days later, she died. The facts are that Clarice McNab Shaw did not attend Parliament for over a year and she did not attend the council for over six months, so we must be clear this afternoon that, in circumstances like this, a member of this Parliament should not be removed. We must show our common sense, our common humanity and our compassion.

My fifth principle is the principle that any ballot must be secret. The Scottish reformers, the Chartists and the trade unionists fought hard for the Ballot Act 1872. It was introduced as the franchise was being extended to stop undue pressure being applied by landowners and employers to their tenants and to their workers. It

was introduced to stop them checking up on how those they had power, ownership and control over had voted, by making the ballot secret. This principle, to me, is sacred. It should be defended. Someone going into a designated petition signing place if the only option is to vote for recall is, in my view, a breach of that principle and a corruption of that hard-fought-for inheritance.

My sixth principle is around the removal of an MP due to incarceration. There is a certain note of irony here. Thomas Muir was tried for treason, for sedition, in 1793 for calling for more equal representation and parliamentary reform, and he was sentenced to 14 years' transportation. We need to be careful about what we are saying about the litmus test of incarceration.

For my next principle, let me turn to Aneurin Bevan, who said that the job of a Labour parliamentarian is not

“to plead mercy for the poor”

but to get

“political power for the masses.”

So, my sixth principle rests on the question: does this bill extend democracy or does it curtail it?

Alex Cole-Hamilton: I do not disagree with the member's point about incarceration. I do not think that we should remove members who have been put in prison for a stance that they have taken on a moral issue. However, does he recognise that they would have the right to fight their corner in an open recall by-election among the membership or indeed a poll, as the member in charge of the bill has said, in the case of regional lists?

Richard Leonard: I am simply making the point that I think that we need to explore some of these ideas—the reduction from 12 months to six months and all the things associated with it—with our eyes open, and with our eye on history as well.

I would like to see democracy extended in other, even more meaningful areas, like in the workplace, in industry and in the economy, to alter the balance of power there. There are other things that we can and should explore, which are not, in my view, revolutionary ideas but basic tenets of democracy.

Finally, let me say that it is a privilege to serve in this Parliament. We are representatives and should be representative. Like in any walk of life, that means that not all of us can be or will be saints, but for that, there must be accountability. If we are to recognise that the power to govern resides with the people, then we need to act, and it is the view of the Scottish Labour Party that we should back this bill in principle at stage 1 this afternoon.

15:44

Patrick Harvie (Glasgow) (Green): Richard Leonard began his speech by saying that the bill raises more questions than answers. I fear that I am about to spend six minutes saying nothing more than that, whereas he said it with admirable simplicity.

I have long supported the argument that there needs to be some measure of the ultimate disciplinary sanction for MSPs whose behaviour in any other workplace would be deemed gross misconduct and who would lose their jobs—for example, for sexual harassment or something similar.

There is not currently a mechanism for members to lose our jobs if we act in a way that, in any other place, would be considered gross misconduct. I think that there should be. However, I have also long argued that any specific attempt to design such a mechanism will inevitably encounter significant problems.

Perhaps this is a paradoxical argument, but, in my view, Kevin Stewart's amendment mentions factors that would be more helpful than what the bill would provide. It includes things that should happen regardless of what happens to the bill, and which would be more effective in addressing the issues that we are concerned about.

If we develop any such system, we need to avoid the recall petition or the removal process becoming politicised. There is a real risk that any system that is based on a petition fails in that approach. In fact, in the early days of campaigning on the issue, the member in charge attempted to have the bill named—in an informal sense, at least—"the Derek Mackay bill", which is the sort of term that the media might use. I think that his behaviour around that indicates that the intention was partisan from the outset.

There is a real risk that a petitions process would be used in a similar way. How could we prevent that? Have we even discussed whether political parties should be barred from campaigning or organising during the petitions process, so that it is led by the members of the public who are concerned rather than by political partisans?

Alex Cole-Hamilton: Does Patrick Harvie recognise that we are not pioneers on recall, particularly in relation to the petitions process? The system of recall has been successfully in place at Westminster for several years. Those petitions have not proven to be partisan activities; in fact, they have rid us of some unsavoury parliamentarians.

Patrick Harvie: I recognise that the situation is not fully unique, but my usual instinct is not to look

to Westminster for a political system that we should copy.

The issue of anonymous campaigning has been raised. I will not repeat what I have seen in Glasgow, but it has included anonymous smear graffiti that makes very serious allegations against a sitting MSP, not based on any conviction or charge. That kind of campaigning in conspiratorial terms happens already and could be weaponised in this process.

We should also recognise the social media context. Extremely powerful social media platforms currently do nothing to police lies, conspiracy theories, racism and other forms of prejudice. Again, I fear that a petitions process would be vulnerable to that.

Several members have talked about issues around the disparity that relates to regional members. I will not go over that ground again, because it has been discussed, but it seems to me to be only one aspect of the issues that need to be addressed. The system for regional members, however, appears to accept the principle that the voters determine party balance, so I question the absence of a trigger in relation to somebody switching parties.

It might be that this is an issue where there is no absolutely right or wrong answer. It might be arguable that there should not be an absolute trigger, in all circumstances, for someone changing political affiliation. However, for a member who joins an openly racist, far-right party that promotes climate change conspiracy and whose former high-profile leaders have taken bribes to shill for Vladimir Putin's regime, voters' legitimate disgust at that behaviour might be seen as grounds for recall.

On physical non-attendance, I can see an argument for non-participation in the business of Parliament—

Ruth Maguire (Cunninghame South) (SNP): I understand where Patrick Harvie is coming from, but should the systems that we put in place not be based on principle rather than on the type of belief that somebody has?

Patrick Harvie: The question suggests what I am implying, which is that there is no clear and easy way to set out rules that do not give rise to contradiction and mixed expectations.

I was about to say that we make remote participation available to members. If we choose to do so—and I think that we should—it is surely for the Presiding Officer rather than anyone else to determine whether a member is using that facility appropriately; it should not be for the law to say what the consequences are.

Finally, on criminal offences being a trigger, I note that the bill includes criminal convictions anywhere in the UK, but not anywhere else. I am baffled as to why that is a consistent position. In relation to the comments that have been made about historical examples of criminal offences that are ethical, principled acts, that is not just a matter of ancient history. In the UK, people are regularly subjected to long prison sentences for legitimate, peaceful protest. For example, climate campaigners have been subject to substantial prison terms, even simply for the act of taking part in a Zoom call to discuss political protest. I do not think that we should invite a situation in which a recall would be triggered by such acts or, for example, by someone holding up a sign saying, "I support Palestine Action."

I am not convinced that the bill is fixable, although I am willing for it to go through the parliamentary scrutiny process. The Green Party will abstain on the motion on the bill's general principles at decision time. I am not convinced that it will be in a fit state to pass by the time that it reaches stage 3.

15:51

Alex Cole-Hamilton (Edinburgh Western) (LD): It is a privilege to serve in chambers such as this, and it is also a massive responsibility. Members should take a moment to think about the tens of thousands of people whom they represent if they are a constituency MSP, or the hundreds of thousands of constituents whom they represent as a regional MSP. Our constituents send us to the Parliament with our instructions but, often, they also seek our help. They do so sometimes at times of extreme frailty or fragility, when they are at their most vulnerable. If people are found guilty of heinous offences—we know of recent examples of such offences that are currently being investigated—we cannot expect parliamentary staff to serve alongside them. Neither can we expect our constituents to want to seek their help, and we cannot believe anything other than the reality that their presence would diminish the standing of the building and the institution that it represents.

Craig Hoy: We know that, in Scotland, sometimes the wheels of justice turn very slowly. What should happen to MSPs who have been charged but await trial? We have that situation in the Parliament at the precise moment.

Alex Cole-Hamilton: I do not think that the Parliament can presume to trump the justice system. The principle of being innocent until proven guilty is significant. As such, I do not think that someone should be subject to expulsion from the Parliament until the justice process is complete. Although there might be grounds for a

member's suspension or the removal of their pass, they should be able to participate in other ways. That is worthy of further discussion.

There is a democratic imperative that we follow the example that has been shown by Westminster and, latterly, the Welsh Parliament in their efforts to afford constituents the right to remove or recall parliamentarians. It is long overdue. If our Parliament was simply made up of constituencies, with members elected by either the first-past-the-post system or a single transferable vote, the process would be much easier. I congratulate the member in charge of the bill for the work that he has done to get to this point. His argument that we should follow Wales on a regional poll for the removal of a member on the additional member system list is compelling, because it answers the challenge of giving the member the right to submit themselves to their electorate and stand for re-election in that capacity, while still answering the need to give the final decision back to the region's constituents.

I have listened with great interest to the discussion about members who switch parties. I cannot accept that doing so should be a trigger for a recall, not least because we know—*[Interruption.]* I might be speaking with as much self-interest as the Conservatives in their proposal for such an amendment.

Patrick Harvie rose—

Alex Cole-Hamilton: I need to make some progress.

Fundamentally, as we have had recent cause to recognise, parties can change their stripes mid-term. To create a trigger mechanism whereby a member who defects to another political party from a regional list would be automatically recalled would have the effect of shackling them to that party from the first day that the Parliament convenes. No constituency member would be encumbered in such a way, so it would not be fair. It would almost create two tiers of MSP, and Liberal Democrats cannot support that.

We will not support the Government's reasoned amendment tonight. That said, should the amendment be agreed to we will vote in favour of the amended motion, because we feel that the bill must go forward.

Kevin Stewart: I was going to be nice to the member in my summing-up speech, but I will rethink that now. It is not a Government reasoned amendment; it is my reasoned amendment.

Alex Cole-Hamilton: My apologies; I correct the record on that point.

We have only 10 weeks left in this session after the Christmas recess, and 19 late-sitting evenings have already been slated. I am anxious about our

capacity to deal with the bill and the possibility that it will slide off the schedule as we run out of parliamentary time.

Recently we have had cause to understand why we need to clean up our politics. A mechanism for recall is a very important aspect of that. However, we have been talking about thresholds and triggers and, in my intervention on the minister, I talked a little about my intention to explore amendments in that regard. I believe that one threshold or trigger for a recall petition should be whether a member becomes barred from working with children or vulnerable adults. We will only know that an MSP has been barred from working with vulnerable adults if we include Scottish parliamentarians in the protection of vulnerable groups scheme.

Every time that I talk about that, people in the media and the watching public are astonished that we are not included in that scheme already. I put it to members that, given a lot of the work that we do, our role could be considered to be a regulated childcare position. The very nature of our constituency casework puts us in close proximity to some of the most vulnerable adults in our society, some of whom will explicitly ask to see us in private because of sensitivities around the issues that we are dealing with. It is no longer tenable for this Parliament to say that we are exempt from what we ask of scout leaders, other youth workers and people who work with other vulnerable individuals.

Jackson Carlaw: I make the point that some people are not able to work with certain categories of individuals not necessarily because of any malicious or criminal circumstance but because of, for example, reasons relating to their own mental wellbeing. Is the member suggesting that people in that category should also be disbarred from standing or being allowed to be members of this Parliament?

Alex Cole-Hamilton: Jackson Carlaw makes a good point, and that is one of the aspects that I would like to explore. Nevertheless, if any member of this Parliament were to be barred from working with a child or a vulnerable adult, it would make it fundamentally impossible for them to do their job, given the nature of our role.

I will, therefore, work with the member in charge and, indeed, with the Government, if it will give me the time to explore amendments relating to that issue, because I believe that the case for inclusion of members of this Parliament in the protection of vulnerable groups scheme is now unanswerable.

The Deputy Presiding Officer: We move to the open debate. I advise members that we have no time in hand. Any interventions, therefore, should

be absorbed within the relevant member's agreed speaking time, which is up to six minutes.

15:58

Michelle Thomson (Falkirk East) (SNP): First, I will make a few remarks to remind us why we are debating this issue today. Members will know of my interest in ethics. It is for others to judge, but, as a member of this institution, I try hard to balance complex and competing issues using an ethical frame. I know that many other members do that, too, and I believe that we are here today with a shared interest in protecting the reputation of this place. It is good that we have many of the recommended institutional measures in place, such as a code of conduct, registers for openness and accountability, the Lobbying (Scotland) Act 2016 and so on. In my opinion, the bill marks a strengthening of enforcement and is, therefore, to be welcomed.

However, before I talk about the bill per se, I want to reflect a little on something else that encourages and supports ethical behaviour, which is culture. During my time in corporate companies leading up to the crash of 2008, and in my time in Westminster during the Brexit vote and in this place during some interesting periods, I have seen how culture can greatly impact behaviour.

The Presiding Officer and her office have provided strong leadership during this session, but I believe that mandatory ethical training should be in place for the next session to ensure that all members who have the privilege to be here understand that the buck stops with them and that their choices about how they behave potentially have a direct impact not only on their careers but on trust in this institution.

Moving on to the bill, I note that Elect Her suggested that

"women politicians are more likely to face politically motivated action, and we suggest that an extreme version of that could end up being a recall or a removal attempt."—*[Official Report, Standards, Procedures and Public Appointments Committee, 22 May 2025; c 28.]*

I believe that women in politics are treated differently—for which read "worse". I support Richard Leonard's comments. I went through the stage 1 report to find out how many times women were mentioned. The quote that I read was from the Elect Her evidence, but I am not clear what specific consideration has been given to women in the bill's development.

In addition to the Elect Her comments, I highlight the extent to which women are judged by different standards, which are often unrelated to their ability. For example, strong women are considered to be nippy sweeties—or worse. We also cannot forget about structural inequalities in

party support, of course, and the challenges of mobilising funding. It is important that we consider those issues.

I also noted the statement from the committee, which considers that

“making provision for a direct right to recall on the grounds of disagreement with an MSP’s political views or voting record would run counter to the intended purpose of the Bill.”

That seems to be quite the understatement, and I would be strongly against any provision that would lead to that possibility. There will be many members who have no truck with some of the language that we hear in our political narrative, but we have to accept that people are entitled to their views, as much as we violently disagree with them. Perhaps that was the wrong choice of words by the committee.

Patrick Harvie: Surely there is a distinction between someone who was elected on the basis of their controversial stance on issues that some people find offensive and someone who was elected on the basis of supporting basic climate science, for example, but who then moves to a political party that openly promotes climate change denial. Surely there is a distinction between the former and someone who switches from representing the views of the people who put them into Parliament to representing the polar opposite.

Michelle Thomson: With respect, I think that the member is conflating two different issues. I will go on to comment on people who switch parties. The important point that I am making is that, much as we dislike some people’s views—they could be considered completely slanderous—I do not think that we should get the two issues mixed up. For example, we do not need to go far back in time to hear outrageous views about women.

I said that I was going to mention the consideration that a recall motion should be triggered if a member changes their political party. I consider that to be very dangerous ground. It goes back to the big picture that I tried to frame at the start of my speech. What is the behaviour that we are trying to reward? If somebody changes party because of a compelling conscientious objection that was held to be just and well-meaning by most people, would we not consider that exactly the sort of ethical behaviour that we want from our politicians? I accept that people vote for their party preference, but, equally, parties change, people’s views change and the sentiment in the world changes. I would be very nervous about such a move.

There is lot of discussion to be had on signing places. That is a very complex issue, particularly when it comes to regional MSPs. I appreciate what the bill is trying to do with regard to accessibility,

but, ironically, the debate shows how far behind our digital processes are when it comes to the effective use of technology. I understand that that issue is entirely distinct from those that we are considering in the bill, but we will have to look at it at some point.

On a minor point that was in the stage 1 report, I agree that, despite the drive to maintain parity between constituency and regional members, they are not elected on the basis of parity. There is further thinking to be done about that, and I appreciate that it is a difficult area to address.

Although the Law Society gave evidence, I think that there will be an on-going requirement for legal tests as we go through stage 2 and beyond. I listened to Alex Cole-Hamilton’s speech, and I think that we have to be very careful—for example, that whatever measures we pass cannot be subjected to judicial review. The principle that somebody is innocent until proven guilty under the law is absolutely vital. In that area in particular, we need to be extremely careful.

16:05

Jackson Carlaw (Eastwood) (Con): I have not come with a prepared speech, because I wanted to contribute to the evolving argument in the chamber.

As I start, I reflect that we hope that, were any of the provisions to make their way into legislation, they would not have to be used, even decades from now. We should be anticipating that we are making legislation on the basis that we will not want to use it at a later date.

We might consider ourselves reasonable. I started out in life as a thrusting, hard-line Thatcherite and I am now a mellow, cuddly Thatcherite—if that is not an oxymoron. However, I ask members to consider that, years from now, this might not be a Parliament of the reasonable, and whatever we put in place ought to be something that cannot be abused or manipulated in a party-political way.

There have been some excellent speeches. I was amused at Mr Cole-Hamilton’s line that members should not be disbarred for switching parties. If that had been the case historically, his would have been the only party that abolished itself—when the Liberal Party merged with the Social Democratic Party, every Liberal would have had to resign from elected office everywhere in the country. Therefore, I can understand why he would be nervous about such a provision in particular.

I very much enjoyed the principles outlined by Richard Leonard. I thought that they really were

magnificent tests by which anything should be judged.

I know that this will cause him great offence and disharmony, but I enjoyed and agreed with a great deal of what Patrick Harvie had to say as well, particularly in relation to prison sentences. He is absolutely right that crimes can be fashionable. Much longer sentences can be given for breaches of the law that I might think are relatively minor, and shorter sentences can be given for breaches that I think are considerably more important. Therefore, moving the test around is quite a dangerous principle.

Patrick Harvie: I am grateful to Jackson Carlaw for giving way, and I am not at all uncomfortable with his comments. Does he think that the bill ought to specify particular types of criminal offence that should be a trigger, rather than there being a threshold that is based on the length of sentence?

Jackson Carlaw: The reality of my position is such that my welcome of the bill is, in the end, superficial. Like Mr Harvie, I have reservations about whether we can frame legislation that, understanding the narrow issue that it seeks to address, does not bring with it unforeseen consequences.

I want to talk about the variation in equality between regional and first-past-the-post members. I have always understood the principle to be that, by whichever means someone is elected, once they become a member of this Parliament, their status is no different from that of any other member. We are all equal members of the Scottish Parliament.

However, the recall proposal is quite different. Through the recall of a constituency member, the political complexion of this chamber could be changed. Through the recall of a regional member, the political complexion of this chamber could not be changed, except that, as I understand it, if a regional member defected to another party, the political complexion of the chamber would be reinstated to how the electorate originally intended it.

My point is that, through the recall mechanism, a Government could fall on the basis of the recall of a constituency member, but not on the basis of the recall of a regional member. If we had a Parliament of the unreasonable, or an external campaign—

Alex Cole-Hamilton: Will the member take an intervention?

Jackson Carlaw: I will in a moment. If there was a campaign outwith this Parliament, we could find that there was pressure, within whatever protocols we had established, to push for a finding that the sanction threshold of 14 days or 10 sitting

days had been breached, because people would see the political advantage that could accrue from a recall potentially changing the complexion of the Parliament in one circumstance, but not in the other.

Moreover, I do not think that a lot of money would be spent on the recall of a regional member. On the idea of there being a yes or no vote in the regional context, it is very difficult to see how anybody would survive in that environment, and then we would just reset by resorting to the original list.

All of that does not seem to me to be fair, principled or reasonable, and I think that it is open to manipulation. In 2015, people had only had iPads for two or three years—the whole way that people operate through digital and social media was in its infancy. Now, it is quite easy to see how someone could mobilise a malicious campaign across a constituency or a region that is designed to politically unsettle an individual for a calculated outcome. I think that we should be very wary of that.

Alex Cole-Hamilton: Does the member recognise that, in effect, the disparity that he describes already exists? If a regional member were, sadly, to pass away, they would be replaced by the next person on the list, whereas, were a constituency MSP to die, a by-election would ensue. Exactly the scenario that he describes would take place in that eventuality.

Jackson Carlaw: I recognise that, but no social media campaign or campaign in this chamber can kill one of our members of Parliament. I think that those distinct cases are quite different. In one case, somebody has lost their life—through natural causes, one hopes. In the other, somebody could lose their seat as a result of a campaign.

I will finish by saying that, not so long ago, Parliament agreed to a motion requiring the Scottish Parliamentary Corporate Body to put in place a process that will result in an investigation of the regime that might apply in a future Parliament. We have invited Rosemary Agnew, who is a highly respected individual, to undertake that inquiry. It seems to me that, through that method and through discussion of the outcomes and recommendations that arise from it, Parliament could find a solution to the issues that have been raised without recourse to recall legislation and all the confusions and unforeseen consequences—now and in the future—that it might bring about.

16:11

Mark Griffin (Central Scotland) (Lab): I thank Graham Simpson for bringing forward this piece of

legislation. I appreciate the work that it takes for a back-bench member to get their bill to this point. I will focus on the principles of the legislation for most of my speech, and I will perhaps touch on one detail from personal experience, as this is a stage 1 debate on general principles.

We are all human, we all make mistakes and there is absolutely no doubt that political scandal grabs attention. However, there is a real difference between political scandal and its fallout and conduct that fundamentally betrays the standards that Parliament expects of its members. When one of us fails to meet those standards, it erodes public confidence in all of us.

As MSPs, we are rightly held to a higher standard. We are here to serve—to speak on behalf of our constituencies and regions and to champion people who need our help when life is at its hardest. There are 700,000 people across the Central Scotland region, any one of whom might need my help at some point, whether it involves celebrating the achievements of a particular school or organisation or advocating on someone's behalf in a moment of crisis, such as for the parents of children in the Wishaw neonatal intensive care unit.

All those people must be able to trust me. Our job is to be our constituents' voice, and, to be that, we must earn and protect their trust. However, too often, we hear that trust in politics and politicians is collapsing. The Scottish household survey has shown clearly that trust in politicians and public institutions has fallen significantly in recent years.

Rebuilding that trust will take time and action. There has been lots of discussion and debate today about the detail in the bill and about whether it is even possible to get it right. However, if we do get it right, the bill can be part of the process that rebuilds that trust.

Stuart McMillan (Greenock and Inverclyde) (SNP): I acknowledge that we, as politicians, have been part of the problem, but through our actions, comments and deeds, we can also be part of the solution.

Mark Griffin: I absolutely recognise that. The burden falls on us more than on anyone. In fact, it falls almost exclusively on us to rebuild the falling trust in politicians and political standards, but I was going to say that that trust comes from two sources: honesty, showing that we uphold the high standards that are expected of us as public servants; and accountability, demonstrating that there are consequences when we fail to live up to those standards.

We already have strong codes of conduct and a robust process via the Standards, Procedures and Public Appointments Committee, but this bill will give the public the final say when that bond of trust

is broken beyond repair. The principle is simple: if we ask the public to trust us, we must also have a mechanism to hold us to account when that trust is broken. People in the wider UK have that ability through the Recall of MPs Act 2015, and it is right that the Scottish Parliament has a similar power adapted for our system.

Graeme Dey: Does the member agree—I suspect that he will—that the optics of the Parliament rejecting the bill at stage 1 would be terrible and would send the signal that we do not believe that we require to be held to the same level of accountability as colleagues at Westminster and the Senedd?

Mark Griffin: Yes, and that is exactly the point that I just made. I do not think that it would be acceptable, and I do not think that the public would find it acceptable, if some parliamentarians were subject to recall but we at least seemed to be voting down the principle of being able to be held to account by the public in the same way. I absolutely agree with the minister's comments.

I have been a member of the Parliament since 2011, and I know that the vast majority of colleagues across every party understand that serving here is both a privilege and a responsibility, but we cannot ignore the fact that a very small minority have not lived up to those standards. Some have caused harm to the very people they were elected to serve. When that happens, the public deserve far more than an apology or an internal sanction. It is not right that our constituents have fewer means of removing a representative who has broken their trust than are available in other Parliaments. Therefore, I absolutely support the principle of the bill and I look forward to working through the detail at stage 2 to ensure that it is clear, proportionate, legally sound and not open to political misuse.

As I said in my opening remarks, I want to touch on one detail, namely the requirement for attendance, with non-attendance seeming to be a ground for removal from office. Many members will know that my daughter was born very prematurely. I have not added up the time, but I might well have spent more than six months away from the Parliament. At the time, I was supported by colleagues, staff and business managers to be where I needed to be, with my newborn baby. I am comfortable talking about it, but there are circumstances that should not be open for public debate and discussion. I appreciate that that provision mirrors a council mechanism, but that is also not a hard and fast rule in councils, where there is also the ability to have extenuating circumstances understood and appreciated. Why should a member of a council have to divulge private circumstances that they do not feel they should have to just to continue in their role?

I wanted to touch on that small detail, but we will support the general principles of the bill.

16:18

Ruth Maguire (Cunninghame South) (SNP): I begin by acknowledging the work of the member in charge of the bill and of the non-Government bills unit. I also thank the committee for its work. That might sound strange, as I am the deputy convener, but, at the time when the evidence was being taken, I was myself absent for reasons that are in the public domain. I thank Rona Mackay, who substituted for me on the committee, and I echo Mark Griffin's view that it should be down to members to choose whether they disclose the reason for their absence and when they talk about it. I have concerns about the notion of excuses that Sue Webber spoke about earlier, and I will say a bit more about that later.

The outcome of the report that was issued after the excellent detailed scrutiny work of the Standards, Procedures and Public Appointments Committee was that fundamental issues with the bill need to be addressed at stages 2 and 3. I will be clear from the outset that I, like the committee, fully support the aim of the Scottish Parliament (Recall and Removal of Members) Bill, which is to improve the democratic accountability of MSPs during the course of a parliamentary session by introducing a process by which an MSP could lose their seat in the Parliament through a recall. It is because of my belief in that aim, in principle, that I will vote for the bill this evening.

I recognise that at the heart of the bill is the integrity of the democratic process and the aim of improving accountability. I do not think that anyone in the chamber would disagree with that. However, it is clear from the committee's work that fundamental changes are required to achieve that aim. Its report sets out a number of areas for reconsideration, to ensure that the process works within the Scottish Parliament's electoral system. Those include consideration of the

"complexity and costs associated with any mechanism for recall of regional members."

Like Richard Leonard, I do not think that we should be driven by cost. However, we have to consider the cost of such measures. Other things that require consideration are the practical arrangements around holding recall petitions, to ensure that all those who are eligible to sign them can do so.

The bill also proposes new grounds for the automatic removal of MSPs when there has been a criminal offence or when a member has not attended the Parliament in person for 180 days without a reasonable explanation. The committee was not persuaded that MSPs should be removed

for not physically attending the Parliament, and we invited Mr Simpson to reconsider that element of the bill.

The Scottish Parliament has hybrid working, and we probably should have introduced it sooner than we did. Covid drove those changes quickly, and they are in place now. I agree with Sue Webber's point that judging folk on their attendance—that is, by their very presence—is probably not a good way to judge their effectiveness. Furthermore, hybrid working will enable a more varied cohort to do the job of MSP. It is possible to do that job by the varied means that we now have—not just by standing here in a half-empty chamber on a Thursday afternoon. Some might argue that, on occasion, that is a better way to do it and a better use of our time, but other members have spoken about other requirements, such as the need to be in their constituency in the morning, perhaps for an engagement, before attending the Parliament remotely.

I will not speak too much about myself, but I will make one more personal point. Were it not for the hybrid nature of the Parliament, I would not have been able to return to work as quickly as I did after my treatment, because hybrid working enabled a phased return. I am sure that all members are delighted that I was here as quickly as I could be.

I want to speak briefly about the issue of members changing political parties. That was raised by a constituent of mine whose thoughts I would like to put on the record. Ms Matthews wrote to me a message that was triggered by an MSP moving party:

"Though it may happen less in Scotland, I feel very strongly that politicians who have changed party or have been put out of a party should not be allowed to continue to sit without a by-election. Such people stood on a party manifesto and have used its resources to campaign. The electorate should have their chance to react to their position. Could you pass on my concern to the appropriate authority?"

I have put Ms Matthews's thoughts on the record, and I understand the feelings around that issue. There is deep anger when a party loses someone, but there can also be joy when a party gains a member. My personal position is that it is not reasonable to tie MSPs to political parties. Policy changes, which are sometimes quite fundamental, can cause good people to resign or shift parties, and a party can change direction slowly, over a period of time. It is for individual members to decide which party they should be in.

The recall process that is suggested in the bill builds on the established process at Westminster. I agree that that is a good starting point, but any system that is established in the Scottish Parliament cannot be a direct replication of the 2015 act; it has to be a system for the Scottish

Parliament that accommodates the recall of both constituency and regional MSPs. I acknowledge that the member and the Government have said that they are working on that.

There is a balance to be struck between issues of parity among all MSPs who are elected to the Scottish Parliament, recognition of the different routes for election and questions of voter choice and clarity. I do not think that we have that balance yet.

I see that the Presiding Officer would like me to conclude, so I will do so.

16:25

Kevin Stewart: We have had a fairly substantial debate today, with a number of good contributions. In those contributions, we have probably come up with a lot more questions than answers, to be fair.

The reason why I lodged my amendment to the motion for debate is that I want any system that is put in place to be as depoliticised as possible. It has to be fair. I really believe, as the committee says, that the

“process carries potential to be politicised.”

I agree with the committee on that, and we can help to depoliticise it by agreeing to a parliamentary complaints and sanctions process that is backed by the appropriate guidance.

Craig Hoy: By dint of his lodging his amendment, it could be perceived that Kevin Stewart has politicised the debate. If the motion could otherwise be agreed to tonight unanimously, would he consider not pressing his amendment and arguing his corner as the bill progresses?

Kevin Stewart: No, I will press my amendment tonight—I have moved it. There is a job of work to be done to get this right. Jackson Carlaw talked about the Scottish Parliamentary Corporate Body review that Rosemary Agnew is leading and, like him, I think that that can play a part in all this, too. It is essential that we get it right.

We have heard members across the chamber say that they are willing to work together to make sure that it is right. Folk have said that they will work with Mr Simpson—I have already said that I would do so—and folk have said that they would work with Mr Dey as the responsible Government minister. However, amendments in this regard should be Parliament amendments and not Government amendments, or else there will be criticism, I am quite sure, in the future.

The Parliament itself needs to put much more resource into scoping all this out. I come back to the point that I made earlier about the fact that it has taken Mr Simpson 11 months to get to this stage because, quite possibly, the non-

Government bills unit is not adequately resourced. This is the Parliament’s job and not necessarily the Government’s job.

We have heard from a lot of members on various issues, some of which I really agree with. The proposal that Mr Cole-Hamilton put forward has to be explored. Equally, I understand Mr Carlaw’s argument that, if such a proposal was put in place, certain folk might get excluded from the Parliament who we would not want to be excluded. However, there are always balances to be struck.

We all seem to agree on the general principles, but it will take a lot of work from all members, as well as the parliamentary authorities, to get it right. I wish the member in charge, Mr Simpson, all the very best as he moves forward with his bill—he has taken on a pretty onerous task. We must all work together to ensure that we get it absolutely right.

16:29

Patrick Harvie: It would be rude of me not to start by returning the kind remarks that Jackson Carlaw made earlier. There are probably very few issues—aside from 60-year-old sci-fi—that Jackson Carlaw and I agree on; indeed, there is a great deal that we profoundly disagree on. However, his speech exposed accurately some of the real concerns that exist about what might be unintended consequences of the bill, and we need to give careful thought to such scenarios before making decisions on the shape of the bill before it reaches stage 3 or on how we vote on the bill at that stage.

In particular, Jackson Carlaw mentioned aspects of today’s political, social and media context that would not have occurred to us, had the matter been debated here or elsewhere 10, 15 or 20 years ago. We are seeing the genuine threat of an explicitly far-right Government in the UK. We are looking across to the US, a country that is now in the grip of post-reality politics, with a Government that still works with the mantra to “flood the zone with”—I will not complete the quotation, but we all know how it ends. Essentially, it involves taking an approach to politics that is about undermining anybody’s ability to believe in such a thing as objective truth.

We are seeing figures such as Elon Musk, who is in control of a powerful social media platform, explicitly advocating for political violence in this country, and we are seeing large parts of the media and prominent politicians clearly trying to normalise the idea that black and brown people cannot be British—or English or Scottish. They are not only advocating that those people should have no place in the Government or the Parliament, but arguing for mass deportations. That is a context in

which the mechanisms that we are debating are at far more risk of being weaponised—not only politicised, but weaponised—and I am very concerned about that.

Forgive me if I am paraphrasing too much: Ruth Maguire seemed to argue that, if we are to have a recall system, we should be designing it for the Scottish context, rather than copying and pasting one from elsewhere. I agree strongly with that. I am not wholly convinced that the bill offers the route to a system that, ultimately, I will support, but if there is to be a system, we should be looking at our context rather than doing a copy-and-paste job.

In his speech, Mark Griffin frequently used the word “trust”. His speech gave much more emphasis to the question of trust in politics than any other speech did. Trust is important and he clearly expressed that. It matters that we acknowledge that trust is not easily earned. There has never been a moment in my time in politics when people thought that trust in politics was at a high point. We have always gone through cycles of recognising that a great many people have a low degree of trust in politics and in the political process. However, when there are fundamental issues of trust and of whether people trust their politicians in a general sense, if people judge us poorly in those general terms, the election is the means of holding us to account.

What is missing at the moment is an objective test for identifying when an individual’s behaviour has sunk so low that they have reached the point when, in any other workplace, they would be subject to a disciplinary process and could lose their job. That is missing from the arrangements that we currently work within. That is not really about trust; it is about an objective assessment of someone’s behaviour.

That goes back to the points raised in relation to Kevin Stewart’s amendment about a sanctions process and how complaints can be made and should be handled. That is where the objective tests of behaviour would come in—as opposed to in a petitions process that is open to politicisation.

I have a couple of comments on switching parties, which is an issue that many members have talked about. I emphasise again that many different circumstances can give rise to somebody switching party and can affect the way in which people might judge a member who has switched party. Of course, some people do that because they feel that the party has changed around them, or they do it in reaction to new circumstances. It also happens in situations where the motivation is transparently about self-interest or a betrayal of the fundamental values. It is understandable that there may be no single, simple rule for whether people will feel that it is appropriate or acceptable

for someone to continue to be a member in such circumstances.

Finally, I want to come back to one of the most important—well, important to me—points in my opening speech: the role of legitimate peaceful protest, which can often meet a criminal sanction and often receives disproportionate sentences in the UK. If there is to be any criminal trigger for a process of the kind that the bill proposes, surely it must relate to the nature of the offence that is committed, not simply to the length of a sentence that is passed. If there is to be any criminal trigger, it must be about what the person has done and the circumstances and nature of that offence.

I will finish by saying again that I remain unconvinced that the bill can be repaired or fixed to the point at which those concerns are all addressed. I and my party will engage in that process. We will abstain tonight on the amended motion, but we remain unconvinced that the bill will be supportable at stage 3.

16:35

Richard Leonard: What we are voting for tonight is not a blanket acceptance of everything in this bill. This is not a ready-made solution. We will need more exchanges, more debate, more amendments and more scrutiny to find the answers we seek, and we shall have to be creative, but the Scottish Labour Party is prepared to vote for this bill at decision time tonight.

Much of this debate is, in the end, about the exercise of rights—of equal rights—of freedoms and of democracy. It is about being radical, but we must also be rational. It is about an extension of democratic principles into an area where they do not currently exist, and it is about trusting in an intelligent democracy of citizens—not consumers, not subjects even, but active citizens.

In this debate, not surprisingly, something has been made about holding to account or recalling MSPs who switch their party allegiance during a term of office. I am not unsympathetic to that argument, and I do not know at what stage Graham Simpson’s conversion to Reform took place, but, before he had announced a move, he was on the record as saying in Parliament on 19 June:

“I do not think that it is a crime to switch parties.”—*[Official Report, Standards, Procedures and Public Appointments Committee, 19 June 2025; c 10.]*

Perhaps he knew then, or perhaps he did not know—there is only one person who can answer that question.

To Michelle Thomson and Sue Webber, I gently say that we are not a business or a corporation here to maximise profits. We are a Parliament

here to serve the people, so money making and money saving should not come first.

In relation to Patrick Harvie's point, corruption of the system by dark money, digital disinformation and dirty politics is more of a threat to our democracy than individual dissent and protest or even civil disobedience, which could lead to someone being banned from this Parliament for 10 days or more or to imprisonment.

To Jackson Carlaw, who made the point that, if this became law, it could cause the downfall of a Government, I say that that is also a function of the electoral system that this Parliament is run by. So, there are some questions that are raised by that—we will need to take account of the idea of political conspiracies and so on, because let me say again that democracy should not be a spectator sport in which we limit its exercise to a cross on a ballot paper periodically.

And let me say again that I am quite clear that to be an MSP is a privilege that brings with it duties, responsibilities and standards. On that, personally, I have always been struck by something that Clement Attlee said after the 1945 general election. He came to Musselburgh in October 1945 to address the Scottish Labour Party conference, and he said this:

“The deciding factor ... will not be the leadership of the exact theory which is held to orthodox socialism. It will not be the brilliance of particular individuals. The thing which will secure the triumph of Labour will be the demonstration by Socialists in their lives that they have a high ideal and live up to it.”

So, whatever our party, whatever our ideology or values, we should all have high ideals. We should all have high standards, and we should all live up to them.

If we are forging a way forward to deal with bad conduct, low standards or even serious crime, we have to work, as Mark Griffin said, honestly. We need to vote for legislation that is fair, robust and enduring.

For all of us, our place in this Parliament rests on consent—the consent of the people. History is often the story of action and reaction, and rather than react in the future, I think that we should act now to guard against the corrosion of trust. Legislation is built on those principles—a presumption of political equality, of human values over money values, of compassion, of extending democracy and of safeguarding hard-won democratic rights. As we consider this bill, let us embrace those principles, let us be bold in vision and let us be resolute in action.

16:40

Craig Hoy (South Scotland) (Con): Today's stage 1 debate on the bill shows that there is a

general consensus on the need for the Parliament to have a recall mechanism, but there is a difference of opinion about how it should operate and be constructed.

As we move forward, there is a risk that two things could happen. The bill could grow arms and legs for reasons that might or might not be political, or fundamental limbs could be removed from it because it could be overreaching.

The debate has been wide ranging and relatively good humoured. I commend Sue Webber for being clear and passionate about where our party stands. I repeat that, had it not been for Kevin Stewart's amendment, we would have supported the bill at stage 1. However, if Mr Stewart's amendment is agreed to, we will abstain on the bill and watch with interest to see what happens next. I hear what Patrick Harvie says about the fact that this might not be the bill that finally delivers what is needed, which is a recall mechanism that enjoys the confidence and trust of the people who send us to the Parliament.

Patrick Harvie said about those who might campaign to have someone removed that he would perhaps consider political parties not being permitted to play any part in that. There might be some merit in that, but there is also the risk that proxies would be found in order to do that. It might be better if the label at the top of the leaflet illustrates who is driving the campaign, rather than political parties operating in the shadows.

Michelle Thomson made the significant point that we come here via different electoral systems and that the office arrangements for list MSPs are different from those for constituency MSPs, for example. However, I fully accept what Jackson Carlaw said in respect of the conundrums that will be created if we try to operate two parallel recall systems.

I always enjoy Richard Leonard's contributions. As I have said in the past, I do not always agree with them, but I think that putting the fundamental principle of equality at the heart of the system is correct. However, although cost should not be the principal consideration, for us to set it aside and say that it is not a material consideration would not be to serve the public purse or our constituents particularly well.

I agree with what Patrick Harvie said with respect to Mark Griffin's speech. It is a privilege and a responsibility to serve in the Parliament, and we should do so with the trust of the people. However, if we lose that trust, the logical opportunity for us to be removed is at election time, unless the individual has done something so egregious that they would fall under the remit of the scheme.

Mr Cole-Hamilton was right in many respects. I agree with his call for the protection of vulnerable groups to be material in relation to the proposed legislation. Some of my constituents are shocked that we do not have to go through that process. That would be something for members of the next Parliament to consider, regardless of what happens with the bill.

Ruth Maguire made some valid points, and I welcome her frankness about her journey back to work. She said that she is not convinced that a member changing party should necessarily be a trigger for recall. That might well be the case, because people have different reasons for moving from one party to another. There is rank opportunism in those who seek to save their bacon—we have had examples of that in this session of Parliament—but there are also people who, on a principled position, can no longer sit with a party. I think of Mr Ewing in that respect.

Ruth Maguire: Will Craig Hoy take an intervention?

Craig Hoy: I do not think that I will get the time back, will I, Presiding Officer?

The Presiding Officer (Alison Johnstone): We have very little time.

Craig Hoy: I will take a brief intervention.

Ruth Maguire: Does the point that Craig Hoy made about the different reasons for people leaving—I will not repeat the one that he gave—show that it is just so difficult to legislate for an MSP who changes party, because of all the different reasons and views that people have on it?

Craig Hoy: Absolutely. A person might choose to sit as an independent, but would that therefore prevent them from continuing to sit? The same principle would apply.

I will pick up on a couple of issues that Mr Simpson raised. I accept his legitimate point that we currently hold councillors to a higher standard in many respects, but we must recognise that there are many reasons why members of this Parliament might not be in the chamber. I believe that Mr Simpson has encountered that issue in the past, so he might have some sympathy with that position. In researching for today's debate, I came across a May 2016 *Daily Record* article that I think is material to the debate, because its headline reads:

"East Kilbride councillor under fire for keeping council pay on top of MSP salary".

The piece, which is still available online, reads:

"Newly elected Tory list MSP Graham Simpson misses council meeting for Holyrood despite saying he would have 'no difficulty' in combining two roles."

The piece goes on to explain that Mr Simpson, who took both his MSP salary and his councillor salary

"did not attend South Lanarkshire Council's executive committee meeting because of commitments at Holyrood".

Rather than sanctioning himself for not turning up, Mr Simpson took two salaries, setting aside the long-standing convention that double-jobbing elected representatives donate one salary to charity.

I am therefore a little confused about Mr Simpson's position in relation to those who do not fully discharge their duties: is that a matter for sanction or for reward? Mr Simpson might have changed his opinion since then and might wish to confirm that, with hindsight, he made an error of judgment. He might even now, retrospectively, want to donate the £17,000 that he received as a councillor, given that, as the *Daily Record* confirmed, he did not always turn up for meetings. I would be happy to give way to Mr Simpson if he wants to comment on that, but it seems that he is not going to intervene or admit to what was probably an error of judgment.

We are, basically, not opposed to the general principles of the bill, although we have some areas of concern. If Mr Stewart does not have any ulterior motives, we will find that out further down the line, but I fear that his attempt to widen the bill's scope could allow it to be hijacked for purposes that might, in the end, undermine the rationale for introducing such a bill in the Parliament. Fundamentally, we must do far more to tease out the arguments around the bill, and we will have the opportunity to do so. Sadly, Scottish Conservatives will abstain, should Mr Stewart's amendment be agreed to, because things would be much clearer if we were to stick to the bill as it stands, as was proposed by Mr Simpson at stage 1.

16:47

Graeme Dey: The committee's stage 1 report concluded that

"There are some fundamental issues that would need to be addressed at Stage 2 for the Bill to be able to deliver its intended purpose",

and it is clear from today's debate that members pretty much unanimously agree with that. The question is how we address those issues.

I very much welcome Patrick Harvie's commitment to engage in that process despite his party's strong reservations about what sits before us presently, because we will need that approach if we are to come to a satisfactory conclusion.

There are a number of steps that the Government could take, in conjunction with

members, to address the concerns that have been highlighted by members and by the committee and to bring the bill closer to workability. Some other issues cannot, and should not, be resolved by the Government and should be addressed by the Parliament, but the Parliament is not resourced to do that—hence my offer to deploy Government resources to support colleagues. I hope that that offer is seen to be as genuine as I intend it to be.

One clear example of that is the need to future proof the bill, at least to the degree that we can, to accommodate the findings of the independent review of the parliamentary complaints system. That is clearly necessary if the bill is to be feasible and if the Parliament is to have a way of understanding and agreeing what that complaints and sanctions process would look like before the final implementation of the legislative provisions that would trigger recall on the grounds of parliamentary sanction. Kevin Stewart's reasoned amendment is a possible solution to that problem, which is why the Government will support it tonight. I do not accept Sue Webber's assertions about Mr Stewart's amendment and, in speaking for the Government, reiterate that our motives come from an utter commitment to making the process fair and workable.

Other issues have been raised in the debate and I am willing to explore them further with Mr Simpson, the committee and members ahead of stage 2 and to consider whether we can find a way forward. However, let me be clear that, if we are to provide that support and engagement, we will need adequate time to do so. The committee, which has done a sterling job to date, and the Parliament will need a realistic stage 2 deadline to work to. It will also need the constructive and thoughtful participation of the wider membership of the Parliament because, in addition to all the points in the report that have been explored today, we have heard brand new ones, including from Alex Cole-Hamilton and Sue Webber, and those different angles will require to be taken on board as we go through stages 2 and 3. We will need time to consider them and ensure that we can implement the measures, if Parliament decides that we should do that, in an appropriate way.

Kevin Stewart: A lot of that work will have to be done by the Parliament. I know that this is not in the minister's gift, but can we all come together to ensure that the Parliament gets the resource that is required to do all that work, and not just the Government? It is a job for the Parliament.

Graeme Dey: Mr Stewart will recognise that I cannot answer that question. I observe that it is unrealistic to expect that we will magically find the resource in the next few weeks or couple of months in order to do that. However, I agree with him about the Parliament coming together and

working constructively to try to ensure that, at the end of the process, we have something that is capable of being implemented.

I will comment on some of the changes that are proposed in the bill, although I am conscious of time. We have explored the threshold of six months rather than 12 months for sentences. On the need to remove the provisions on non-attendance as a trigger for disqualification, I agree with much of what I heard from members in the debate. If the bill were to proceed as it is currently drafted, we would need Parliament to introduce new mechanisms for monitoring, recording and reporting on the physical attendance of MSPs on the parliamentary estate. However, it is pretty clear from the contributions to the debate that members do not believe that that would be workable or appropriate.

The committee asked for more detail on campaigning rules during the petition signing period. Its report states:

"Unless these matters are addressed, we consider that there is potential for the purpose of recall to be undermined to the detriment of the accountability and transparency that must form part of any democratic event."

We should explore including in the bill additional provisions to cover campaign finance and campaigning rules.

The proposed changes that I and others have outlined today are numerous and complex. They would need to be supported by a range of technical amendments to ensure that the bill would fit with the existing electoral legislation in Scotland, including the relevant administrative process, the roles and responsibilities of electoral bodies, and offences arising from all aspects of the recall process.

As I said earlier, and as the debate has indicated, there is much to do—much of it complex—and relatively little time in which to do it. We will need clarity of thought and a clear eye on the principles that underpin the bill to ensure that it meets its intended purpose, which is

"to improve the democratic accountability of MSPs during the course of a parliamentary session."

If Parliament agrees to the general principles of the bill today, we will work with colleagues across the chamber to do what we can to help to reshape some of the bill at stage 2 to reflect the committee's and members' clearly expressed concerns. I strongly encourage Mr Simpson to do the same in conjunction with the non-Government bills unit.

Although the Scottish Government will support the bill today, I make it clear that our support at stage 3 will depend on whether we believe that, at that stage, the Parliament has feasible, workable

proposals before it that can ultimately be implemented by the institution.

Like Kevin Stewart, Ruth Maguire and Richard Leonard, I have no skin in the game. As someone noted earlier, I will not be here in the next session of Parliament. However, I believe that it is incumbent on all of us who have the privilege to sit here to help to furnish future iterations of the Parliament with a workable recall system. I hope that colleagues will join me in committing today to do all that we can in the coming weeks and months to ensure that that is the case.

16:54

Graham Simpson: I start by welcoming Ruth Maguire back. It is wonderful that she is back, and she gave a very reasoned speech, which I thought was excellent. I fully understand that she was not on the committee for most of the evidence, and we know why. The provision in the bill, as it stands, on non-attendance was certainly not aimed at people such as Ruth Maguire—definitely not.

I have enjoyed the debate, and have not intervened on members, because I have been listening. There have been excellent contributions that show how the process could work effectively. I know that I have not presented a perfect bill, and there are serious questions to be answered about it. The committee has done a great job in raising concerns about it.

My reflection on the debate is that members want a recall system that works—perhaps not the system that I originally proposed but one along the lines that I now propose, which is a much simpler and less expensive system for the regional element of the poll. I get the clear message from members that they do not like the non-attendance element of the bill at all, so perhaps we should just be pragmatic about that and get rid of it.

Members do not seem to like the suggestion that we reduce the jail term, if I can call it that, from more than 12 months to six months. If that is members' position, why do we not get rid of that? Why do we not make this a recall bill and get it right? *[Interruption.]*

I hope that the minister is okay—I see that he is coughing.

If we concentrate on recall, the job becomes much simpler. We could do as I suggest and base the constituency element on the Westminster system and simplify my proposal for the regional element, because we have to have a regional element—there is no getting around that. One of the difficulties that I had was wrestling with our electoral system. I do not like our electoral system, and I think that it should change, but we are stuck with it. If we are going to have a recall system, we

have to come up with a system to deal with regional members.

Graeme Dey and I are both former newspaper journalists, so we both know about the process by which pieces of work are honed, shaped and checked. That is the process that we are now going through with the bill. I am not going to be precious about that, but it would be a very bad look indeed if the bill does not pass in some form and we end up not having a recall system in Scotland.

Alex Cole-Hamilton: I hope to engage in the process that Graham Simpson describes as we seek to scrutinise and make better the pages of the bill. Will he offer his views on my suggestion that we should include an element of PVG checks for parliamentarians as a trigger for barring from parliamentary service those who are seen to be ineligible to work with children or vulnerable adults? That is a big part of what we do. If our constituents knew that we were members of the PVG scheme, they would be reassured when seeking our help.

Graham Simpson: I thank Alex Cole-Hamilton for making that interesting point again. I do not know whether he intends to lodge an amendment to that effect at stage 2, but the issue should certainly be considered. I was just recalling that, when I was a councillor, I had to have those checks done, but we do not have to have them as MSPs. That seems to be an oversight that should certainly be addressed.

Martin Whitfield, the convener of the Standards, Procedures and Public Appointments Committee, gave, as he always does, a very good speech, and he referenced the ancient Greeks. I cannot remember what he said about the ancient Greeks, but there it was. It was a bit of a history lesson, as was Richard Leonard's contribution.

I am just pleased that we have got this far. There will be big changes to the bill, and there should be, which is part of the process. I will work with anyone who has sensible ideas and who wants a recall system in Scotland. I have always worked that way, and I hope that members will be constructive.

I do not wish to embarrass the minister, but I have enjoyed a friendship with him for a number of years. It is an enduring friendship, and I hope that he can work with me on that basis. I have also worked with Kevin Stewart and will work with him at stage 2. His amendment is cheeky and he has given the Scottish Conservatives a reason to abstain, which is regrettable. Perhaps he will reconsider, because I would rather members did not have a reason to abstain. The public will expect us to work together on the bill, which is what we should do. We cannot be left as the only

part of the United Kingdom without a recall process.

In closing, when Jamie Hepburn appeared before the committee, I asked him whether he agreed with me that we can have the best system of recall in the UK, which he did. Let us rise to the challenge, support the general principles of the bill, and work together to get it into a shape that all members of the Parliament can agree on.

Decision Time

17:01

The Presiding Officer (Alison Johnstone): There are two questions to be put as a result of today's business. The first question is, that amendment S6M-19565.1, in the name of Kevin Stewart, which seeks to amend motion S6M-19565, in the name of Graham Simpson, on the Scottish Parliament (Recall and Removal of Members) Bill at stage 1, 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 platform.

17:01

Meeting suspended.

17:04

On resuming—

The Presiding Officer: We will now proceed with the division on amendment S6M-19565.1, in the name of Kevin Stewart. Members should cast their votes now.

The vote is closed.

Sarah Boyack (Lothian) (Lab): On a point of order, Presiding Officer. I tried to vote. If this is the Kevin Stewart amendment, I would have voted no.

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

For

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

Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Simpson, Graham (Central Scotland) (Reform)
 Slater, Lorna (Lothian) (Green) [Proxy vote cast by Maggie Chapman]
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foyso (Lothian) (Ind)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Ewing, Fergus (Inverness and Nairn) (Ind)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Greene, Jamie (West Scotland) (LD)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire)

(Con)
 Hoy, Craig (South Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Rennie, Willie (North East Fife) (LD)
 Ross, Douglas (Highlands and Islands) (Con)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)

Abstentions

Balfour, Jeremy (Lothian) (Ind)
 Carlaw, Jackson (Eastwood) (Con)

The Presiding Officer: The result of the division on amendment S6M-19565.1, in the name of Kevin Stewart, is: For 66, Against 47, Abstentions 2.

Amendment agreed to.

The Presiding Officer: The next question is, that motion S6M-19565, in the name of Graham Simpson, on the Scottish Parliament (Recall and Removal of Members) Bill at stage 1, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Choudhury, Foyso (Lothian) (Ind)
 Clark, Katy (West Scotland) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Ewing, Annabelle (Cowdenbeath) (SNP)

Ewing, Fergus (Inverness and Nairn) (Ind)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (Ind)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Balfour, Jeremy (Lothian) (Ind)
 Briggs, Miles (Lothian) (Con)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Maggie (North East Scotland) (Green)
 Dowey, Sharon (South Scotland) (Con)

Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Hoy, Craig (South Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green) [Proxy vote cast by Maggie Chapman]
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)

The Presiding Officer: The result of the division on motion S6M-19565, in the name of Graham Simpson, on the Scottish Parliament (Recall and Removal of Members) Bill at stage 1, as amended, is: For 81, Against 0, Abstentions 35.

Motion, as amended, agreed to,

That the Parliament agrees to the general principles of the Scottish Parliament (Recall and Removal of Members) Bill, and, in so doing, believes that consideration should be given to agreeing a parliamentary complaints and sanctions process, backed by appropriate guidance, in relation to section 2 of the Bill."

The Presiding Officer: That concludes decision time.

Point of Order

17:07

Gordon MacDonald (Edinburgh Pentlands) (SNP): On a point of order, Presiding Officer.

The Presiding Officer (Alison Johnstone): I think that you were just on the cusp, Mr MacDonald, so I will accept your point of order at this time.

Gordon MacDonald: Thank you, Presiding Officer.

At First Minister's question time today, Anas Sarwar made a series of comments about cancelled operations, suggesting that figures are worse this year than last year. However, it appears that he has misled Parliament by comparing figures across four months this year with those across only two months last year. That is deliberately misleading. He also failed to make Parliament aware that the number of operations that were cancelled due to capacity issues had decreased and that the number of operations that were performed overall was more than 10,300 higher by September this year than in the year to September 2024.

It is vital that we, as members of the Parliament, provide accurate information to the public. Anas Sarwar's attempt to mislead and talk down our national health service is unfair to the hard-working doctors, nurses and NHS staff who have made that progress possible. Can the Presiding Officer therefore outline how Anas Sarwar can correct the record and ensure that he does not mislead Parliament in future?

The Presiding Officer: Thank you, Mr MacDonald. As members will be aware, the content of a member's contributions is generally a matter for the member. If a member believes that there has been a factual inaccuracy, there are a number of mechanisms in place for the record to be amended. I would also say that, in general, members in the chamber should avoid suggesting that others have been deliberately misleading and untruthful.

I close this meeting of Parliament.

Meeting closed at 17:09.

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

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