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Meeting of the Parliament

Tuesday 16 December 2025

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Scottish Parliament

Tuesday 16 December 2025

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

Time for Reflection

The Presiding Officer (Alison Johnstone): Good afternoon. Our first item of business is time for reflection. Our time for reflection leader today is the Rev Gordon Kennedy, minister, Craiglockhart parish church.

The Rev Gordon Kennedy (Craiglockhart Parish Church): Presiding Officer and members of the Scottish Parliament, thank you for the opportunity to share this time for reflection with you.

Advent is a season of hope. We do not hope for something that we already have. In the darkness, we hope for light. In distress, we hope for comfort. We long for a hope that will sustain us, prove to be true and deliver what we have hoped for.

As a disciple of Jesus, I live in hope—not a hope in my own wisdom or ability, both of which are limited, but in the God who loves me, in Jesus who has come to be God with me and in the promises of God's enduring word.

To a nation that was troubled by war and facing turmoil, our God sent his word by Isaiah his prophet:

> "to us a child is born, to us a son is given; and the government shall be upon his shoulder ... his name shall be called Wonderful Counsellor, Mighty God, Everlasting Father, Prince of Peace."

Eight hundred years before our Lord Jesus was born in Bethlehem, God declared the good news of hope. Those words are about not stables or stars but who Jesus is and what he will do; they are words of hope, which God displayed to be true when a young girl gave birth to her son.

King Jesus will set his shoulder to the yoke, and he will bear our heavy load. He will go before us and set the path for us. King Jesus is the one who will give us wonderful counsel. He knows more than we do about how we need to live. King Jesus is God and, with all the power of God, is able to be at work for us. King Jesus can gather us into the unending security of his love and grace. He will rule for our wellbeing, our wholeness and our harmony.

What are you hoping for, this Christmas? Are you hoping for snow? Are you hoping for a quiet time with your family? The hope that God offers us at Christmas is far more—far deeper—than that. Hope in Jesus is shown to be true by his continuing work among us. Hope in Jesus delivers what we have hoped for.

Advent is a good time to leave behind the hopes that will disappoint us and to find real, lasting and glorious hope in Jesus our king.

Thank you.

Business Motion

14:04

The Presiding Officer (Alison Johnstone): The next item of business is consideration of business motion S6M-20196, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, on a change to business. Any member who wishes to speak to the motion should press their request-to-speak button now.

Motion moved,

That the Parliament agrees to the following revisions to the programme of business for—

(a) Tuesday 16 December 2025—

after

followed by Topical Questions

insert

followed by Motion of No Confidence

(b) Thursday 18 December 2025—

delete

3.10 pm Decision Time

and insert

2.40 pm Decision Time—[*Graeme Dey*.]

Motion agreed to.

Topical Question Time

14:04

Jewish Community Safety

1. **Rona Mackay (Strathkelvin and Bearsden) (SNP):** To ask the Scottish Government, in light of the recent attack on the Jewish community at Bondi beach, in Australia, what steps are being taken to ensure community safety in Scotland. (S6T-02815)

The First Minister (John Swinney): The Scottish Government stands in solidarity with Jewish communities worldwide who face unimaginable grief following the horrific terror attack on Bondi beach during the first night of Hanukkah. My thoughts are with all who have lost loved ones, and we grieve each loss profoundly.

Antisemitism is an evil that we must confront wherever and whenever it takes place. The Scottish Government is committed to ensuring that Scotland's Jewish community is supported, free from fear and able to continue contributing to national life. We are in close contact with Police Scotland and partners in education to ensure that every community feels safe, including at places of worship, schools and universities.

Last night, I was honoured to speak at the Hanukkah celebration at Edinburgh city chambers. Hanukkah is a celebration of light. It reminds us all that light is stronger than darkness. During the rest of Hanukkah, let us remember that, even in the darkest of times, hope and goodness will always endure.

Rona Mackay: I am glad to hear that the First Minister has shown his solidarity with Jewish people by attending the Hanukkah event that he spoke about. Will he join me in encouraging members and the public to reject all hatred, discrimination and prejudice? Does he agree that language is important and that how we act in our words and deeds, and in standing up to prejudice, is vital in an age of misinformation?

The First Minister: It is absolutely vital that, in all our actions, we do all that we can to reject hatred, discrimination and prejudice in our society. This is a particularly concerning and alarming time for the Jewish community in Scotland. I have heard at first hand—not just last night, at the city chambers in Edinburgh, but on other occasions when I have met with members of the community—about the profound fear and alarm that is felt by members of the community in Scotland. Steps have been taken, and will continue to be taken, to support the community's safety. However, in a democracy, no individual should fear for their safety. Individuals should be

able to live their lives free from prejudice and hatred, and in safety. That will be the outlook and the approach taken by the Scottish Government to support the Jewish community, as we support all communities in Scotland.

Rona Mackay: The Scottish Government has supported both the STV appeal and the Scottish Trades Union Congress on supporting community cohesion. Can the First Minister outline what that will do to support people to feel safe in their communities?

The First Minister: The Government takes many steps, through a number of our activities, to support community cohesion. Indeed, over the period around St Andrew's day, we took forward a campaign on the theme that, together, "We are Scotland". The purpose of the campaign was to encourage and promote a sense of community cohesion. We take that work forward through dialogue directly with the Jewish community in Scotland. I have had a series of meetings with the Jewish community, as have ministers and officials, to encourage and nurture the inclusion and cohesion that must be at the heart of a safe society for all. The particular elements of project funding that Rona Mackay referred to are all taken forward with the objective of encouraging cohesion among our communities in Scotland, because that represents the fundamental approach that the Government takes to encouraging that sentiment in our society.

Jackson Carlaw (Eastwood) (Con): As it happens, my former parliamentary aide, Euan Waddell, is now working in Australia and lives in the Wentworth constituency, which is at the heart of where this ghastly attack took place. He describes Wentworth as the Eastwood of Sydney. It is a community with a strong Jewish population, which is very familiar to him, to me and to my own Jewish community in Eastwood. It is precisely for that reason that the atmosphere among the Jewish community has changed dramatically. Australia, Sydney and Wentworth were meant to be safe in the way that Scotland, Glasgow and Eastwood are meant to be safe, but, if it can happen there, they now fear that it will happen here.

Yesterday, I was contacted by parents at Calderwood Lodge primary school. They are adults now but were children at the time of the Dunblane tragedy, and it is burned fiercely on their memory. Can the First Minister offer an assurance that he will ensure that Police Scotland looks not just at places of worship but at this incredible, unique school—the only joint Jewish-Catholic campus anywhere in the world—so that Jewish, Muslim and Catholic children who live, work and learn together there can continue to do so safely and so that their parents can know that they will receive the full support of this Parliament and the community in Scotland to ensure that they can? [*Applause*.]

The First Minister: I pay tribute to Jackson Carlaw for the force with which he expresses the thoughts and aspirations of the community that he has faithfully represented in this Parliament and for the sentiments that he has shared with us from Wentworth. It is powerful testimony that Parliament has to hear and take account of.

I am very familiar with the circumstances at Calderwood Lodge primary school, and I have been looking closely at some of the issues in relation to the security and safety of the school. Our schools have to be safe places in all circumstances, and that must apply to Calderwood Lodge primary school. I am aware of some issues around security, which I am personally addressing. I give Mr Carlaw the assurance that the issue is very much on my desk, that I am looking at it personally and that I will be taking steps to address those issues.

I discussed the security of the Jewish community, and of places of worship and education, with the chief constable yesterday. I was assured last night by members of the Jewish community that, sadly, in the aftermath of the Manchester attack and again, sadly, in the aftermath of the Bondi beach attack, Police Scotland, which already has very strong connections with the Jewish community, increased that engagement as a consequence, as I would have expected to be the case.

Specifically in relation to Calderwood Lodge primary school, I assure Mr Carlaw of my direct personal attention in relation to that question. We may well have more to say about that in due course.

Paul O'Kane (West Scotland) (Lab): I associate myself and the whole of the Scottish Labour Party with the First Minister's remarks and with all those who have offered their condolences to the families and friends of those who were murdered in the horrific antisemitic terror attack that occurred over the weekend in Australia. Such vile acts of terror and antisemitic hate shock us at any time, but it is all the more painful for those within our Jewish community as Hanukkah gets under way.

I also associate myself with the remarks that Jackson Carlaw has just made. He and I know the community in Eastwood well, and we know that there is a real sense of fear and horror about what has occurred in Australia and about the potential that something may happen here, at home.

I very much associate myself with the exchange on Calderwood Lodge primary school, which is a symbol of hope and a beacon of the resilience of

the Jewish community in Scotland. Over the past few days, none of us could have been unmoved by the displays of resilience in the Jewish community as people came together to light their menorahs and to stand together against hate.

Tomorrow, at Calderwood Lodge primary school, the children will be taking part in their Hanukkah play. I do not think that there is any greater way that they could show their resilience, defiance and desire to go on than to stand and join in singing the songs of Hanukkah. I ask the First Minister not only to give his support to those children and young people and their teachers—of course he will, I know—but to say what consideration has been given to the security of the buildings over the holiday period, when there may be fewer people around and fewer people in the community, to ensure that nothing happens to those buildings in that time.

The First Minister: I am grateful to Mr O'Kane for his remarks. I very much associate myself with his comment that Calderwood Lodge primary school is a symbol of hope in a world that has an awful lot of darkness about it just now.

In relation to the forthcoming holiday period, those are some of the issues that we are considering, to make sure that Calderwood Lodge primary school is properly supported at all times. However, Mr O'Kane raises a reasonable and important point about the holiday period that is coming up, and, of course, the engagement and presence of Police Scotland are important in that respect. I assure him, as I assured Mr Carlaw, that the issue is getting my personal attention at the present moment and that I will take forward the issues that he has put to me.

Alex Cole-Hamilton (Edinburgh Western) (LD): Many more members of Sydney's Jewish community might have perished had it not been for the unbelievably selfless and brave actions of 43-year-old Muslim man Ahmed al-Ahmed—a moving reminder of the common humanity that is shared by so many across all the religions of our world. Hatred exists only in the minds and hearts of a tiny minority, yet those small few may have the capacity for sudden and devastating acts of violence, as we saw in Manchester.

Incredible work is taking place across the lines of faith in our communities to combat hate and intolerance. What will the First Minister's Government do to support those cross-community endeavours?

The First Minister: Mr Cole-Hamilton puts to me the extraordinary example of Mr al-Ahmed and the heroism that he deployed to save lives. It is an example of light among all the darkness as a result of the service and the sacrifice that individuals are prepared to undertake.

As I set out in my earlier answers, the Scottish Government actively works to support interfaith dialogue and community cohesion in Scotland. Some of the materials for the St Andrew's day campaign that I talked about were designed to have the exact purpose of bringing communities together, reflecting our diversity but also our togetherness as a consequence.

The Government has been closely involved in—and I have taken a personal interest and been involved in—the Drumlanrig accords, which have been supported to encourage greater dialogue between the Muslim and Jewish communities. Those accords are now viewed around the world as seminal agreements that are about bringing faiths together and promoting the understanding and tolerance that are necessary in our society, and I give Mr Cole-Hamilton an assurance that the Government will sustain its interest and attention in that work.

Sharon Dowey (South Scotland) (Con): I condemn the horrific antisemitic attack on the Jewish community at Bondi beach, in Australia.

England uses a digital general practitioner marker in firearms licensing, which means that doctors get an automatic flag if a patient with a mental health illness has access to firearms. Can the First Minister explain why Scotland does not currently have an equivalent digital system, and can he say whether that has been considered?

The First Minister: I do not know the specific answer to that question, but I will find it out.

We have very significant constraints in relation to access to firearms, and we have very restrictive licensing arrangements in that respect. However, that does not exclude the possibility of firearms getting into the hands of individuals who do not handle them responsibly or appropriately. I will find out the detailed answer to the question that Sharon Dowey has put to me, and I will write to her accordingly.

Jeremy Balfour (Lothian) (Ind): I, too, associate myself with the First Minister's remarks. I am sure that all of us in the chamber stand with the Jewish community in Scotland and beyond.

Does the First Minister agree that words matter, that what people put on social media can sometimes lead to the type of event that happened on Sunday, and that all of us who have influence should be careful about what we post, particularly with regard to faith communities?

The First Minister: I had a briefing yesterday from the chief constable of Police Scotland, which concentrated significantly on the dangers to which individuals in our society are exposed by online activity. The detail of that briefing was truly chilling. I acknowledge and appreciate the point that Mr

Balfour has put to me, because that represents a live and present threat and it can result in changes in behaviours and in actions that can have catastrophic implications in our society. It is important and essential that all of us—including the technology companies—are vigilant about the material that is posted online, to provide as much protection as possible from the changes in behaviour that can result in the kind of atrocity that happened at Bondi beach.

National Speed Limits

2. **Sue Webber (Lothian) (Con):** To ask the Scottish Government for what reason it has decided not to take forward changes in relation to national speed limits on single carriageways. (S6T-02809)

The Cabinet Secretary for Transport (Fiona Hyslop): A report that summarised the findings from the national speed management review was published yesterday. After careful consideration of more than 19,500 responses and of the need to ensure that speed limit changes can be delivered and enforced with the support of the public—in order to secure behaviour change and effective compliance—ministers have determined not to take forward the proposal to reduce the national speed limit on single carriageway roads from 60mph to 50mph.

Work is, however, progressing to increase speed limits for heavy goods vehicles from 40mph to 50mph on single carriageways and from 50mph to 60mph on dual carriageways. Those changes aim to improve journey time reliability, reduce driver frustration and enhance safety across Scotland's road network.

Sue Webber: That is a victory for common sense. From the start, the Scottish Conservatives campaigned against these unevidenced proposals and, unlike the Scottish National Party Government, we were on the side of most Scots, who did not want a change to the national speed limit.

Although it is good that, as outlined in the cabinet secretary's response, work will continue to raise the speed limit for HGVs, will she now guarantee that plans to reduce the speed limit to 50mph for cars and other vehicles will be permanently shelved? Will she ensure that she will not seek to punish motorists with any other damaging policies?

Fiona Hyslop: First, we have to be mindful that this is about road safety and tackling deaths on our roads. Sixty-nine per cent of car fatalities in Scotland in 2024 occurred on single carriageway roads with a national speed limit of 60mph. We will continue to use a range of road safety measures to tackle the issue. The Government is not pursuing a reduction in the national speed limit from 60mph to 50mph for cars, but we will monitor the situation. There are different speed limits in different parts of the country, and we know that that can make a difference.

I refer the member to the example of France, which reduced the speed limit from 56mph to 50mph and saw a 10 per cent decrease in road deaths. We will continue to monitor and analyse different road speeds on different types of roads, but we are not pursuing that reduction in the speed limit. As I announced and wrote to the Net Zero, Energy and Transport Committee to make clear, ministers have determined that the Government is not pursuing that reduction.

Sue Webber: Motorists have had enough of this Government. After frequently being egged on by Green members to penalise motorists, ministers should focus on delivering the long-overdue upgrades to vital routes. I have not driven on French roads recently, but I doubt that they are as pothole-ridden as ours. [*Interruption*.]

The Presiding Officer (Alison Johnstone): Let us hear Ms Webber.

Sue Webber: We are desperate for the A9, the A75, the A77, the A96 and the A90 to be dualled. Instead, we have had this daft proposal, along with other anti-car ideas that are in the pipeline, such as local authority congestion charges, punitive low-emission zones and the extrapolation of controlled parking zones, as well as roads that continue to deteriorate. Although I welcome the move to drop this foolish idea to reduce the speed limit to 50mph, can the cabinet secretary guarantee that she will finally end—for good—the war on our motorists?

Fiona Hyslop: That extreme language betrays a lack of understanding of the need to tackle road safety. I chair the national road safety strategic partnership board, and we met just last week. The partnership includes Police Scotland and the Scottish Fire and Rescue Service, which have to deal with the deaths on our roads, and the Convention of Scottish Local Authorities. We all work together to drive forward improvements on our roads. That should be the focus of our attention.

On the A9, is Ms Webber not aware that work is already happening on the third section? Work on the fourth section is already commencing, and we are procuring for the fifth section. [*Interruption*.]

The Presiding Officer: Let us hear the cabinet secretary.

Fiona Hyslop: If Ms Webber wants to look at our figures on maintenance and improvements, in 2023-24, £633 million was spent, and, last year, £872 million was spent. When we put forward

budgets that include money to improve our road maintenance and trunk roads, as well as funding for the A9, guess what? Just like the questions—or lack of—that Sue Webber has ever asked on speed limits, the Conservatives are missing in action.

Emma Harper (South Scotland) (SNP): I represent communities that are served by both the A75 and the A77, so I welcome the cabinet secretary's announcement that work will progress to adjust speed limits for HGVs on single and dual carriageways. I have raised that issue previously with transport ministers. Will the cabinet secretary outline an indicative timescale for that work? Does she anticipate any changes being implemented on the trunk roads?

Fiona Hyslop: Emma Harper has previously pursued the issue, particularly regarding the frustrations that speed limits can cause on the A75 and the A77, including in relation to ferry traffic. Other members have also made such representations. Work is progressing on the necessary legislative steps to increase HGV speed limits, and that increase is expected to be implemented following the next Scottish Parliament election.

Neil Bibby (West Scotland) (Lab): The cabinet secretary will be aware that I have raised on many occasions with the First Minister the need for speed awareness courses. Progress has been extremely slow. However, I thank the cabinet secretary for her recent letter to me that outlined the steps that she has taken.

I understand that there was a meeting yesterday between officials from the Scottish Government and from the Home Office to discuss the matter. I assume that the Home Office has raised no objections to rolling out speed awareness courses in Scotland, given that they have been operating in England for nearly 20 years. When does the cabinet secretary expect speed awareness courses to be rolled out in Scotland?

Fiona Hyslop: A number of players are involved in that—not only Police Scotland but the Crown Office and Procurator Fiscal Service. Neil Bibby is correct that Scottish Government officials met those from the Home Office just yesterday to discuss the issue. He will also be aware that we will need to work with the United Kingdom Government to bring forward legislative change as soon as possible. I hope and anticipate that there may be a piece of UK legislation on transport that will help to take matters forward.

Mark Ruskell (Mid Scotland and Fife) (Green): I recognise that a large number of people responded to the Scottish Government's consultation. However, to be honest, I am more concerned about the 1,978 people who were seriously injured on our roads last year and the 146 people who lost their lives. The Government raised expectations that it would deliver a measure—dropping the speed limit to 50mph—that would have saved lives. What will the cabinet secretary now say to people in Blair Drummond, Dunkeld and the many other rural communities that have campaigned for commonsense safer speed limits around their communities? What will the Government do to pick up the delivery of safer speed limits and save lives?

Fiona Hyslop: Part of our discussions at the national road safety strategic partnership board meeting is about Road Safety Scotland's speed management activity. There is new technology that helps with monitoring and enforcement, which we are using and deploying. The "Reported Road Casualties Scotland 2024" report, which was published in October 2024, showed that, in relation to the key aspects of and contributory factors to collisions, behaviour and inexperience were involved in 78 per cent of collisions, speed-related factors were involved in 34 per cent and distraction or impairment was involved in 28 per cent.

We must tackle the issue in a variety of areas, but speed makes a difference. Mark Ruskell will know from his pursuit of 20mph speed limits in our towns and villages across Scotland that, once communities have that speed limit, they do not want it to go back. We are also starting to see evidence from the Borders and the Highlands about the impact that those speed limits are having.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I say to Sue Webber that the Government did the right thing. It consulted and, more important, it listened. Having experienced decades of driving on roads in the Borders and Midlothian—for example, the twisting A7 and A701 roads—I am pleased that the Scottish Government is not pursuing the 50mph speed limit.

The cabinet secretary will be aware of the welcome introduction of variable limits—for example, a limit of 40mph on the approach to a village that reduces to 20mph as vehicles pass through the village. Does she agree that reducing the national speed limit might have caused more problems than it would have solved—for example, by causing even more unsafe overtaking—and that, as all drivers should know, the 60mph limit is a limit, not a recommendation?

Fiona Hyslop: I agree with Christine Grahame that this Government consults and that it responds to consultations. I do not think that that is the position of the Conservatives, who would have the Government consult on what it already wanted to do. This is a responsive Government. However,

when we are considering road safety, we have to take people with us.

The member is right that some roads in the Borders already have staggered speed limits. We are taking steps to increase HGV speed limits precisely because of issues with frustration and overtaking. We will work with Scottish Borders Council and others to consider the impacts that different types of roads and different standards of single carriageways have on road casualties. That engagement will include local authorities, Police Scotland and others to look at differences between variable speeds and at different rural areas, where there are already some roads whose limit is 50mph and some whose limit is 60mph.

Finlay Carson (Galloway and West Dumfries) (Con): I welcome the increase in the speed limit for HGVs from 40mph to 50mph, as will all my constituents in Galloway, who regularly get held behind lorries on the A75 and A77. It is almost six years since I started the campaign to get the speed increased by writing to Michael Matheson in 2020. That is one step to improve our roads. Will the cabinet secretary set out a timetable for other improvements to the A75 and A77 that will further reduce deaths on those roads?

Fiona Hyslop: For brevity, I will refer the member to the answer that I gave him at portfolio question time last week, when I set out a range of improvements that have been made. We are working on the Crocketford and Springholm bypass scheme. As I have written to him about it, Finlay Carson will also be familiar with some of the issues to do with speed awareness. Earlier, I went through the list of the issues that cause collisions. We are systematically working through every single one of them. Road safety is paramount, whether we are talking about the A75, the A77 or other roads.

The Presiding Officer: That concludes topical question time.

Motion of No Confidence

The Presiding Officer (Alison Johnstone): The next item of business is a debate on motion S6M-20135, in the name of Russell Findlay, on a motion of no confidence. I invite members who wish to speak in the debate to press their request-to-speak button. I call Russell Findlay to speak to and move the motion.

14:31

Russell Findlay (West Scotland) (Con): Today, my party brings forward a motion of no confidence in the justice secretary. I will now explain why that is a necessary course of action.

In my four years at Holyrood, I have had more dealings with Angela Constance than with any other member of the Government. Our encounters have usually been courteous, sometimes fiery and mostly serious. We fundamentally disagree on the Scottish National Party's approach to justice. That can be defined as seeking to excuse criminal behaviour, which I believe fails crime victims and Scotland's law-abiding majority.

I disagree with the Government's closure of police stations and releasing hundreds of prisoners early. I disagree with gender self-identification in the justice system and weak bail laws. I disagree with unjust under-25 sentencing guidelines and a £1 billion price tag for a new prison. I also disagree with the Government's position on grooming gangs.

However, this motion and today's vote are not about the fact that we disagree. They are about the conduct of the justice secretary. This is about the fundamental importance of honesty and integrity in Government and in Parliament. No matter the attempts of John Swinney, Kate Forbes and other SNP members, Angela Constance's conduct is inexcusable and her position is no longer tenable.

The starting point for today's proceedings was 16 September, when my colleague Liam Kerr lodged an amendment to the Victims, Witnesses, and Justice Reform (Scotland) Bill. That amendment sought to begin the necessary work of establishing a grooming gangs inquiry—an inquiry that would answer questions about the sickening sexual exploitation of children, and that would establish why so many were so badly failed, why abusers acted with impunity and why whistleblowers were silenced. The amendment was imperfect, but it was the only mechanism at our disposal.

In rejecting it, Angela Constance cited leading abuse expert Professor Alexis Jay. The justice secretary said that Professor Jay shared her view

that a grooming gangs inquiry was not needed. However, Professor Jay did not say that—and she did not say that because that is not her position.

Ten days later, Professor Jay emailed the Government to object. At that point, the justice secretary was obligated to correct the parliamentary record, as stipulated by the Scottish ministerial code. She had 20 days in which to do so, but she did not.

Instead of coming clean, it was decided that a correction would be made to the online minutes of the national child sexual abuse and exploitation strategic group, which is buried on an obscure Government web page and was not posted until 18 November.

Then, on 26 November—more than two months after misrepresenting Professor Jay—Angela Constance doubled down. She publicly denied that she had misrepresented Professor Jay. When asked whether she had misrepresented Professor Jay, Angela Constance said:

"No, certainly not. I gave an accurate quote and indeed the correspondence that Ms Jay sent to me acknowledged that the quote that I gave was accurate."

I note that we are not allowed to use the word "lie" or to call anyone a "liar", so I will not. However, it is little wonder that Professor Jay sent another email to the Government on the very same day, in which she said:

"The current position is unsatisfactory for me."

After all of that—misleading the public, Parliament and grooming gang victims—Angela Constance has still not admitted her mistake. She has still not corrected the record and she has still not apologised. That is the problem. It is not that a mistake has happened, but that Angela Constance, John Swinney and the whole Government want to pretend that it never happened and that it does not really matter. Well, it did happen, and it should matter.

Many will see this tawdry defence of the indefensible for what it is—the typical actions of a calculating and cynical Government. The First Minister can look grooming gang victims in the eye and tell them that he cares, only to destroy his own warm words with his cold inaction.

I have met Taylor, who, from the age of 13, was drugged and gang raped, and who was failed by the authorities that should have protected her. A recurring theme around grooming gangs is the existence of a conspiracy of silence in which police, social workers and others fail victims over fears of being branded racist. Survivors say that there is evidence of institutional cover-up. They are forced to battle for records, many of which no longer exist or have been severely redacted. Taylor raised that exact issue in her meeting with John Swinney on 9 December. In a letter to all MSPs, Taylor's mother says:

"Within 24 hours of leaving Bute House, the suppressed email from Prof Alexis Jay was made public."

Do John Swinney and Angela Constance really not understand what message their conduct sends to victims who already lack trust in authority? When he became First Minister, John Swinney made big statements about restoring the relationship between the public and politicians. Earlier this year, he said that he would

"renew public trust in politics".

He has the opportunity to do so today; however, we all know that he will not.

Even though he will not do the right thing, each of us can do the right thing. Here is the choice: we can say that it is acceptable for ministers to mislead and to cover up, or we can say that there should be reasonable consequences for doing so. This is about truth; this is about respect; this is about simple decency. Therefore, I urge every MSP who is here today to vote to remove the justice secretary for misleading the Parliament, the public and grooming gang victims.

I move,

That the Parliament has no confidence in the Cabinet Secretary for Justice and Home Affairs, in light of her failures in candour and openness in her misrepresentation and subsequent misleading statements made to the Parliament with regards to Professor Alexis Jay and grooming gangs.

14:37

The First Minister (John Swinney): The safety and wellbeing of children in Scotland is a paramount concern of all of us as members of Parliament, no matter our politics or whether we are members of an Opposition party or a supporter of the Scottish Government. The safety and wellbeing of children in Scotland matter to us all.

Like many members here today, I have spoken to survivors of abuse to hear about their experiences—Russell Findlay has quoted some of my recent experience in this respect. I discussed those issues with Taylor and her family last week, in one of many conversations that I have had with abuse survivors. There is no doubt in my mind, and it is obvious to all, that many people have been fundamentally failed by the system over the years. That is shameful, and facing up to that awful reality has underpinned the approach of the Scottish Government.

Every member of my Government is committed to doing everything possible to deliver justice and the possibility of some element of closure for victims of the past, as well as to keeping safe the children of today and tomorrow. That sentiment

anchors the steps that have been taken by my Government in addressing those issues—and those issues are being addressed, contrary to what Mr Findlay has just said to Parliament.

First, we established a year ago the expert, multi-agency national child sexual abuse and exploitation strategic group, which is considering previous inquiries, evidence and practices across social work, education, the police and healthcare in order to agree further actions and recommendations for national improvement and reform. Professor Alexis Jay, who has always been a member of that group, has now been appointed as its independent chair.

Secondly, an independent national review of the response to group-based child sexual abuse and exploitation in Scotland is being established. That will be undertaken by the Care Inspectorate, His Majesty's Inspectorate of Constabulary in Scotland, His Majesty's Inspectorate of Education and Healthcare Improvement Scotland. The inspectorates are statutorily independent of Government and the agencies that they scrutinise, and they are able to compel public authorities to provide information that they request. Professor Jay has agreed to provide expert advice at key stages of the process.

Alongside that work, Police Scotland is continuing to review child sexual abuse and exploitation cases. I received an update from Police Scotland on that important work when we met recently, and Opposition leaders and spokespeople from across the chamber have been offered a briefing with Police Scotland on that work in the new year.

We will also draw on the published evidence and reports of the independent Scottish child abuse inquiry, which was established by Angela Constance in 2015 and which has been considering the abuse of children in the care of the state. The inquiry has now commenced phase 10 and has made it clear that there is scope to hear and act on evidence relating to group-based child sexual abuse and exploitation where that falls within its terms of reference. All that activity underlines the seriousness with which my Government takes the issue and our determination to leave no stone unturned, guided by expert opinion.

On several occasions in the chamber, we have discussed the comments that are at the heart of today's debate, so I will reiterate what has already been stated. During stage 3 of the Victims, Witnesses, and Justice Reform (Scotland) Bill, in relation to Liam Kerr's amendment that would have meant that the new victims commissioner should carry out research into child sexual abuse, the Cabinet Secretary for Justice and Home Affairs raised awareness of the work that was led by Professor Alexis Jay. The cabinet secretary noted specifically that Professor Jay had been the chair of an independent inquiry into child sexual abuse in England and Wales, and drew on a comment, made in the past, that, in regard to child sexual abuse and exploitation,

"people should just get on with it".

Following correspondence with Professor Jay, it was minuted at the strategic group's meeting in October that the quote was correct and was from January but was not made in relation to the amendment or the Victims, Witnesses, and Justice Reform (Scotland) Bill. In the debate in September, the cabinet secretary did not state that Professor Jay was speaking directly about the amendment. She made a general point, drawing on the publicly stated views of Professor Jay—[*Interruption*.]

The Presiding Officer: Let us hear the First Minister.

Stephen Kerr (Central Scotland) (Con): That is absolutely scandalous.

The Presiding Officer: Mr Kerr! Thank you.

The First Minister: I acknowledge that members of Parliament and members of the public will draw different conclusions from the words that we all use. [*Interruption*.]

The Presiding Officer: Let us hear the First Minister.

The First Minister: I know—and I imagine that most members know this, too—that Angela Constance is a sincere minister who would never address Parliament in a way that would in any way mislead Parliament or the public. That is evident to me from the way in which Angela Constance has, over a period of almost two years, openly and with candour, shared with Parliament the very acute challenges that we face in dealing with the rising prison population and the incredibly difficult decisions that we must take on this issue. There is vital work to be done to protect children, and getting on with that work has been what my Government has been doing, just as it has been getting on with a raft of other reforms.

For example, in justice, Angela Constance, in the past 18 months, has successfully steered four crucial acts through the Parliament, including the Victims, Witnesses, and Justice Reform (Scotland) Act 2025, which delivers the biggest reforms for victims of crime in the history of devolution. [*Interruption*.]

The Presiding Officer: Sorry, First Minister.

There is a lot of noise in the chamber. I would very much like to hear those whom I have called to speak, and I am sure that other parliamentarians would, too.

The First Minister: That act will transform victims' and witnesses' experiences of the justice system and ensure that they are treated with compassion. As all those bills were progressed, the justice secretary worked constructively and collegiately with members from across the chamber. She approached all their suggestions to improve the bills with an open mind.

Throughout her term in office, she has worked tirelessly to build a safer Scotland. She has championed the rights of victims and has worked to improve the conditions of those who serve across our criminal justice system. She has made justice more accessible to all, and in particular to those who have suffered some of the most serious crimes. She has never shied away from asking tough questions about our approach to justice, nor has she ever avoided tackling some of the biggest issues that we face.

For those reasons, Angela Constance has my full confidence as justice secretary. She is getting on with the job of making Scotland safer, and I urge members to enable her to continue doing that by rejecting the motion.

14:44

Anas Sarwar (Glasgow) (Lab): I speak in favour of the motion of no confidence in Angela Constance, the Cabinet Secretary for Justice and Home Affairs. I do so for one reason above all others: victims and survivors of grooming gangs and child sexual exploitation have lost confidence in this justice secretary.

What has led them to lose confidence is that they feel that the justice secretary and this Government are not on their side. That has been cemented by a clear breach of the ministerial code. Angela Constance misrepresented the views of Professor Alexis Jay on an issue as serious as grooming gangs and organised child sexual exploitation. In doing so, she misled this Parliament.

Angela Constance has had multiple opportunities to correct the record. She has failed to do so. She has received repeated requests from Professor Alexis Jay herself to correct the record. She has failed to do so. This has now stopped being an error and has become a matter of honesty and transparency.

Let us be clear about why that matters. This is not an abstract argument about process or wording; it is about grooming gangs. The justice secretary misrepresented Professor Jay's views in order to find an excuse not to have an inquiry into grooming gangs. Victims and survivors should be able to rely on their justice system and their Government to tell the truth, to act with integrity and to put them first. On that, the justice secretary has failed.

I want to read the powerful words of Taylor's mum. Taylor is a brave survivor who has spoken out. Her mum said:

"Taylor is again feeling that she can trust no one, all because of this Government's inability to be truthful and transparent."

She said:

"Any MSP who chooses to support Angela Constance in this vote is choosing politics over victims. It is as simple as that."

She went on to say:

"You cannot say you stand with victims while defending a minister who lied to Parliament, the public and, more importantly, the survivors."

This has now also become a question of John Swinney's judgment and of whether victims and the public can have confidence in him. Taylor's mum said:

"My daughter and me attended Bute house last week. I travelled over 500 miles in a round trip to meet with the First Minister to spend one and a half hours being lied to my face."

That is utterly damning. John Swinney should have sacked Angela Constance, but he has not. Shamefully, he is not willing to even refer the matter to the independent advisers on the ministerial code. However, it should not be up to him, which is why I have written to the independent advisers on the ministerial code and asked them to investigate.

The justice secretary has lost the confidence of victims. She has lost the confidence of survivors. In my view, she should not have the confidence of this Parliament. She cannot continue in her role. I will end by speaking Taylor's mum's words to every MSP in the chamber:

"Can you look yourselves in the mirror, knowing that you are supporting her to remain in position against the will of the victims?"

John Mason (Glasgow Shettleston) (Ind): Yes.

Anas Sarwar: Can you?

John Mason: Yes.

Anas Sarwar: Wow. Shame on you for shouting that out, Mr Mason. For every single—

Keith Brown (Clackmannanshire and Dunblane) (SNP): Shame on you!

Anas Sarwar: Shame on you too, Mr Brown, for shouting that out.

I have quoted the words of the mother of a victim. For them, this Parliament should support this motion of no confidence.

14:49

Ross Greer (West Scotland) (Green): I am profoundly sad that we have got to this point. The Scottish Government can and should have handled this issue far better, but I doubt that that would have dissuaded those who have used it for political advantage. In recent weeks, we have seen how detached the debate has become from the issue that is at the heart of this: protecting children from sexual abuse and securing justice for victims and survivors.

I do not pretend to understand the trauma that survivors have gone through, and I doubt that anyone who has not gone through it can truly understand that pain.

However, in this job, I have spent a lot of time with survivors, particularly during the establishment of Redress Scotland. I appreciate how angry many of them are, and that anger is justified. I respect the fact that survivors are not a homogeneous group who speak with one voice—I certainly do not claim to speak for them now—but the pain of having been let down and failed by those who should have protected them, as children, is near universal.

We could have used this afternoon to put questions to the Scottish Government about what additional action it is now taking to deliver justice for those who were failed and to prevent the same thing from happening to more children in the future. It is hard to think of anything more important for a Government to do.

We could have talked about the need to improve the Children (Care, Care Experience and Services Planning) (Scotland) Bill, which is due to be passed before the election. We know that a disproportionate number of victims of this scandal are care-experienced children and young people. We have a bill in front of us that has unanimous support, but people's frustration with it is almost equally unanimous. The bill is intended to fulfil the Promise, but it does not do so. We are already talking about legislation being required in the next parliamentary session to meet that commitment. The Promise Scotland has said that the bill does not fulfil the vision of the independent care review.

Almost four years ago, the Scottish Government committed to reviewing the legislation underpinning the care system, with the aim of making it more understandable, less fragmented and more effective, but that has still not happened, despite the total fragmentation of support being one of the contributing factors in grooming gangs being able to target and abuse children without anyone in a position of authority stopping them.

We could have challenged the justice secretary on the huge problems in the legal aid system and the effect that those are having on survivors seeking justice. Reform of legal aid was promised in this parliamentary session, but it has not yet been delivered. We hear that there might be something before the election, but there are only 10 sitting weeks left. Through the Victims, Witnesses, and Justice Reform (Scotland) Act 2025, the Parliament agreed that independent legal advice should be provided to victims of sexual offences, but that is irrelevant if there are simply not enough solicitors taking on such cases. We know that, in some parts of the country, none are doing so. That is not an easy problem to solve, but, unresolved, it shuts down access to justice for far too many people, including survivors of grooming gangs and other forms of child sexual abuse.

We could have talked about the delayed update to guidance for schools on relationships, sexual health and parenthood education. One of the simplest things that we can do to protect children from sexual abuse is to provide age-appropriate and stage-appropriate education on what that is and, critically, who they can go to if they or someone they know is being abused. [*Interruption*.]

The Presiding Officer: Let us hear one another.

Ross Greer: However, the current guidance on RSHP education is so out of date that it does not even have a section on the importance of consent. The updated draft guidance, which represents a huge improvement, could have been completed and published years ago. We could have used this afternoon to push the Government to at least roll out that guidance early in the new year.

However, we are not doing any of that now. I hope that, at tomorrow's meeting of the Education, Children and Young People Committee, we will have the opportunity to put such questions to the cabinet secretary and Professor Jay. This afternoon, though, is about politics. I have no time for that, which is why the Greens—[*Interruption*.]

The Presiding Officer: Thank you, members. We will hear Mr Greer.

Ross Greer: The Greens will be voting against the motion.

14:53

Jamie Greene (West Scotland) (LD): The Scottish Liberal Democrats take no pleasure in this debate. We came to the view that today's vote is regrettable, and it was avoidable. When we deliberated on our response to the motion of no confidence, our discussion was tainted by a collective feeling of disappointment, not least because colleagues expressed much personal good will towards the Cabinet Secretary for Justice

and Home Affairs. On a personal level, I thank Ms Constance for the constructive attitude that allowed me to successfully progress my victims proposals in a Government bill.

However, in politics, people sometimes make mistakes. To err is, of course, human. It is not for me to decide whether the cabinet secretary purposefully or inadvertently misrepresented the views of a well-respected judicial figure, but the correct course of action would have been to immediately correct the record and apologise to the Parliament, to Professor Jay and to the victims, who should be at the centre of all our attention. There has been ample opportunity for that to happen in recent months. There has been ample opportunity to take ownership of the error. Instead, junior ministers have been put up to shield the cabinet secretary from the flak.

It is three months to the day since the cabinet secretary made the erroneous assertion and the argument was presented to the Parliament—an argument against a Conservative amendment, which we supported, to establish a bespoke inquiry into group-based child exploitation in Scotland.

In response to the First Minister's comments today, I will say that I re-read the *Official Report* of the meeting, and there is no ambiguity about what was said or how it could be interpreted—none whatsoever.

In our view, the correct and proper response to that would have been a simple statement of correction in the chamber, which could have put the matter to bed. That is why we believe that the vote today is the inevitable result of a series of events that could have been avoided, and the matter resolved.

We bear the justice secretary no ill will. We do not subscribe to any great sensationalist theory of conspiracy on her part, nor do we see any opportunism in any of this whole sorry saga. Indeed, the substance of the original debate from which all of this stems merits gravitas that it has not always been afforded in this place. When ministers place on the record a view that is based on false representation, the code demands that the record be put straight, with absolute candour, and that is yet to happen.

The Scottish justice system is in upheaval and crisis in equal measure. It is undergoing some of the most substantial changes in centuries, starting with the removal of the not proven verdict. Our prisons are in a state of crisis and a condition that neither rehabilitates prisoners nor keeps people safe, either inside or outside them. Serious violent crime and domestic violence are on the increase in far too many areas in Scotland. Victims and the accused are waiting years for their trials to come to pass. Our police force survives only on the good will of officers and, largely, overtime and, of course, our drugs death crisis continues to be our national shame.

We are in such a critical period. Our justice sector needs to be led from the front and with confidence. The justice secretary in their role must command the confidence not just of the whole Parliament but of every cog in the judicial wheel. Most importantly, they must command the confidence of victims, particularly those who have suffered the most horrendous and unimaginable trauma and abuse, who now tell us directly that that confidence has been lost.

Given that point alone, we will vote in favour of the motion. However, irrespective of the outcome, it is important that we all continue to act and work constructively and sensibly with the minority Government in this Parliament, as it is right to do so. Lessons can and must be learned from this and from the Government's unacceptable response to the events that have led us to today's vote.

14:57

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): We have been down the road of calling for a vote of no confidence in ministers before. In the past, we have called for people in charge to step down because of catastrophic exam results or the misuse of public money. However, today's vote of confidence is darker and graver. It is about something that is potentially widespread and that affects thousands of young women. It is about vulnerable young girls as young as 13 being gang raped and abused and teenagers being trafficked, drugged, plied with alcohol and waking up naked and bruised on a mattress with no recollection of the night before.

There is a material difference in today's vote of no confidence. In this case, the Parliament has been misled by the justice secretary, who is responsible for safeguarding victims. Survivors of grooming gangs have been let down unforgivably. It is despicable.

The First Minister did not address the substance of our motion. Instead, he read out the justice secretary's CV, diverting from the substance. It was 80 per cent deflection, 10 per cent spin and perhaps 10 per cent job reference. Our Scottish Conservatives party leader has set out the timeline that demonstrates with clarity that the justice secretary has misled Parliament—a timeline that has been protracted for survivors and victims and a scale of events that has escalated to such serious levels that survivors have lost trust in the Government.

It has taken months to reveal that Angela Constance clearly misrepresented Professor Alexis Jay's comments in relation to her view of my colleague Liam Kerr's amendment, which was voted down by the Scottish National Party and the Greens. The justice secretary continued to deny that she had misrepresented Alexis Jay until correspondence confirmed that the current position was unsatisfactory to her.

Finally, just a few weeks ago, the Scottish Government published email correspondence from Alexis Jay confirming that Angela Constance had misled Parliament. There has still been no correction or apology.

You just could not make this up. Cabinet secretaries have tied themselves in knots trying to defend their justice secretary. Let me remind Ross Greer that we have been standing up for victims of grooming gangs, not slavishly and spinelessly protecting the SNP Government. A plethora of cabinet secretaries have been rolled out to shut down the truth.

Over the course of a few weeks, Natalie Don-Innes has responded to an urgent question from Meghan Gallacher while the Cabinet Secretary for Justice and Home Affairs sat in the chamber; Meghan Gallacher raised the subject of an inquiry through a business motion but, again, there no action; Tess White, Pam Gosal, Sharon Dowey and Douglas Ross called for an inquiry in the violence against women and girls debate led by Shirley-Anne Somerville and Kaukab Stewart but, once again, there was no action; there was a Labour debate on group-based child sexual exploitation and abuse, led for the SNP by Jenny Gilruth and Angela Constance, but once again there was no action; and there was a point of order and an urgent question from my colleague Douglas Ross but, again, there was no action. On top of that, there was an opportunity for John Swinney to respond to his justice secretary's lying in Parliament at two separate First Minister's question times in answering questions from my colleague Russell Findlay. There have been no answers, however—just stonewalling. That is no way to treat victims of horrific crimes.

As Taylor's mum said,

"Where is the humanity for these young people who have to keep being re-traumatised time and time again every time they have to speak out in the hope that you will all do the right thing. The survivors demand honesty and transparency."

John Swinney could have called an immediate inquiry. It is unclear why the First Minister has not called an immediate investigation or indeed why he has instructed his Cabinet to defend Angela Constance misleading Parliament. As my colleague Russell Findlay said, John Swinney met Taylor and her mother a week ago, on 9 December. Taylor and her mum told the First Minister about the destruction and loss of vital evidence and records held by the Government, the police, education, the national health service and local authorities.

Victims' voices are clear: they do not want to be fobbed off. Transparency and honesty matter. It is not that the SNP is shy of inquiries, but this one really matters—this situation matters. It appears that the SNP's strategy has been to get the issue out of the road before Christmas and hope that it goes away, and that people will have forgotten about SNP members' disgraceful behaviour from the moment that they voted down Liam Kerr's amendment to the Victims, Witnesses, and Justice Reform (Scotland) Bill and about the behaviour of the Cabinet Secretary for Justice and Home Affairs, who has let down victims.

This stinks. This is on a different scale. Labour and the Liberal Democrats agree: Angela Constance must go, for the sake of survivors and thousands of others whose trust and confidence have been undermined by a cover-up.

The Presiding Officer: That concludes the debate on the motion of no confidence and we move to the question.

The question is, that motion S6M-20135, in the name of Russell Findlay, on a motion of no confidence, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

We will suspend the meeting to allow members to access the digital voting system.

15:03

Meeting suspended.

15:09

On resuming—

The Presiding Officer: We come to the vote on motion S6M-20135, in the name of Russell Findlay. Members should cast their votes now.

The vote is closed.

Keith Brown: On a point of order, Presiding Officer. I could not connect. I would have voted no.

The Presiding Officer: Thank you, Mr Brown. We will ensure that that is recorded.

For

Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)

Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Lab)
Eagle, Tim (Highlands and Islands) (Con)
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)
Johnson, Daniel (Edinburgh Southern) (Lab)
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)
Marra, Michael (North East Scotland) (Lab)
McArthur, Liam (Orkney Islands) (LD)
McCall, Roz (Mid Scotland and Fife) (Con)
McNeill, Pauline (Glasgow) (Lab)
Mochan, Carol (South Scotland) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
O'Kane, Paul (West Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Simpson, Graham (Central Scotland) (Reform)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (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)
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)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP) [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)

Abstentions

Regan, Ash (Edinburgh Eastern) (Ind)

The Presiding Officer: The result of the division on motion S6M-20135, in the name of Russell Findlay, on a motion of no confidence, is: For 57, Against 67, Abstentions 1.

Motion disagreed to.

The Presiding Officer: That concludes this item of business, and there will be a short suspension before we move to the next item.

15:10

Meeting suspended.

15:12

On resuming—

Dog Theft (Scotland) Bill: Stage 3

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is stage 3 proceedings on the Dog Theft (Scotland) Bill. In dealing with the amendment, members should have the bill as amended at stage 2—that is, Scottish Parliament bill 58A—and the marshalled list.

If there is a division, the division bell will sound and proceedings will be suspended for around five minutes. The period of voting for the division will be 30 seconds. Members who wish to speak in the debate on amendment 1 should press their request-to-speak buttons or enter RTS in the chat function as soon as the amendment is called.

Members should now refer to the marshalled list.

Section 2—Theft of assistance dogs

The Deputy Presiding Officer: I call amendment 1, in the name of Maurice Golden.

Maurice Golden (North East Scotland) (Con): I will not detain the Parliament for too long.

At stage 2, I lodged amendments to establish in the bill the term "helper dog", which I defined as a dog that satisfied one of two conditions—namely, that it was

"an assistance dog, as defined by ... the Equality Act 2010"

or

"a dog of a category prescribed by regulations".

The bill as amended at stage 2 links those two conditions with the word "and", thereby risking an interpretation whereby the dog has to be both an assistance dog and a dog of a category that is prescribed by regulations. That was not my intent. I therefore seek to correct that minor drafting error at stage 3 with my amendment 1, which seeks to ensure that there is no ambiguity and that, to be a helper dog, a dog must be either an assistance dog "or" a dog of a category that is prescribed by regulations.

I move amendment 1.

The Minister for Victims and Community Safety (Siobhian Brown): I confirm that the Scottish Government supports amendment 1, in the name of Maurice Golden, for the reasons that he has given.

The Deputy Presiding Officer: Do you have anything to add by way of winding-up remarks, Mr Golden?

Maurice Golden: I have nothing further to add.

Amendment 1 agreed to.

The Deputy Presiding Officer: That ends consideration of amendments.

As members will be aware, the Presiding Officer is required under standing orders to decide whether, in her view, any provision of the bill relates to a protected subject matter—that is, whether it modifies the electoral system and franchise of Scottish parliamentary elections. In the case of the Dog Theft (Scotland) Bill, in the Presiding Officer's view, no provision relates to a protected subject matter. Therefore, the bill does not require a supermajority to be passed at stage 3.

Dog Theft (Scotland) Bill

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is a debate on motion S6M-20167, in the name of Maurice Golden, on the Dog Theft (Scotland) Bill at stage 3. I invite those members who wish to speak in the debate to press their request-to-speak buttons, and I call Maurice Golden, the member in charge of the bill, to speak to and move the motion.

15:15

Maurice Golden (North East Scotland) (Con): I am grateful to all those who have assisted with the Dog Theft (Scotland) Bill to get it to the point at which the Parliament will vote on it at decision time tonight. However, as a former business manager, I will not be counting my chickens, or indeed my chihuahuas—I had to get that in—until the moment the Presiding Officer announces the result of the vote.

First, I thank my team, as well as everyone in the Scottish Parliament legislation team, including Neil Stewart and Ezgi Denli, who are in the chamber. I am also particularly grateful to the Rural Affairs and Islands Committee, expertly chaired by my colleague Finlay Carson, for its excellent scrutiny. The committee's stage 1 report contained a number of recommendations that resulted in stage 2 amendments to refine the bill. The committee's scrutiny resulted in an improved bill, which I hope will soon become the Dog Theft (Scotland) Act 2026, so I again thank the committee.

I also want to thank the Minister for Victims and Community Safety, Siobhian Brown, and her officials. Over the course of the bill's development, we have formed a very positive and constructive working relationship to deliver a bill that achieves the policy intent and the vision of those stakeholders who campaigned for a dog theft law and that remains practical for the Scottish Government and partner organisations to implement.

I also thank the witnesses who gave evidence at stage 1, who came from organisations that have campaigned for a change in the law in this area, such as Dogs Trust, the Scottish Society for Prevention of Cruelty to Animals and Guide Dogs for the Blind, and those that are involved in implementation and enforcement, such as the Law Society for Scotland, the Crown Office and Procurator Fiscal Service and Police Scotland. The evidence from all those bodies and many others who gave written evidence to the committee or my consultation shaped the bill that we are debating today.

There has been much consideration and scrutiny of the bill, in response to my consultation, in committee and in the chamber at stage 1, and back in committee at stage 2. However, I would like to update members on some of the changes that have been made to my bill since the Parliament agreed to its general principles at stage 1. Members of the Rural Affairs and Islands Committee will be very familiar with these changes, but others might not be.

First, the aggravation in the bill for the theft of an assistance dog is now an aggravation for the theft of a helper dog. That still includes assistance dogs, but it gives the Scottish Government the flexibility to extend the provision to include other categories of dog by regulations. That could include working dogs, which was a recommendation of the lead committee at stage 1. It could also include working gun dogs, should the Government choose to add them, the possibility of which my colleague Rachael Hamilton raised at stage 2.

Secondly, after discussing the matter with the minister, and following stage 1 recommendations from the lead committee, I removed what was section 3 of the bill on victim impact statements. During the bill's passage, the law on victim impact statements more generally was changed to provide for such statements in solemn cases. I was persuaded by the argument that creating a unique situation for victim impact statements in summary cases through my bill would have been disproportionate. Therefore, I lodged an amendment at stage 2 to remove section 3, which was agreed to.

Following discussions with the minister, I lodged amendments to remove the requirement for the act to be reviewed and to make changes to the reporting mechanisms, creating a one-off reporting mechanism after three years, rather than making it an annual requirement. As well as ensuring that the act does not place overly onerous duties on those who will be required to implement its provisions, that will provide for the collection of good data and reporting mechanisms, with consequential scrutiny. I think that the amendments struck the appropriate balance in that regard.

As regards reviewing the legislation itself, the Parliament could do that at a future date. As I have said previously, post-legislative scrutiny is vitally important, and this Parliament can carry out such scrutiny regardless of whether a requirement to do so is included in an act.

What we have before us is a bill that has been developed following parliamentary scrutiny, stakeholder engagement and constructive working with the Scottish Government. It is a good example, if I may say so, of our legislative procedures and, in particular, the member's bill process, working effectively, and of parliamentarians, stakeholders and Government shaping a law that will make a positive difference to the lives of dog owners and dogs themselves. It is a law that will help to prevent cruel acts of stealing family pets from taking place, that will punish appropriately when such acts take place, and that will create an aggravation for the particularly egregious theft of helper dogs, be they assistance dogs or other dogs prescribed by the Scottish Government.

I move,

That the Parliament agrees that the Dog Theft (Scotland) Bill be passed.

The Deputy Presiding Officer: I call Siobhian Brown to open the debate on behalf of the Scottish Government.

15:22

The Minister for Victims and Community Safety (Siobhian Brown): I thank Maurice Golden for his constructive engagement throughout the bill's parliamentary journey, and I thank the non-Government bills unit for its work and regular engagement with my officials.

No one should ever underestimate the challenges that exist for a member who seeks to take forward their own legislation, and I pay tribute to Mr Golden and his supporting officials for developing legislation that has reached the final stage of its scrutiny process.

I thank the Rural Affairs and Islands Committee for its stage 1 report and recommendations and for its further consideration of the bill at stage 2. I must also express my thanks to all the stakeholders who offered their views on the bill's provisions in evidence sessions and in writing to help to inform policy discussion on the bill.

As a dog owner and a dog lover, I recognise the emotional benefits that dogs bring to our lives. Dogs can lift our mood and provide companionship, and they are treated as members of the family. Therefore, to lose a much-loved dog through theft is horrendous. Dog theft causes distress and can have a profound and devastating impact on victims.

Research and study by the University of the West of England in Bristol tell us that the emotional turmoil experienced by dog owners after their pet has been stolen can lead to owners feeling a sense of grief, and, owing to the closeness of the human-animal bond, it can feel like a devastating loss, with owners experiencing anxiety, sadness, sorrow and despair.

During the stage 1 debate, we heard from many members who spoke passionately about the

positive impacts that dogs can have on our lives and the importance of the role that dogs can play within the family setting by bringing happiness, companionship and a sense of purpose. There are also other mental and physical benefits of having a pet.

There is widespread understanding across the Parliament of the impact and emotional turmoil faced by owners who have had their dog stolen and of the very concerning consequences for the health, welfare and wellbeing of dogs that have been stolen.

The amendments that the committee agreed to at stage 2 have addressed the concerns that were raised in the committee's stage 1 report and have improved and strengthened the bill.

Should Parliament pass the bill this afternoon, there will, of course, be more work to do during the implementation stage. For example, Maurice Golden's stage 2 amendments to section 2 allow for regulations made by the Scottish Government to be capable of prescribing a category of dog within the description of "helper dog". That category is wider than the category of assistance dog—for example, it can include a working dog and a support dog. That improved future flexibility in the bill does not affect the aggravation's operation in relation to assistance dogs as defined by the Equality Act 2010, which remains unchanged.

I have commissioned the Scottish Government's responsible dog ownership expert advisory group to provide the Government with advice as to what types of dogs it considers could be added to the aggravation offence in section 2 of the bill and, importantly, how to define them. The focus will be on working dogs and support dogs. Those who are working on the definition will take into account the views that were expressed during the stage 1 debate and at stage 2, and they will be listening to the stage 3 debate in order to ensure that all points that are raised are carefully considered.

We recognise that dogs are sentient beings and that they have an emotional connection with, and impact on, their owners. I want to share with members a quote from Henry Wheeler Shaw, an American humorist, lecturer and author, who is credited with the famous quote:

"A dog is the only thing on earth that loves you more than he loves himself".

That quote aligns very well with the bill's overarching policy aims, which recognise that it is not the monetary value of a stolen pet that matters most to an owner, nor is it the breed or pedigree of a stolen dog—it is the loss of a member of the family.

By passing the bill today, Parliament can help to raise awareness of, and shine a light on, the heartbreak that is caused by the theft of a dog. The Scottish Government will support the bill at stage 3 today.

The Presiding Officer: I call Tim Eagle to open on behalf of the Scottish Conservatives.

15:26

Tim Eagle (Highlands and Islands) (Con): I do not intend to speak for very long today, but I begin by thanking Maurice Golden, whose dedication in introducing this member's bill and steering it through Parliament has been tireless. His commitment reflects not only his care for animal welfare, but his understanding of the deep bond between people and their dogs.

He is right that, for many Scots, dogs are more than pets—they are companions in times of isolation, loyal partners on long walks, and, for people who are living alone or with health challenges, a daily source of emotional support and wellbeing. Research from animal welfare organisations emphasises that dogs can significantly reduce loneliness and improve mental health.

Losing a dog to theft is not like losing an object; it is—as the cabinet secretary has just pointed out—like losing a valued and loving family member. That is why groups such as Dogs Trust, the Scottish SPCA and other welfare charities have supported stronger recognition of dog theft as a stand-alone offence. They have highlighted the immense emotional impact on owners and the trauma that is experienced when a dog is taken.

The bill, as we know now, will create a specific statutory offence of dog theft with appropriate aggravations where an assistance or helper dog is taken, thereby ensuring that offences are treated with the seriousness that I believe that they deserve.

I therefore urge all members, whether or not they are dog owners, to support the bill today, so that Scotland can send a clear message that we value the welfare of our dogs and the deep, irreplaceable bond that they share with their owners.

15:28

Rhoda Grant (Highlands and Islands) (Lab): I congratulate Maurice Golden on introducing the bill; it is not easy to bring a member's bill to this stage.

I thank committee staff and those working in the legislation team who support MSPs in scrutinising legislation, as they are often the unsung heroes of

these processes. I also thank those who gave evidence and helped the committee with its deliberations.

The bill changes dog theft from a common law offence to a specific offence in its own right. On the face of it, that appears to change nothing; it is still an offence to steal a dog. However, the bill raises awareness of dog theft. The common law treats a dog as a possession—a thing, rather than a sentient being. The law as it stands does not recognise the distress caused to the dog that is stolen; it recognises only the distress of the owner in having lost a possession and does not recognise the relationship between people and their pets. Pets are more like family members than possessions, and this bill seeks to highlight that relationship.

The bill also includes an aggravated offence for the theft of a helper dog and allows the Scottish Government to add, by regulation, to that definition. The committee had discussions about police dogs, sheep dogs and the like. They are highly trained dogs that have a value due to that training. Obviously, guide dogs are already included in the bill's definition of a helper dog.

The bill also means that dog theft data will be reported. That does not happen currently, so it was difficult to ascertain the prevalence of the offence. We suspect that it is significant, but we will not know that until data becomes available. We have all heard of cases where dogs have been stolen, and that is especially the case for sought-after breeds that are valuable and can be sold to order. That appeared to be more the case during the pandemic, when dogs were very much in demand, as people were spending more time at home. We will need to see whether that trend continues, but, without historical data that we can depend on, it will be difficult to follow trends.

Arguably, the greatest benefit of this bill will be dependent on awareness raising being carried out in such a way that it acts as a deterrent to would-be criminals. The awareness raising could also highlight the impact of dog theft on the animal and its owner, while reminding people that it is a serious crime and will lead to a criminal conviction.

Although we support the bill, we note that there have been a number of members' bills on dogs and their welfare in this session of Parliament. It is also clear that there is a lack of Government action on the issue of dogs and their welfare. We need these pieces of legislation to be brought together under new legislation that protects dogs and their owners. We know that dog smuggling goes on, and members' legislation has tried to deal with unscrupulous breeders, but here we are again with legislation around dog theft.

We need legislation that is not piecemeal but follows through all the issues of criminality around dogs and their breeding, sale, care and welfare. It looks like that will be a job for a new Government in the next Parliament. I hope that the new Government deals with this issue, because it is incredibly important to our constituents.

The Deputy Presiding Officer: I call Ariane Burgess to open the debate on behalf of the Scottish Greens.

15:32

Ariane Burgess (Highlands and Islands) (Green): I am grateful to Maurice Golden—and the officials who have supported him—for the work that he has put into this member's bill, and for introducing legislation that responds to a real public concern. I also thank the Scottish Parliament's legislation team, the Rural Affairs and Islands Committee clerks, the Scottish Parliament information centre, and everyone who participated in the discussions during the proceedings on the bill.

For many people, dogs are not property in any meaningful sense—they are family. Therefore, when a dog is stolen, the impact is not just financial but distressing and traumatic, and it can be life-changing, not just for the humans.

This bill is based on the United Kingdom Pet Abduction Act 2024 and it takes an important step for Scotland. It creates a clear offence with serious penalties—up to five years in prison—and the possibility of an unlimited fine. That matters, because dog theft is not a harmless, opportunistic crime. The evidence suggests that, during the pandemic, as the price of dogs rose sharply, dog theft increased, too, with concerns that organised crime was involved in some cases.

The data is imperfect, but it is sobering. It is also striking how few successful outcomes there are for victims. Research has highlighted that, in the vast majority of cases, no one is charged and, in more than half of cases, no suspect is even identified. If we want to deter this crime and support victims, we need laws that reflect the real harm done, and a system that can deliver justice.

I particularly welcome section 2, which makes the theft of assistance dogs an aggravated offence. For someone who relies on an assistance dog, their theft does not simply mean losing a companion—it means losing mobility, independence and safety, so recognising that additional harm is absolutely right.

As Maurice Golden has discussed, the bill introduces the term "helper dog", and he explained that that part of the bill is intended to create flexibility through regulations. I simply urge

ministers to use that power carefully and to keep the focus where it belongs—on protecting those who depend on assistance dogs, and on ensuring that the law is clear and enforceable. It was good to hear from the minister this afternoon that she has already commissioned work on that.

I also welcome section 4, which would create a reporting mechanism. That matters because, right now, we are working with partial and inconsistent information. If we are going to tackle dog theft properly, we will need reliable data on its prevalence, on patterns and on outcomes. That will let us know whether the bill is working and what further action may be needed.

Alongside criminal law, we should also keep moving on practical measures that will make it harder to steal dogs and easier to reunite them with their owners. Scotland likely has somewhere between 800,000 and 1 million dogs, and that population may have grown significantly since Covid. Measures to improve the accuracy and compliance of microchipping and to have better traceability from breeder to owner can strengthen prevention and enforcement.

The stage 3 amendment that we dealt with today was minor and technical, but the bill itself is not. It would respond to a real harm, signal that Scotland can take this crime seriously and help us to measure whether we are succeeding. The Scottish Greens will support the bill, and I again thank Maurice Golden for his work.

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

15:35

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I am delighted to speak in this debate in support of my colleague Maurice Golden's bill, and not only because I was the additional member in charge of the bill—that is a smart title but, to be honest, I was not actually required to do anything. I know how much determination is needed to introduce a member's bill, having successfully introduced two of my own.

During the early stages of the bill, the Law Society of Scotland stated:

"Theft is already an offence under the common law, defined as 'to appropriate moveable, corporeal things belonging to another person, without the consent of that person, where the accused knows that those things belongs to another and intends to deprive the owner of their use permanently, indefinitely or (in certain circumstances) temporarily'. This offence can be used to prosecute dog theft incidents."

For balance, I will also quote the Law Society's comments that

"Judges in Scotland have the tools to assess and sanction appropriately dog theft offences, considering the harm that such behaviours may cause to the animal's welfare and the dog's owners and family."

I recall from my days in practice as a solicitor that, when a relationship broke down, although issues with the monetary assets could be resolved, there was often a fight about the family dog, and there were even circumstances in which the family dog was used in a coercive manner.

The rub is the concept of a dog as a "corporeal thing". It may break our hearts to have a valuable or sentimental piece of property stolen but, in my book, that by no means equates to having a family dog stolen. We have moved a long way from viewing animals—including pets—as property.

There is also specific reference in the bill to "assistance dogs" and "helper" dogs. The heartbreak may be the same or be of a more professional nature if those dogs are stolen, so that classification is important. I welcome the penalties and the aggravation that would be introduced if it is a helper dog, which helps children and adults in their daily lives, that is stolen. Helper dogs can also be used to detect drug smuggling and explosives, and can possibly alert individuals to the presence of cancer. Therefore, an aggravation of the crime in those circumstances—and that is by no means an exhaustive list—would be very welcome.

I appreciate that the possibility of recording dog theft as a specific crime may offer challenges, but those are not insurmountable—I will leave it at that.

I will conclude my speech with a few words about my very late dog of 40 years ago, Roostie—my delightful, kindly Irish setter. She let the cat sleep on top of her—for her body warmth, not his. My sons, who are now fathers themselves, used her as a pillow for comfort as well as for fun. She dragged us out for walks in the pouring rain and we felt the better for it. She was never—ever—property or a "corporeal thing." Her impact on my life can be measured by the fact that, 40 years on, she is keen in my memories. She taught my sons how to behave and respect her, just as she taught me how to be a good and responsible owner. The reciprocated love and affection of a dog is invaluable.

I will briefly parachute in another point: the festive season is not the time to buy a dog or a puppy, and, when people buy a dog or a puppy, they should do so only from a reputable source.

Going back to my script, I also agree that it would be a good idea in the next parliamentary session to introduce a consolidation bill on all laws that relate to dogs.

On that note, again, I congratulate Maurice Golden. As a postscript, I say that I know that the member is not seeking re-election. He will be a great loss to this place.

The Deputy Presiding Officer: We now move to closing speeches.

15:39

Ariane Burgess: As we close this debate, I want to return to the human impact. When a dog is stolen, it is not just a theft. A family member is taken, routines are shattered and owners are left with the awful uncertainty of not knowing where their animal is or whether it is safe. Again, I thank Maurice Golden for pursuing his member's bill and for listening to stakeholders as it has progressed.

The bill sits within a wider pattern of legislation in this session of Parliament of members introducing practical reforms to improve dog and pet welfare. We saw that with Christine Grahame's Welfare of Dogs (Scotland) Bill, which has strengthened responsible dog ownership by improving the information and safeguards that are in place for people buying a dog.

Although there has been progress, more needs to be done, some of which needs Government time and leadership. In particular, we need the Scottish Government to ensure that Mark Ruskell's Greyhound Racing (Offences) (Scotland) Bill is given ample opportunity to pass before the end of this session. Greyhound racing remains a glaring omission in Scotland's animal welfare landscape. If we are serious about preventing suffering, we cannot keep leaving that gap unaddressed.

Beyond that, there are clear next steps that we should take. We need to ban shock collars for cats and dogs. Training and behaviour should not rely on pain or fear and Scotland should draw a clear ethical line. We need to crack down on puppy smuggling and on poor breeding practices that put profit before welfare, so that people who are trying to buy responsibly are not misled and animals are not traded as commodities. We need tighter regulation of fireworks, because we know the unnecessary suffering, which is predictable and preventable, that they cause to pets, livestock and wildlife.

We need to streamline and strengthen dog legislation. Responsible authorities currently work across multiple overlapping regimes—the Dangerous Dogs Act 1991, the Control of Dogs (Scotland) Act 2010 and wider welfare law—and those often have different tests, thresholds and processes. That complexity makes enforcement harder than it needs to be and it can leave victims feeling as though no one is accountable. We should ensure that the police and local authorities have clear guidance and the resources to enforce the rules.

I believe that, as others have said, we should bring the framework together through a modern, breed-neutral dog control bill that simplifies welfare rules, makes it easier to intervene early, and supports consistent, effective enforcement, focusing on behaviour, responsibility and risk, not on the look of a dog.

Times have changed since some of our laws were written. We now have thriving dog grooming, boarding and walking sectors that remain largely unregulated. Most providers are responsible, but a lack of baseline standards means that not every dog gets the treatment that it should, which can lead to inadvertent harm.

Finally, it is worth remembering that Scotland already has strong foundations in the Animal Health and Welfare (Scotland) Act 2006, which makes it an offence to cause unnecessary suffering, places a duty of care on those responsible for animals and provides powers that can be used to regulate activities to protect welfare. We should use the powers that we have, and strengthen them where needed, to raise standards and prevent harm.

The Dog Theft (Scotland) Bill will help. It recognises the harm of the crime, provides for tougher consequences and improves our ability to measure what is happening through reporting. The Scottish Greens will support the bill, and I hope that we will treat it not as the end of the journey but as part of a clear programme of work to protect animals, support responsible ownership and prevent suffering across Scotland.

15:43

Richard Leonard (Central Scotland) (Lab): This small but important piece of legislation is about animal rights and animal welfare, but it is also about human rights. It is about our values, our principles—it is about our very moral philosophy.

As representatives of the people, we must be advocates of the people—and they are clear. The people are clear: they unequivocally want us to pass this law today. So, today it is about us and it is about our responsibility to the people.

Let me start on a positive note. It is welcome that the bill now provides for a broader definition of the kind of dog theft that qualifies for an aggravated offence to that of a "helper dog", but I regret that some other elements of the original version of the bill have been dropped completely.

There should be a victim statement, even though we are talking of summary, not solemn, cases.

Christine Grahame: Will the member give way on that point?

Richard Leonard: I happen to think that it is a useful component in any legal proceedings, because it helps to inform sentencing decisions and brings to our legal system some welcome democratic victim voice.

Christine Grahame: Will the member give way?

Richard Leonard: But I understand that Government support for the bill was conditional on this being dropped, and Maurice Golden is hemmed in by those dreaded words: "political feasibility".

Similarly, in my view, there could be, and there should be, annual reporting. The minister—

Christine Grahame: Will the member give way?

Richard Leonard: Yeah, ok.

Christine Grahame: That was a bit graceless, Mr Leonard.

I am happy to be corrected, but I do not think that a victim statement influences the penalty at the end of the day. I do not think that it does, but no doubt the minister will clarify.

Richard Leonard: For me, it is about a principle—about whether the impact on the victim is a matter of record. I think that it should be and it should be taken into account.

Let me turn to something else that has been dropped, and that is the annual reporting on the enforcement of the act. The Minister for Victims and Community Safety told Parliament at stage 1 that providing an annual report on the enforcement of the act "makes it operationally impossible". I do not accept this, and neither should Parliament. Accountability is important for the functioning of our democracy, and the minister appears before Parliament as a prisoner of operational matters far too often, whether it relates to cuts to the Scottish Fire and Rescue Service; the continued defiance of laws prohibiting fireworks and pyrotechnics use and the absence of a licensing system for that, which, in my personal experience, is also an animal welfare and animal cruelty issue; or this legislation today on dog theft—each one an important area of policy that the minister has direct responsibility for, and I would ask her to reflect on that.

On the other hand, I do accept the argument that post-legislative scrutiny is the prerogative of this Parliament and not of the Government, but that, in turn, requires good data—good data collection and transparency—so that future members of Parliament are able to follow the evidence. As a matter of record, that is something that the Government and its agencies are not always very good at providing. We need action in this area, because people and Parliament deserve more than words of admonishment by the Auditor General for Scotland or criticism by the Public Audit Committee. People deserve action and a wholesale change in political culture.

Where there has been good understanding and where good progress has been made is on the need to raise awareness of the new offence, because our purpose in voting for the legislation is for it to act as a deterrent. While Maurice Golden and I differ on his custodial approach, we can agree that we need to stop dog thefts happening in the first place. We can agree that, when they do happen, we need to raise the probability of the safe return of the dog to their home.

Let me finish with the principles and the values that lie behind the legislation. Dogs are not property—they are living, sentient beings. They are not commodities—they are companions. They are not a lower form of life, but an equal form of life. Without them, for many of us, there would be a loneliness of the soul.

We will be voting for this Dog Theft (Scotland) Bill this afternoon. Many of us will be doing so not only with moral purpose and passion forged on personal experience, but with political principle as well.

The Deputy Presiding Officer: I call Jamie Halcro Johnston to close on behalf of the Scottish Conservatives.

15:49

Jamie Halcro Johnston (Highlands and Islands) (Con): I had the opportunity back in October to speak in support of the bill and in recognition of the hard work of my colleague Maurice Golden and others at stage 1. As Christine Grahame rightly says, Maurice Golden will be missed in this place, although his humour—judging by the start of his speech—might not be missed quite so much.

I am pleased that the bill has reached this stage, and I sincerely hope that, at the end of the day, it will complete its progress through the Parliament, as it sounds like it will. A key component in the bill advancing is the Scottish Government's support for the creation of a distinct dog theft offence. That is welcome, and I largely commend the minister for the way in which the Government has engaged with the process and helped to create a level of cross-party consensus.

As others have mentioned, the bill is different from the one that we were faced with at stage 1. In the stage 1 debate, I argued, alongside others, for the positive role that victim statements could play

in relation to the proposed offence, as highlighted by Richard Leonard. At that point, it was already clear that there was no obvious route to the provision gaining Scottish Government support, and it has been removed from the bill that is before us today.

That is disappointing, because the inclusion of victim statements was a positive measure that seemed to earn widespread support in the chamber. It now appears to have fallen victim to expediency—specifically, the Scottish Government's view that, in the words of the minister, "at this point", it did not wish to address the introduction of victim statements in summary cases. I acknowledge the position that summary offences that are equally serious would not have provision for victim statements to be used. Although I accept that that is the cost of securing the Scottish Government's support, that provision could have been a powerful tool to emphasise the deeply personal and emotional elements of the offence, as highlighted by other members, and to inform sentencing decisions.

There are a number of other worthy elements that members may wish to have seen added to the bill rather than subtracted from it. Protection for other animals was high on the list. Cats were most obviously mentioned, although, given the freedom to wander, for practical purposes, they are quite different from dogs. Christine Grahame put it best when she said:

"Dogs have owners. Cats have staff."—[*Official Report*, 2 October 2025; c 87.]

At stage 1, Richard Leonard made an impassioned plea on behalf of his constituent about dog attacks on other dogs, and he pointed to the public position on the subject. Such attacks can be devastating for dogs and owners alike and can leave owners with enormous costs for treatment. Unfortunately, there have been many examples of people not taking proper precautions to prevent dog attacks, and a considerable gap exists in how the law addresses those.

Elena Whitham made some very insightful, powerful and concerning points about the role that pets can play as a tool of domestic abuse and coercive control.

One of the most pressing remaining issues with the bill, should it be passed and receive royal assent, is that of what resources will be available to publicise and enforce the new law. I hope that the Scottish Government and relevant agencies will make that part of their work once the new offence is in place.

I commend Maurice Golden, his staff and all those who have been involved in bringing the bill to this stage. Any dog owner will attest to the fact that it has been an important issue to champion and, as any victim of dog theft will know, Maurice Golden is tackling a terrible evil. It seems that the Parliament accepts and recognises the main issue that dog theft is different from normal theft in category rather than just degree, and that such a difference ought to be recognised consistently.

We all appreciate that the bill can go only so far and achieve only so much, and the bill's critics are by no means entirely wrong or misguided. Much more is needed than legislative change, and the direct gain from the bill might be smaller than we might like. However, I hope that it can help to drive a shift in our institutions' culture towards treating dog theft with the seriousness that it deserves. The Parliament, in its role not only as a legislative body but as a forum for the nation, will also be sending a strong message that this sort of crime should not and will not be tolerated.

15:53

Siobhian Brown: I thank all members for their contributions to the debate.

As I made clear in my opening remarks, I have welcomed the constructive and helpful meetings that I have had with Mr Golden since stage 1 to discuss the bill. Although the Scottish Government had concerns about aspects of the bill when it was introduced, Mr Golden lodged stage 2 amendments on those aspects to ensure that the Scottish Government could support it.

I will come to some of the points that have been raised throughout the debate.

A few members mentioned consolidation of legislation in the next parliamentary session. I have responsibility for dangerous dogs, and animal welfare is under Minister Fairlie. With that in mind, last September, we hosted a responsible dog ownership summit, because we believe that more can be done to improve public safety by ensuring that dogs are responsibly acquired, owned and looked after. The Scottish Government is always open to considering carefully any evidence-based suggestions to help to improve people's safety. The summit was an opportunity to bring together attendees from a wide range of organisations, including Police Scotland, local authorities and veterinary bodies as well as public health and third sector organisations, to consider how dog control and public safety can be improved. My colleague Christine Grahame was also in attendance.

The summit's key outcome was the Scottish Government's establishment of an expert advisory group to look at the various issues that were raised and to help to determine what can be progressed in the short, medium and long term. A number of sub-groups of the expert advisory group have now been set up to look at specific areas of

work, such as enforcement and resources; dog welfare; prevention, education and communication; data to inform and support dog control policy; and health service data.

The expert advisory group is now also considering the helper dog definition issue. Although we are not progressing with legislation in this parliamentary session, work has started on that for the next session.

I will touch on victim statements, which have been raised. The bill as drafted would have allowed people who are victims of a dog theft to give a victim impact statement to the court, and that would have applied to any court. Although the Scottish Government is sympathetic on the issue, victim impact statements are currently available for certain solemn offences only. The bill, as drafted, would have specifically included the new offence of dog theft in summary cases so that, in order to inform sentencing, a victim could express to the court the impact that the crime had on them physically, emotionally and financially.

When I met Maurice Golden ahead of stage 1, I made it clear that the Scottish Government required the removal of that provision in order to support the bill, which he acted on at stage 2. That also reflected the committee's recommendation in the stage 1 report that the provision be removed—a recommendation that was made in light of general concerns about the appropriateness of the approach.

Christine Grahame: [*Made a request to intervene.*]

Siobhian Brown: Can I get the time back, Presiding Officer?

The Deputy Presiding Officer: If the intervention is brief.

Christine Grahame: I honestly do not know the answer to this question. As I understand it, a victim impact statement does not do anything to the sentencing at the end of the day. I know that the provision was taken out of the bill, but is it generally the case that such statements have nothing to do with sentencing?

I think that Richard—oh, I have forgotten his other name.

Joe FitzPatrick (Dundee City West) (SNP): Leonard.

Christine Grahame: I beg your pardon, Mr Leonard, I was distracted.

Richard Leonard seemed to be confused about that issue—

The Deputy Presiding Officer: I think that the minister has the gist of your question.

Siobhian Brown: My understanding is that the statements help the court and inform sentencing, but perhaps I could get back to Christine Grahame on the exact details.

Amendments that were made to the Victims, Witnesses, and Justice Reform (Scotland) Bill will in due course extend the use of victim impact statements to all solemn cases.

I know that I am short of time, but I want to touch on raising awareness of the new offence. The Scottish Government will work with Maurice Golden to publicise and raise awareness of the new dog theft offence. The Scottish Government already has links with a wide range of stakeholders that have a strong interest in dog control and dog welfare policy matters. My officials meet regularly with a range of organisations that have a strong interest in the new offence and dog welfare, including Police Scotland, local authorities, veterinary bodies, the public health sector and a wide range of third sector organisations, such as the SSPCA, the Dogs Trust, Blue Cross and many more. The Scottish Government will work with all stakeholders to promote and raise awareness if the bill is passed.

I thank the members who have contributed to this afternoon's debate. I welcome the cross-party support for the bill. As I have made clear as the bill has progressed through Parliament, dog theft is an emotive issue. The Scottish Government recognises and understands the emotional impact on owners if their dog is taken from them. I hope that, by supporting the bill, the Parliament demonstrates how seriously it takes dog theft.

I congratulate Mr Golden on being able to progress his bill through all the various scrutiny processes, and I encourage all members to support the bill at decision time.

The Deputy Presiding Officer: I call Maurice Golden, as the member in charge of the bill, to wind up the debate. You have up to five minutes, Mr Golden.

15:59

Maurice Golden: I thank all members who have contributed to today's debate, which has been very useful. More generally, I thank everyone for their engagement in scrutinising the bill.

I will touch on the speeches that we have heard. Minister Siobhian Brown, who is a dog owner and dog lover, said that dog theft has a

"profound and devastating impact on victims."

I look forward to the Scottish Government's expert advisory group's recommendations with respect to helper dogs in due course.

Tim Eagle spoke about dogs being companions, loyal partners and a daily source of emotional support and wellbeing. Rhoda Grant agreed and highlighted that the bill will facilitate improved data collection. Ariane Burgess said that the bill responds to a real harm and that dog theft is not just a theft.

Christine Grahame, whom I thank for being the additional member in charge of the bill, spoke of her late dog Roostie, the Irish setter, who was never property but a loving companion. She highlighted that it would be appropriate for there to be a consolidation bill in the next session of Parliament.

On the point that Richard Leonard and Jamie Halcro Johnston made about victim statements, it is worth noting for the *Official Report* that the removal of that provision was a committee recommendation, so it would be wrong to frame the proposal as one that emanated solely from the Scottish Government.

Of course, politics is the art of the possible, and achieving goals often involves compromise, challenge and collaboration. The bill that is before us, which we will vote on tonight, has been refined in that fire, and I will be very proud if it becomes the Dog Theft (Scotland) Act 2026.

Again, I thank members and stakeholders for their engagement. In particular, I thank the minister, Siobhian Brown, and the committee.

During the stage 1 debate, I quoted the late American animal welfare activist Roger Caras, who said that dogs "make our lives whole". I will close with more of his wise words. He said:

> "Dogs have given us their absolute all. We are the center of their universe. We are the focus of their love and faith and trust."

Dogs are for life, not just for Christmas, so let us repay some of that love, faith and trust this Christmas season by voting to pass the bill at decision time.

The Deputy Presiding Officer: That concludes the debate on the Dog Theft (Scotland) Bill at stage 3. There will be a short pause before we move on to the next item of business.

Schools (Residential Outdoor Education) (Scotland) Bill: Stage 3

16:03

The Deputy Presiding Officer (Liam McArthur): The next item of business is stage 3 proceedings on the Schools (Residential Outdoor Education) (Scotland) Bill. In dealing with the amendments, members should have the bill as amended at stage 2—that is, Scottish Parliament bill 50A—the marshalled list and the groupings of amendments.

The division bell will sound and proceedings will be suspended for about five minutes for the first division of stage 3. The period of voting for the first division will be 30 seconds. Thereafter, I will allow a voting period of one minute for the first division after a debate. Members who wish to speak in a debate on any group of amendments should press their request-to-speak button as soon as possible after the group has been called.

Members should now refer to the marshalled list.

Section 1—Provision of residential outdoor education

The Deputy Presiding Officer: Group 1 is on guidance: process. Amendment 1, in the name of Liz Smith, is grouped with amendments 6 and 7.

Liz Smith (Mid Scotland and Fife) (Con): Before I begin my remarks, I thank all those who have engaged so thoroughly on the bill. I also thank John Mason, Jackie Dunbar, Jeremy Balfour and the minister for their amendments in this group and for the general scrutiny that has taken place. I thank the minister for all the work that she and her officials have done. I also thank Pam Duncan-Glancy for all the work that she has undertaken on amendments in this group, particularly when it comes to additional support for learning.

Group 1 is about the process by which statutory guidance under the bill is developed. Amendment 1 is a technical amendment that will correct a minor drafting error by referring to section 1 of the bill rather than the inserted section 6B of the Education (Scotland) Act 1980.

Amendment 6 requires the Scottish ministers to consult people who are employed in public schools or grant-aided schools who are not in trade unions before providing the guidance on residential outdoor education as required by the bill. At stage 2, an amendment in the name of Pam Duncan-Glancy that required trade unions that represent school employees to be consulted was

agreed to. That is a welcome measure. It did, however, leave a potential gap whereby there was no provision in the bill for employees who are not in trade unions to be consulted. Amendment 6 plugs that gap, and I hope that the Parliament will support it.

Amendment 7, in the name of the minister, requires pupils or their representatives to be consulted in advance of preparing the statutory guidance. The amendment follows many discussions that I have had with the minister. It is a welcome measure that will improve the bill and I have no hesitation in encouraging all members to support it.

I move amendment 1.

The Minister for Children, Young People and The Promise (Natalie Don-Innes): I believe that the final set of amendments that I have lodged at stage 3 respond effectively to the concerns that some members raised at stage 2 and they have been discussed and agreed with the member in charge.

Amendment 7 addresses the fact that, given that we have now agreed to provide in the bill an extensive list of key stakeholders who should be consulted, not including children and young people is a glaring omission. Should the bill pass today, Scotland's children and young people will benefit from its provisions. It is therefore absolutely right that they should have the opportunity to give meaningful input on how the bill is implemented, so that its provisions meet their needs.

That is especially true where barriers exist that prevent some children and young people from accessing residential outdoor education through disability, support needs or poverty. If we are to change that, their views need to be accommodated, heard and listened to. The best way to know what pupils want and need from those experiences and the approach to provision that works best for them is to ask them.

Amendment 7 remedies that omission, and the approach that it takes also strengthens the Scottish Government's commitment to upholding the principles of the United Nations Convention on the Rights of the Child. I therefore hope that everyone in the chamber will support amendment 7.

Liz Smith's amendment 6 also helps to give effect to another of this Government's core policies, this time on fair work, by ensuring that all workers have an effective voice and a say on matters that affect them. I emphasise again my appreciation for the commitment of the education workforce, including teachers, pupil support assistants and other professionals who give freely of their time to provide Scotland's children and young people with valuable residential outdoor education experiences. It is important that they can give their views on the implementation of the bill. Amendment 6 therefore seeks to build on what was agreed at stage 2, as Liz Smith alluded to. I therefore encourage the chamber to support amendment 6.

The final amendment in the group, amendment 1, seeks to correct a technical error in the original drafting of the bill. It makes no change to the intention of the provision. I therefore recommend that members also support amendment 1.

Martin Whitfield (South Scotland) (Lab): I support all the amendments in the group, but I take the opportunity to comment on amendment 7. Before I do so, I thank Liz Smith for all her work on the bill and, in particular, for the compliment that she gave to my colleague Pam Duncan-Glancy.

Amendment 7 relates to the statutory guidance, and I very much welcome the on-going commitment of the minister and the Scottish Government to the UNCRC and the need for meaningful discussion with our young people and their representatives, particularly in this challenging area where there might be a disability or a challenge in accessing and understanding what they are being asked about.

In short, I thank the Government and the member for ensuring that amendment 7 was lodged. I look forward to the same level of commitment from the Government in forthcoming bills.

Amendment 1 agreed to.

The Deputy Presiding Officer: Group 2 is on guidance: detail. Amendment 2, in the name of the minister, is grouped with amendments 10 and 3 to 5.

Natalie Don-Innes: Amendments 2, 3 and 5 in my name are largely technical amendments. Amendment 2 relates to the terminology that was used in drafting the original bill provisions on guidance, including the paragraph on standards. Although standards will clearly be important to ensure consistency in the quality of provision, that cannot be compelled through guidance. Even statutory guidance cannot impose duties, so my amendment 2 seeks to adjust the wording, to remove "must" and replace it with "should".

Martin Whitfield: Could the minister confirm that the change made by amendment 2 in no way weakens the expectation that the guidance will be robust and enforceable?

Natalie Don-Innes: I do not believe that it weakens it at all—and the other amendments in the group speak to that. I think that we are covered there.

Amendment 3 seeks to remove the superfluous word “carers”, because carers, who are an accepted part of the family structure in law, are already provided for in the definition in the Education (Scotland) Act 1980, which the bill seeks to amend. The 1980 act provides a definition of the term “parent” that includes any person who

“has parental responsibilities ... in relation to, or has care of a child or young person”.

The amendment is a technical change that seeks solely to ensure consistency with the definition of “parent” in the 1980 act.

Amendment 5 is a minor technical amendment to replace a reference to legislation that is to be repealed. Should the bill pass today, by the time it comes into force, the section that is referenced in the 1980 act will effectively have been superseded by the Education (Scotland) Act 2025. I therefore encourage the Parliament to support amendments 2, 3 and 5.

Amendments 10 and 4 are the more substantive amendments in this group. Throughout the bill process, I have been focused on ensuring that its provisions help to give effect to the Scottish ministers’ programme for government commitment to

“make sure that pupils from lower-income families can take part in school trips, providing support for children to go on curriculum-related trips and activities, and Primary 6/7 residentials”.

That also applies to children with additional support needs, who, as we have heard throughout the bill process, are often excluded from residential experiences that their peers enjoy, because provision is simply not accessible. If we are putting residential outdoor education on a statutory footing, we must do so in a way that seeks to remedy those exclusions and make provision equitable. I therefore welcome Mr Balfour’s amendment 10.

The bill already requires that the residential outdoor education that is provided be

“suitable to a pupil’s age, ability, aptitude and any additional support needs”.

The guidance will be required to set out how that suitability should be assessed.

Amendment 10 seeks to build on existing bill provisions to support education authorities and managers of grant-aided schools in considering what steps they may need to take to ensure that all children and young people, and especially those with an additional support need, are able to access residential outdoor education.

Legislation already provides for any support need, whether short or long term, to be considered and, where appropriate, supported. There are specific groups who can expect their needs to be assessed, including looked-after children, young carers and children with multiple and/or complex needs. The guidance will have to show how all those different types of need among children and young people might be supported or addressed in how residential education is provided. That is something that I think we will all welcome. For those reasons, I encourage the Parliament to support amendment 10.

Amendment 4 seeks to make clear that affordability should not be a barrier to children and young people accessing residential outdoor education in the future. Liz Smith has been very clear that her bill seeks to build on, rather than put a stop to, that good practice, and she has been clear that mixed funding models must, therefore, continue to be supported. Indeed, the stage 2 amendment from the member in charge to enable parental contributions to be sought, which was agreed to, was a welcome addition in that regard. However, as was made clear in the committee during stage 2, there should be discretion and flexibility as to when and from whom financial contributions might be sought. There will always be circumstances in which affordability becomes a consideration for some children and young people and it would not be appropriate to ask for a financial contribution. I therefore welcome Mr Mason’s amendment.

I support amendments 4 and 10. I move amendment 2.

16:15

Jeremy Balfour (Lothian) (Ind): I congratulate Liz Smith on getting this far with the bill, and I am pleased that it has cross-party support. I thank the minister for the constructive dialogue that we have had over the past weeks and months.

As Liz Smith and the minister have acknowledged, my priority in engaging with the bill process has been to ensure that the provision of residential outdoor education is made available to all pupils in Scotland. I take this opportunity to emphasise my view that no child or young person should miss out on residential outdoor education because they have an additional support need or a disability, are a young carer or need support from a carer or carers to be able to participate equitably in the scheme.

I raised these issues in amendments at stage 2, and I welcome the fact that my concerns were shared and that these important matters have been given due consideration by the member in charge and the minister, as they promised.

I welcome the comments that were made by the minister a few moments ago, particularly on young carers. I remain concerned that, not next year or

the year after but in years to come, young carers will still not feel that they are able to go away due to the support that they give a family member or somebody else. We must ensure that they are protected from that.

My amendment 10 represents the outcome of our considerations. Amendment 10 will require the statutory guidance to make provision about

"the steps that education authorities and the managers of grant-aided schools should take to support participation in residential outdoor education by pupils"

and, in particular

"pupils with additional support needs".

That will be a welcome addition in providing schools with practical advice on how to make those often complex considerations.

My hesitation regarding guidance is well documented. However, I am reassured that the amendment will support existing provisions in the bill that will require courses of residential outdoor education to be suitable for pupils' age, ability, aptitude and any additional support needs.

If agreed to, amendment 10 will give a strong further signal across the Government and the Parliament to ensure that inclusion and equality sit at the heart of Liz Smith's bill. I encourage members to vote for it.

John Mason (Glasgow Shettleston) (Ind): As members probably know, my reservations about the bill have been to do with its financial aspects and, in particular, whether the public purse should be paying for the children of better-off families who could well afford to pay for such courses and are currently doing so. If there was plenty of money available, perhaps no family would pay, but money is tight and we need to target public expenditure. I continue to have concerns that the updated financial information provides no real idea of what the bill, if passed, will cost.

I was happy to support Liz Smith's amendment at stage 2 to enable education authorities and managers of grant-aided schools to require a parental contribution towards their child's course of residential outdoor education. That is already the case in many schools and local authorities, and we do not wish to undercut effective existing good practice. However, a key aim of the bill is that residential outdoor education should be available to all young people, no matter how well off their families are and no matter whether a child has a disability, and I completely agree that there will be circumstances in which a parental contribution is not appropriate. For example, I would expect that members would agree that no pupil should be unable to participate in residential outdoor education due to their family's financial circumstances or because of any additional costs that arise from having an additional support need.

Therefore, through amendment 4, I aim to ensure that statutory guidance includes matters to be considered by education authorities and grant-aided schools when requiring financial contributions, to further support equality of access to residential outdoor education. I trust that members will support amendment 4.

Liz Smith: I will comment briefly on the amendments in the group, all of which relate to the statutory guidance under the bill and follow on from very constructive discussions that I had prior to stage 3 with the minister, Jeremy Balfour and John Mason. I support all the amendments in the group.

Amendment 2, in the name of the minister, changes "must" to "should" in new section 6B(4)(b) of the 1980 act—which, if the amendment is agreed to, will mean that the statutory guidance that is issued under the bill must include provision about the standard to which residential education should be provided. That reflects the fact that statutory obligations cannot be made through guidance, and is consistent with the wording of a provision elsewhere in section 6B(4). I am therefore very content to support amendment 2.

Amendment 10, in the name of Jeremy Balfour, and amendment 4, in the name of John Mason, will require the statutory guidance to include provision about the steps that should be taken to support participation by pupils including, in particular, those with additional support needs, and provision about the requiring of a financial contribution from parents, including, in particular, the matters that are to be taken into account to ensure equality of access. Both those amendments follow on from discussions at stage 2 and immediately thereafter. At stage 2, the bill was amended both to remove its duty on ministers to fund the full provision of residential outdoor education and to enable education authorities and managers of grant-aided schools to ask parents for a contribution.

In lodging my stage 2 amendments, I sought commitments from the minister that parents of pupils with additional support needs would not be charged more to cover the cost of providing for those needs to be met, and that pupils whose parents could not afford to contribute would still be able to benefit from residential outdoor education courses. Helpfully, the minister gave those commitments at stage 2. I am very grateful to her for that. Amendments 10 and 4 further solidify those commitments by requiring the statutory guidance to include provision about pupils with additional support needs and about equality of access. I therefore very much welcome both amendments 10 and 4.

As the minister said, amendment 3, in her name, is a minor and technical amendment to ensure consistency with the Education (Scotland) Act 1980—and amendment 5, too, is a technical amendment to reflect the fact that the inspection regime will be governed by the Education (Scotland) Act 2025 when that comes into force. Members may recall that section 45 of that act requires an inspection plan to set out information about the extent to which, and how, inspections will evaluate outdoor education. I therefore welcome amendments 3 and 5.

I encourage everyone to support the amendments in this group.

Natalie Don-Innes: The amendments in the group concern provisions relating to the statutory guidance that are important in seeking to ensure that legislative standards are of the highest and that those whom the bill will impact most directly will have a meaningful voice in its implementation.

I do not have too much to add, but I want to speak to Jeremy Balfour's comments. Mr Balfour has again put on record his concerns about young carers. We have discussed that topic at length. We have worked with the aim of ensuring that the bill is equitable, so I want again to put on record, and emphasise, that the provisions in the bill will ensure the full consideration of those matters and the needs of those pupils, to ensure that they will be able to access their residential trip.

I encourage members to support all the amendments in the group, and I press amendment 2.

Amendment 2 agreed to.

Amendment 10 moved—[Jeremy Balfour]—and agreed to.

Amendment 3 moved—[Natalie Don-Innes]—and agreed to.

Amendment 4 moved—[John Mason]—and agreed to.

Amendment 5 moved—[Natalie Don-Innes]—and agreed to.

Amendment 6 moved—[Liz Smith]—and agreed to.

Amendment 7 moved—[Natalie Don-Innes]—and agreed to.

The Deputy Presiding Officer: We move to group 3 on reporting duty. Amendment 8, in the name of Jackie Dunbar, is the only amendment in the group.

Jackie Dunbar (Aberdeen Donside) (SNP): Members sought to introduce various forms of reporting duties through stage 2 amendments, and amendment 8 seeks to draw the different proposed approaches together, through a single reporting duty, which will address many of the concerns that have been raised.

It is important that ministers undertake a review and report on the provision of residential outdoor education by education authorities and managers of grant-aided schools. That will help to strengthen transparency and accountability of delivery. Throughout the bill process, it has been clear that members feel strongly that, if the bill is to achieve anything, it must be to deliver more equitable and accessible provision in the future, so that every child or young person who wants to participate can do so.

Amendment 8 requires the report to set out

"the extent to which the residential outdoor education provided was suitable for and accessed by pupils ... with additional support needs"

and those

"who experience socio-economic disadvantage".

It further requires the report to include

"an assessment of the impact on and outcomes for pupils who participated in residential outdoor education".

There are outstanding concerns around the potential workforce implications associated with the bill, which is a matter that I raised during stages 1 and 2. Those concerns will need to be resolved ahead of implementation, which is why the amendment requires that the report also assesses the impact of provision on the education workforce.

Finally, the amendment requires the report to include any further steps that Scottish ministers propose to take with respect to the provision of residential outdoor education.

Setting out in the bill the key topics to be covered in the report will provide a strong signal to the wider education system about the overall areas of focus of any future data collection that partners would need to be able to respond to.

The report is to be produced

"as soon as reasonably practicable"

after the five-year reporting period, which begins on the day on which the act comes fully into force. That will ensure that the Government can build up a robust bank of qualitative and quantitative data, from which meaningful conclusions can be drawn.

Amendment 8 covers all the key issues that were raised at stage 2 and strikes the right balance in relation to reporting duties, and I encourage members to support it.

I move amendment 8.

Martin Whitfield: I rise to confirm our support for amendment 8, which is, in effect, a provision

for post-legislative scrutiny to come about. That is increasingly a characteristic of bills in the Parliament, and we should continue to defend that and ensure that all legislation includes that provision. I very much welcome the five-year reporting period, but, in summing up, will the minister indicate whether any interim reporting might be published during those five years, where appropriate?

I thank Jackie Dunbar, who moved amendment 8, for discussing the potential effect on teachers and the workforce in schools. People outside the chamber have expressed some concern about that aspect, and I hope that amendment 8 goes some way towards allaying those fears or ensures that, if there are challenges, they are captured early on.

Natalie Don-Innes: At stage 2, members lodged a number of amendments in relation to reporting duties and how and when those might be fulfilled. I welcomed the debate and listened carefully to what members had to say about their individual amendments. I further welcomed the fact that members did not move or press their amendments and accepted my undertaking to consider reporting duties more generally and to bring back an amendment at stage 3 that would deliver on most aspirations and issues that were raised. Therefore, I am pleased to support Jackie Dunbar's amendment 8, and I note that the general reporting duty in amendment 8 applies to Scottish ministers. I believe that a single reporting duty is the most effective and efficient approach. The amendment avoids placing undue additional administrative burdens on local authorities, the education profession and outdoor residential education facility owners and operators.

On Mr Whitfield's concerns, I understand why he might want interim reporting before the end of the five years. We can discuss that, but we need to be careful because we will be laying the regulations for commencement in two years, and there will be a number of checkpoints, so we will need to see when we reach those. Therefore, we do not yet have a final date for when the bill will be commenced. However, as part of on-going discussions, we will be more than happy to consider whether that might be helpful, including whether it might be helpful in specific areas.

Martin Whitfield: I am grateful for that confirmation, which adequately answers the question that I raised.

Natalie Don-Innes: Overall, I believe that the general reporting duty proposed by this amendment reflects a proportionate and deliverable approach to assessing provision under the bill. I am pleased, too, that the member in charge of the bill has agreed to this approach. I therefore encourage members to support amendment 8.

16:30

Liz Smith: I very much welcome amendment 8 from Jackie Dunbar. As members will recall, Pam Duncan-Glancy lodged a series of reporting amendments at stage 2 but ultimately Ms Duncan-Glancy did not move or press those amendments on the basis of the minister giving a commitment to consider a general reporting duty. Amendment 8 gives effect to that commitment.

I particularly welcome the fact that amendment 8 requires the report to set out

"an assessment of the equality of access to residential outdoor education ... including the extent to which the residential outdoor education provided was suitable for and accessed by pupils ... with additional support needs"

and pupils

"who experience socio-economic disadvantage".

Equality and equity of opportunity have always been at the heart of the policy underpinning this bill and I know that that ambition is shared by the minister.

At the same time, it has been clear throughout the bill's passage that data collection in the sphere of residential outdoor education has been patchy for a number of years, and amendment 8 seeks to address some of those issues, ensuring better data collection and reporting and further ensuring that the issues faced by children who either have additional support needs or experience socioeconomic disadvantage are considered, reported on, and addressed as appropriate.

The Deputy Presiding Officer: I call Jackie Dunbar to wind up and to press or withdraw amendment 8.

Jackie Dunbar: I have nothing further to add, Presiding Officer. I will press amendment 8.

Amendment 8 agreed to.

After section 1

The Deputy Presiding Officer: Group 4 is on facilities. Amendment 11, in the name of Jeremy Balfour, is the only amendment in the group.

Jeremy Balfour: Amendment 11, in my name, sets out that facilities that provide residential outdoor education have to put in a changing places toilet within five years of section 1 coming into force.

I lodged a similar amendment at stage 2, but the minister pointed out that perhaps it was not absolutely correctly drafted and that we would have problems in regard to amending other pieces of legislation and also in regard to calling it a

changing places toilet. Taking those words to heart, I have redrafted the amendment to simply put in what has to happen and, rather than describing it as a changing places toilet, to outline what a changing places toilet is made up of.

The reason for doing that is that we can have all the funding, all the children and all the will in the world, but, if a facility is not suitable for a disabled child to use, they will be excluded. All the evidence that has been gathered over the past number of years, by the Scottish Government and others, is that the changing places toilet is the toilet that makes the difference to those with certain disabilities, and it seems reasonable to me that residential outdoor education centres should have that type of toilet within five years. If there is a financial issue, there is Scottish Government funding to allow such toilets to be put in.

I genuinely believe that, without such toilets, we would exclude a substantial minority of children from being able to benefit from this bill. I believe that the amendment gives us plenty of time for it to happen. It is proportionate and would open up access to outdoor residential education, so I hope that members will support the amendment.

I move amendment 11.

Natalie Don-Innes: The Scottish Government champions and supports the roll-out of changing places toilets in appropriate public settings, including by providing £10 million in funding across this financial year and the next to create up to 150 additional community toilet facilities across Scotland for people with complex disabilities and health conditions. That builds on progress to date, which has seen the number of changing places toilets across Scotland increase to 270—a 30 per cent rise since 2019.

I very much appreciate Mr Balfour's intention in lodging amendment 11, and I welcome his reaching out in advance of doing so to seek my views on the proposed approach. He will, therefore, be familiar with the points that I am going to set out and my position on the amendment.

For assurance, I believe that existing provisions in the bill will ensure that pupils who may require a changing places facility, and their associated needs, will be considered with regard to the requirements that are set out in inserted section 6A(3)(c) of the Education (Scotland) Act 1980 and to the statutory guidance, which must include relevant content as set out in section 6B(4)(c) of the 1980 act.

As has already been discussed, I welcome Mr Balfour's amendment 10, which would further strengthen the place and priority that is given to ensuring equity of provision and access for pupils with additional support needs.

Mr Balfour is right to draw attention to the need for residential outdoor education facilities to consider making adaptations to ensure that they can meet the needs of all pupils, including disabled pupils. However, amendment 11 would seem to pre-empt a robust analysis of what the overall adaptation requirements may look like to ensure deliverability of the bill, should it become law.

Martin Whitfield: The minister has hinted at some of the challenges that may exist with amendment 11, although we must extend great sympathy for its intent. Is the minister confident that the alternative measures and the guidance will ensure that pupils who require such provision do not feel excluded from accessing outdoor education facilities?

Natalie Don-Innes: I am confident, and I have something to show why that is the case, which I will come to in a moment. Nevertheless, there are other reasons, over and above what I have already laid out, which I am about to come to.

A key requirement for our delivery plan for the bill will be the mapping of existing sector capacity compared with the demands to be generated by the legislation upon commencement. That will ensure that consideration of adaptations across the residential outdoor education sector is informed by different pupils' needs and can be designed and planned for in a way that ensures effective delivery at both regional and national levels.

I am really encouraged by feedback that I have received from those in the residential sector. They are very prepared and enthusiastic to make the changes and to build out facilities to support the bill's implementation, including equity of provision for all our pupils.

Another challenge is that the amendment asks centres to go above and beyond what is required of them under existing planning legislation, which could incur significant additional costs that would risk making the bill unaffordable and undeliverable. For some facilities, such as camp grounds and sailing boats, it would simply not be possible to comply with the requirements stipulated by the amendment. That would unhelpfully restrict the range of providers who are available to respond to the legislation.

Kevin Stewart (Aberdeen Central) (SNP): I have some sympathy for Mr Balfour's amendment, because I have been a great advocate—as he has—for changing places toilets. However, I recognise that there are some facilities where it will not be possible to put such changing places provisions in place. Will the Government look at whether it would be possible for mobile changing places toilets to come into play in some facilities

where it may be impossible to build a fixed changing places toilet?

Natalie Don-Innes: That could certainly be considered. I do not know the full detail of mobile changing places facilities, but I understand that we would not want some pupils losing out on a visit to a specific residential outdoor education facility because of a lack of such provision. We can—absolutely—consider that.

I do not have anything further to add. I cannot support amendment 11, and I ask members not to support it either.

Liz Smith: First, I put on record, as I did at stage 2, the very high regard that I have for the tireless and constructive way in which Mr Balfour, in the 10 years that he has been in Parliament, has campaigned on issues affecting disabled people. I very much welcome his engagement with the bill and his championing of the issues affecting disabled people and children and young people who have caring responsibilities.

Like other members, I have sympathy for the policy intention behind amendment 11. Having changing places toilets in outdoor centres is a very positive and valuable measure, and I know, from discussions that I have had in the outdoor education sector, that ensuring that there is such provision as part of making facilities accessible more generally is a very live and important issue.

There is, however, a technical issue with amendment 11, because the bill is about more than just outdoor centres. Facilities that could, within the terms of my bill, be used to provide residential outdoor education include not just outdoor centres but youth hostels and camps—and, as the minister just mentioned, sailing boats. The list in the bill is without limitation, so amendment 11 would have the effect of requiring any of those facilities to have changing places toilets although, as Mr Stewart has just intimated, in some instances that might not be possible.

I therefore agree with the minister. Although we welcome the intention behind amendment 11, I do not think that it is workable. For that reason, we will not support it.

The Deputy Presiding Officer: I call Jeremy Balfour to wind up and to press or withdraw amendment 11.

Jeremy Balfour: I am disappointed with the response from the minister and Liz Smith. In this Parliament, when it comes to disabled people, we are good at words but I am afraid that actions do not always follow.

Last Thursday, the Deputy First Minister made a helpful closing speech on British Sign Language provision and how her Government was going to make sure that work on that would happen. It was interesting that, even at stage 2, when I lodged an amendment in relation to BSL, it was rejected while an amendment in relation to Gaelic was accepted. The disability community hears that—it hears that Gaelic is important but that BSL is less so. Again, we have heard lots of warm words.

Alasdair Allan (Na h-Eileanan an Iar) (SNP): I hear what Mr Balfour says, and I echo what has been said about his dedication to supporting disabled people. However, before we set up any false divisions, will he acknowledge that many of us have campaigned for both Gaelic and BSL?

Jeremy Balfour: I do accept that, but my point is that, at stage 2, the committee did not accept that amendment.

Yet again, we have heard that the minister is concerned about cost and implementation. My big fear is that, down the road, a number of places will say that this provision is too expensive and they will not have to implement it.

In his intervention on the minister, Mr Stewart took some of the words out of my mouth. I was disappointed that the minister did not know about portable changing places toilets, which would rectify many of the issues that she has raised with regard to some of the facilities.

I will press amendment 11, because the disabled community does not want just to hear warm words from this Parliament. We want to see real action that will make a real change to people's lives.

The Deputy Presiding Officer: The question is, that amendment 11 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division. As this is the first division of stage 3, I will suspend the meeting for around five minutes, to allow members to access the digital voting system.

16:43

Meeting suspended.

16:48

On resuming—

The Deputy Presiding Officer: We move to the vote on amendment 11. Members should cast their votes now.

The vote is closed.

The Cabinet Secretary for Health and Social Care (Neil Gray): On a point of order, Presiding Officer—actually, I can see that I voted no.

The Deputy Presiding Officer: Thank you, Mr Gray. I can confirm that your vote was counted.

I call Alex Cole-Hamilton on a point of order.

Alex Cole-Hamilton (Edinburgh Western) (LD): [*Inaudible*.]

The Deputy Presiding Officer: If I could have a little less noise in the chamber, I may have a chance of hearing. [*Interruption.*] Members, you are now heckling me.

Alex Cole-Hamilton: I hope that you can hear me now, Presiding Officer—[*Inaudible*.]

The Deputy Presiding Officer: Could you please repeat that, Mr Cole-Hamilton?

Alex Cole-Hamilton: [*Inaudible*.]

The Deputy Presiding Officer: I am afraid that the audio was not sufficient to record that, Mr Cole-Hamilton.

For

Balfour, Jeremy (Lothian) (Ind)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine 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)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Annabelle (Cowdenbeath) (SNP)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hoy, Craig (South Scotland) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
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)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Slater, Lorna (Lothian) (Green)
Smith, Liz (Mid Scotland and Fife) (Con)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
Stewart, Alexander (Mid Scotland and Fife) (Con)
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)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Duncan-Glancy, Pam (Glasgow) (Lab)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Johnson, Daniel (Edinburgh Southern) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
McNeill, Pauline (Glasgow) (Lab)
Mochan, Carol (South Scotland) (Lab)
O'Kane, Paul (West Scotland) (Lab)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)

Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)

The Deputy Presiding Officer: The result of the division is: For 1, Against 95, Abstentions 18.

Amendment 11 disagreed to.

Section 3—Ancillary Provision

The Deputy Presiding Officer: Group 5 is on ancillary provision. Amendment 9, in the name of the minister, is the only amendment in the group.

Natalie Don-Innes: Amendment 9 makes a procedural change to align the scope of the power in section 3 to make ancillary regulations with that of the power to make such provision in commencement regulations. The amendment creates internal consistency throughout the bill. It makes no substantive changes to the intention or the meaning of the bill; rather, it ensures clarity and consistency.

I move amendment 9 and recommend that the chamber support it.

Liz Smith: I have very little to add to what the minister has just said, because it is an important if technical amendment.

As we are reaching the end of the amendments stage, I put on record my thanks to everybody who has lodged different amendments and for their considerable engagement throughout the process.

The Deputy Presiding Officer: I call the minister to wind up.

Natalie Don-Innes: I recommend that members support amendment 9.

Amendment 9 agreed to.

The Deputy Presiding Officer: That concludes stage 3 consideration of amendments.

Members will be aware that the Presiding Officer is required, under standing orders, to decide whether, in her view, any provision of a bill relates to a protected subject matter—that is, whether it modifies the electoral system and franchise for Scottish parliamentary elections. In the Presiding Officer's view, no provision of the Schools (Residential Outdoor Education) (Scotland) Bill relates to a protected subject matter. Therefore, the bill does not require a supermajority to be passed at stage 3.

Schools (Residential Outdoor Education) (Scotland) Bill

The Deputy Presiding Officer (Liam McArthur): The next item of business is a debate on motion S6M-20138, in the name of Liz Smith, on the Schools (Residential Outdoor Education) (Scotland) Bill at stage 3. I call Liz Smith, the member in charge of the bill, to speak to and move the motion. You have around six minutes, Ms Smith.

16:52

Liz Smith (Mid Scotland and Fife) (Con): Throughout all my 16 years as a secondary schoolteacher and my subsequent two decades as a parliamentarian, I have been firmly of the view that outdoor education is one of the most valuable and rewarding learning experiences that any young person can have. Residential outdoor education, which can enable young people to experience an environment that is very far removed from their usual everyday situations, is often life changing. That is why the bill is so important.

Adventurous new experiences in the outdoors allow young people to develop lifelong connections to the natural environment. They build self-esteem, reliance, confidence and, most importantly, resilience. They also help them to learn leadership skills, the importance of valuing friendship and what it means to be part of a team. Those skills not only enrich our lives as individuals; they also benefit society and are the ones that employers want to see in new recruits to the workforce. This is, therefore, a very good day for those who passionately believe that residential outdoor education, and learning in the outdoors more generally, is a positive, formative experience.

We know, too, that the current set-up has not been delivering well enough when it comes to residential opportunities. The scrutiny of my bill over the past three years has shone a light on that.

Despite moves to improve matters when the Scottish Government's vision for outdoor learning was produced in 2010, the pledge made in the 2021 Scottish National Party manifesto, and some schools and local authorities doing a first-class job, significant gaps remain. There is considerable inequality of provision, particularly for pupils with additional support needs and those from disadvantaged backgrounds. There is a wide variation in resource provision across our different local authorities. There is also inequality of provision between the state school sector and the independent school sector, in which residential

outdoor education is embedded in the extra curriculum. Those inequalities are unfair.

During consideration of the financial memorandum, I referred to the bill as "an investment" and an example of "preventative spend" in action. Evidence collected by the Outward Bound Trust across eight countries, including the United Kingdom, found that, for every £1 that is invested in outward bound programmes, there is a return of between £5 and £15 in societal value. For me, that is a very powerful finding and one that shows that the bill represents a healthy long-term investment in our young people and society in general.

However, the investment is not just purely financial. The bill's provisions will help to address some of the stubborn and deep-seated problems that our schools face, from attainment to attendance, and from behaviour to wellbeing. It is a vital part of the jigsaw, particularly in the post-Covid era, when we have to work even harder to build resilience in our young people.

The bill that I hope we will pass this evening no longer places a duty on the Scottish Government to fund the full provision of such education. I hope that that change will provide the flexibility that is needed to ensure that there is a mixed funding model, which draws on financial support from a range of sources across the public, private and voluntary sectors, and including parental support. What is important is that those who cannot afford to pay are not required to do so, and that the parents of pupils with additional support needs are not charged extra because of those needs.

John Mason (Glasgow Shettleston) (Ind): The Government will not have to pay the full amount, but I have read the supplementary financial memorandum and it does not give a figure for what the Government will have to pay. Can the member give any estimate of what the new legislation will cost the Government?

Liz Smith: The costs have not changed since the original discussion of that issue. However, as John Mason knows, at stage 2 we added to the bill a period for its staged introduction and we also changed the commencement date.

The Minister for Children, Young People and the Promise has also put it on record that there will be additional funding for pupils who have additional support needs, so that nobody will have to pay extra for that reason, and for families who cannot afford to pay for the provision. I am grateful to the minister for doing that.

The bill now includes an explicit requirement for the Scottish Government to consult trade unions when it is preparing guidance. I thank Pam Duncan-Glancy for her work in strengthening the bill in that way at stage 2. Earlier this afternoon, amendments were passed at stage 3 to provide that the Scottish Government must consult teachers who are not in trade unions, as well as representatives of young people themselves, before preparing its guidance. Those are all very positive steps. Similarly, earlier today, changes were accepted that establish what the statutory guidance must include, and those have also strengthened the bill.

As I mentioned, the commencement date has also changed. Instead of the bill automatically coming into force on 7 July next year, the Scottish Government will now make commencement regulations. That change will allow the Government, education authorities, managers of grant-aided schools, the outdoor education sector and other key partners, such as trade unions and school leaders, more space to get ready.

I thank the outdoor education sector for its tireless support for the bill; it is good to see that many representatives of the sector are in the public gallery this afternoon. I also thank my colleagues across the chamber, my staff, the non-Government bills unit—which is one of the Parliament's biggest assets—and the many young people who have clearly believed that the bill could provide them with life-changing opportunities.

I am pleased that the minister and the Cabinet Secretary for Education and Skills see the benefits of the bill. I thank them for their constructive engagement in getting us to where we are today, and I am grateful to them for respecting the will of the Parliament.

Finally, I thank the Education, Children and Young People Committee and its convener, Douglas Ross, for their excellent scrutiny of my bill at stages 1 and 2, as well as Kenny Gibson and colleagues on the Finance and Public Administration Committee and the Delegated Powers and Law Reform Committee for their scrutiny.

It is an honour for me to move the motion to pass the bill.

I move,

That the Parliament agrees that the Schools (Residential Outdoor Education) (Scotland) Bill be passed.

16:59

The Minister for Children, Young People and The Promise (Natalie Don-Innes): Many people will have been privileged, in their youth, to have enjoyed time away from home at a residential outdoor education facility, often in spectacular parts of the Scottish countryside. For the children and young people who continue to benefit from such experiences, most have very positive

memories. The point of the Schools (Residential Outdoor Education) (Scotland) Bill is to ensure that more children and young people in Scotland get to benefit from residential outdoor education well into the future.

The fact that we are debating the merits of the bill as amended is down to Liz Smith, who introduced the bill and has stewarded it through the Parliament. That requires significant work, and I thank Liz Smith and her team for the productive and constructive engagement that we have had.

Deciding on whether to support the bill was not easy for the Government. In addition to the small matter of putting part of the curriculum on a statutory footing, there were and remain significant challenges to overcome in delivery, particularly in relation to cost and workforce considerations.

John Mason: I want to ask the minister the same question that I asked Liz Smith. The minister talked about cost. Does she have any idea what the Government might have to pay for this?

Natalie Don-Innes: Throughout the bill process, I have been clear about the need to gather data to enable us to have a true understanding of the full costs associated with it. Amendments that have been made at stages 2 and 3 will allow us to do that. The removal of the duty to fund will allow us to look at alternative sources of funding, which I have discussed with the committee and the member in charge. Although finalised costs are not available at the moment, I believe that the steps taken at stages 2 and 3 will allow us a better period of time to gather data prior to the bill's commencement.

We must ensure that wider forms of outdoor learning are not crowded out due to prioritising a focus on residential outdoor education. However, ultimately, we concluded that all such issues could be overcome or addressed in the legislative process and the implementation phase, as I have just outlined to Mr Mason.

The Education, Children and Young People Committee heard a range of evidence on the positive impact that residential outdoor education can have, from helping to strengthen pupil-teacher relationships to building a young person's confidence and improving wellbeing. Many schools already provide that experience as part of supporting pupils' transition from primary to secondary school. It is for those reasons that the Scottish Government provided additional financial support to the sector during the Covid pandemic, so that it might survive the impact of that.

Research also suggests that the residential experience can provide added benefits for young people in more socioeconomically deprived circumstances. In that context, it is not surprising that the issue of equity has been a key one that has been explored during the bill process. Ahead of stage 2, I discussed the question of equity with Liz Smith at some length. In particular, we reflected on the capacity of the outdoor education sector to deliver for children and young people with complex and multiple support needs. I thank the outdoor education sector for the input and insight that it provided on the matter and on other matters during the bill process. In particular, I welcomed the engagement of the Association of Heads of Outdoor Education Centres, the Outward Bound Trust and PGL Beyond.

Those discussions and others have demonstrated that realising the intent and ambition of the bill will take time. However, that implementation process will be easier to achieve as a result of Parliament agreeing to allow for a longer lead-in time to commencement. That approach will enable key partners, including the Convention of Scottish Local Authorities, the Association of Directors of Education in Scotland and teacher trade unions, to engage more fully with the requirements of the bill and will help us to work collaboratively and collectively to deliver on the statutory duties. I again thank all those organisations for their engagement during the bill process and for helping to inform our thinking on how best to respond to the bill's requirements.

Paul O'Kane (West Scotland) (Lab): I recognise what the minister says about the strength of engagement, but does she recognise that everyone across the chamber will have had communication, even as late as this week, from school leaders about their concerns, particularly on staffing and the resource that will be available? Does she accept that those concerns will need to be clearly addressed in guidance? What can she say to those school leaders to give them further reassurance?

The Deputy Presiding Officer: I can give you the time back for taking that intervention, minister.

Natalie Don-Innes: I very much recognise those concerns, which I have laid out very clearly to members in the chamber and to committee several times. In fact, I engaged directly with the teacher trade unions to discuss their concerns at various stages of the bill, so I absolutely hear them.

To go back to what I said about the staging of the implementation, there is a need to gather data and understand the next steps that need to be taken before commencement.

I made it clear in my parliamentary statement to the chamber on 24 September that, if the Government was to be in a position to support the bill, we needed to see the affordability of its provisions addressed, specifically in regard to equity of provision, workforce implications and the

duty on Scottish ministers to fund. I welcome that Liz Smith and others were receptive to such changes. Collectively, we have worked to improve the bill on those points, specifically by amending the duty to fund provision at stage 2 and by enabling financial contributions to be sought. Notwithstanding those improvements, implementing the bill will still incur substantial costs for education authorities, and I fully expect the Convention of Scottish Local Authorities to raise those in future budget discussions.

Overall, I am pleased that we have been able to work together across the Parliament to find common ground and arrive at a bill that I hope that we can all support. I look forward to hearing other members' contributions to the debate.

17:06

Douglas Ross (Highlands and Islands) (Con): I have the easiest job in the Parliament tonight, which is to open this debate on behalf of the Scottish Conservatives, because my Scottish Conservative colleague Liz Smith, along with her office and the non-Government bills unit, has done all the work—an incredible amount of work—to bring us to this stage. They have achieved something that, at some stages in the process, looked unachievable. However, at any point when there were challenges, Liz Smith got stuck in and overcame them, which has ensured that we, as a Parliament, can vote tonight for the bill to become law. I will be proud to do so.

I am not speaking tonight as convener of the Education, Children and Young People Committee, but as convener I was privileged to sit through the evidence sessions on the bill and to hear from people who are passionate about it, as Liz Smith is, and who wanted to share their experience about what it will achieve for so many others. I am delighted that so many of them are in our public gallery tonight to watch the final element of the bill's passage.

I will always remember that, when we were constructing our stage 1 report—and this was included in it—a letter by Nick March was read out to the committee, and I want to use those words again tonight. The meeting was on 13 November 2024, so it was more than a year ago, but the words that Nick March read to us about a young pupil called Nevis stuck with me at the time and still stick with me now.

He said:

"Nevis has cerebral palsy. He is a full-time wheelchair user and he needs support with feeding and an adult with him all the time."

Nick March wanted the committee to hear—and I want the Parliament to hear—the difference that outdoor residential learning made to Nevis. These are Nevis's words being read out in Nevis's Parliament as we are able to pass a bill that Nevis supports:

"Rock climbing was awesome! I got to defy gravity and abseil down a mountain at the speed of light! Kayaking was so cool literally. I sailed round an island with my school friends in a storm! I scored a gold at archery! And we all did drumming together at night, and it was really exciting and fun. I'd never done any of those things before ... I can't do so many things like that at home because they don't have spaces for kids with wheelchairs to join in ... I think every kid should get the chance to go to camp, have adventures and hang out together."—[*Official Report, Education, Children and Young People Committee*, 13 November 2024; c 49-50.]

Nevis articulated very clearly why the bill was so important to Liz Smith, who has committed so much of her parliamentary career to getting it on to the statute book, and why it is so important that the Parliament agrees to the bill tonight. As a result of the bill, there will be so many opportunities for kids such as Nevis, now and in the future, to have experiences that will not only stick with them in their school career but remain with them throughout their entire life.

We heard at committee about the difference that outdoor education makes to classroom environments. People who have one view of a teacher before they go on a week-long residential course might have a totally different view when they come back, and that aids education and the atmosphere and environment in our classrooms.

The bill has so many positives. I was delighted when the committee could agree its general principles and the Parliament overwhelmingly supported it at stage 1, which is why the Parliament should—and will—support it to become law tonight.

Sometimes, there are divisions in the chamber and we strongly disagree with one another. At other times, an individual member is able to work across the political parties to bring a nugget of an idea to fruition. Liz Smith should be very proud of having done that, and the Parliament should be proud that an Opposition member has been able to work with the Government to enact a law that will make a real difference. I am delighted to speak in favour of the bill, and I will be very proud to vote for it.

17:10

Martin Whitfield (South Scotland) (Lab): As we conclude this debate, I do not want to dwell on the journey that the bill has gone through and mention things such as financial memorandums; I want to return to the heart of the bill, which is the belief that every child in Scotland should have the chance to experience residential outdoor education.

Such education is not just a trip away from home; it opens doors to opportunities that will shape lives. We know from decades of evidence and from the testimony at stage 1 that such experiences build confidence, resilience, independence and team working, problem solving and leadership skills in our young people in ways that simply are not possible in classrooms.

For many young people, especially those from disadvantaged backgrounds, residential outdoor experiences are transformative. They spark ambitions, strengthen relationships and improve wellbeing, as we heard from the stage 1 evidence. Teachers have said that pupils return from such experiences more engaged, more motivated and more successful in their learning. Pupils often see their teachers as human beings, perhaps for the first time, and some teachers perhaps see the young people as human beings for the first time.

Outdoor residential education plays a vital role in meeting Scotland's wider educational goals. It complements the learning for sustainability approach under the curriculum for excellence. At a time when mental health challenges among young people are rising, the benefits of time outdoors, away from screens and immersed in Scotland's landscapes, cannot be overstated.

The bill is not about imposing burdens; it is about investing in Scotland's future and giving our young people experiences that will help them to thrive in school, in work and in life. It sets out that outdoor learning is not an optional extra but an essential part of a well-rounded education.

It is right that we have picked up on the correspondence that we have received, including from the teaching profession, during the passage of the bill—and I welcome the Government's agreement to collect data on the bill's effect—because only by working hand in hand with our teachers and other adults who support our young people can we ensure that outdoor learning experiences are the best that they can be.

I am conscious of time, but I would like to pay a short and, I hope, deeply embarrassing tribute to Liz Smith. The bill will stand as a legacy of her work in the Scottish Parliament and as a testament to her passion for Scotland's children and young people. She has championed the cause tirelessly, because she understands the life-changing impact that such experiences have. If the bill passes, it will not just be a policy achievement; it will be a reflection on her dedication to fairness and opportunity. The children who will laugh, who will hug a teddy tight on what they think is a cold night and who will get covered in mud will probably never know Liz Smith's name, but those children will find a resilience inside themselves because of what, I hope, she will achieve today with the bill. On behalf of those nameless children of today and tomorrow, who might become MSPs in the future, I say a massive thank you to Liz Smith.

I urge members to support the bill at stage 3. Let us make residential outdoor education an entitlement, not a privilege. In doing so, we will give Scotland's children confidence, resilience and—do you know what?—a bit of joy and happiness, which they deserve.

17:14

Ross Greer (West Scotland) (Green): I follow Martin Whitfield in paying tribute to Liz Smith. At the risk of potentially giving members of my party a bit of buyer's remorse in relation to their recent leadership vote, I can say without hesitation that I will miss her contributions in the Parliament when she takes her well-earned retirement.

Liz Smith and I have served on the same committees for almost all of the decade that I have been a member of the Parliament. We served on the Education and Skills Committee and the Finance and Public Administration Committee. We agreed on far more than people outside of this building and maybe even some of our own colleagues might have expected. That is probably more true in the education portfolio than finance, but it was a bit of both.

More than that, though, what I really respect about Liz Smith is where we disagree. In this place, it is not always the case that, when we hear a member making a contribution, we believe without a shadow of a doubt that they believe what they are saying. Sometimes members are saying what they have been told to say. Every time that I have profoundly disagreed with Liz Smith, I know that she is coming at the issue from a place of absolute conviction and I can understand why she believes what she does. We need far more of that quality of debate and far more of that kind of principled position in all parties in this place. I believe that the Conservative Party and the Parliament as a whole will be poorer next session as a result of Liz Smith no longer being here.

In starting my contribution at stage 1, I mentioned my experience of the classic primary 7 residential trip, and I bring it up now because some of the amendments that we have made to the bill are relevant to that experience. My class went to Castle Toward in Dunoon, which, for those of my generation, was famous for being the setting for the CBBC show "Raven". We were all incredibly excited to be using the set of that show when we were there for that trip. However, we almost did not get to go because, the day before we were due to go, back in 2006, we had one of the heaviest snowstorms that Scotland had

experienced for years and possibly decades, and the trip was almost cancelled.

I therefore reflect on the fact that some practical and sensible amendments were made to the bill at stage 2 to recognise potentially exceptional circumstances, whereby it might well be that the obligation to provide the opportunity is not possible to fulfil in some circumstances. Schools and local authorities should not be held liable for circumstances that are outwith their control.

The Greens will, of course, support the bill at stage 3. We have supported it throughout the process because it fulfils our manifesto commitments to guarantee every pupil at least a week of residential outdoor experience, to remove the financial barriers to that and to expand outdoor play and learning provision across the board.

The benefits of outdoor education are undisputed, certainly across the Parliament and even among those who might be sceptical about the specific proposals in the bill. We all recognise that the physical and mental health benefits are undisputed, as is the ability to develop skills such as team working and the transformational impact that outdoor learning can have on the social development of individual young people, and in particular on their confidence.

I said at stage 1 that we cannot see outdoor education as just being that one-off week of residential education, often in primary 7. I know that that is certainly not the bill's intention, but we should also probably recognise that that week has a particular place in the popular imagination of people across the country. We need to make it clear that outdoor education is about so much more than that. We now have a fantastic resource in learning for sustainability in Scotland, where we can push the on-going experience of outdoor education not only in our natural environment but in the built environment, although there is a particular benefit in learning about our natural environment in the natural environment.

Such is the nature of these curtailed debates that I will finish here, not because I am closing but because, in a few minutes, I will get up again to deliver my closing speech. I will deliver concluding remarks at that point and so will end abruptly now.

17:18

Willie Rennie (North East Fife) (LD): I thank Ross Greer for reminding me how old I am. He was in primary 7 in 2006, which was just yesterday for me.

I also thank all the staff in the Parliament, from those in the non-Government bills unit to the legislation team, the clerks and other officials. I thank Liz Smith for her tenacious and never-say-die approach to the legislation process and the way in which she is meticulous with every single point. She is fierce.

That brings me to the minister. I pay tribute to her for facing Liz Smith and still being alive at the end of the process. She deserves credit for reaching agreement with Liz Smith, despite the complications of the bill.

I, too, will miss Liz Smith in the Parliament. She brings a degree of seriousness, a considered approach and an intellectual rigour that the Parliament will miss.

My view of the bill has fluctuated. In the initial stages, I signed the bill to allow it to proceed. I supported the principle of it. However, during our scrutiny of the bill at committee, I was concerned about costs. As Paul O'Kane has highlighted, school leaders across the country are concerned about the costs, too, and they brought that to our attention. I will return to that issue later.

There is also the matter of additional support needs, which Pam Duncan-Glancy correctly highlighted, as well as the question whether teachers are to be compelled to attend such sessions, whereas previously the arrangements have been voluntary.

My support for the bill has been challenged, but I was persuaded of its merits for a number of reasons. First, the outdoor learning strategy, with a 27-page vision, was published in 2010, yet almost nothing was done for 14 years until Liz Smith introduced her bill. Then, just by chance, we created a working group. That is the solution for everything—create a working group. I am sure that the minister will dispute the notion that nothing happened in that time.

Natalie Don-Innes: Will the member take an intervention?

Willie Rennie: On cue, minister.

Natalie Don-Innes: We spoke at length at committee about the number of fantastic outdoor educational opportunities—fair enough; they are not all residential—that many of our school pupils get to experience on a daily basis. Would the member recognise that?

The Deputy Presiding Officer: I can give you the time back for that intervention, Mr Rennie.

Willie Rennie: I recognise that the minister tried to convince me that progress was made, but whether progress was actually made is another matter. In any case, the working group was created at just that point.

My second point is that, if we rejected the bill, it would send a clear message to those in the public gallery today and to people across the country that their sector did not matter any more. There is no

neutral position with the bill—we either support it or we do not. If we do not support it, that will send a clear message that we do not regard residential outdoor education as a priority, which would have ramifications across the public sector. Councils, local authorities and teachers would not regard it as important any more. We cannot go back: either we support the bill or we do not.

The third element is that many schools were delivering such provision already. I suppose that that is credit to the minister, but if some were able to do it, all should be able to do it. That is why, in the end, the bill is necessary.

There is still outstanding business. John Mason has quite rightly alerted us to the fact that we have not resolved the issue of finances. We cannot magic up money out of nowhere. That will need to be addressed in the budget process. The bill has shifted the priorities and has given a clear indication to all the parties that are represented in the Parliament, and to local authorities, that residential outdoor education should be given greater priority, although we still need to resolve the issue of finances and find the money.

We have all spoken with one voice today—apart from John Mason, perhaps—and said that the bill should go through, which will send a clear message to all our finance spokespersons and to the Cabinet Secretary for Finance and Local Government that the provision made by the bill should be given the appropriate and necessary finance to make it a reality.

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

17:23

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I, too, congratulate Liz Smith. I know the work that is needed for a member's bill. It involves testing the member's commitment and dealing with obstacles that are put in their way—they just have to navigate their way round them. I did, just as Liz Smith has done, and I can assure everyone that that does not apply just to Opposition members' bills. Such bills are very personal and close to the member's heart—as this one is.

I heard the member in charge of the bill on the radio, referring to more and more children finding traditional education a challenge and saying that outdoor activities can be fun in themselves but also therapeutic. I quite agree. Even before Covid disrupted young people's educational and social experiences, that generation already had challenges that I did not have in my long-lost youth. Their emotional and mental wellbeing is taking a hammering.

In my youth—yes, Mr Rennie, I did have one—there was little telly and no internet; there were just a few parked cars on the street, which became our ad hoc playground. We were exercising outdoors without knowing it. When we were exhausting my late mother's patience, her mantra—"Go outside: the fresh air will do you good"—turned out to be true.

Introducing the requirement in schools is right and timely, particularly—but not only—because of the explosion in the number of children with additional support needs.

The member in charge will recall that, in the stage 1 debate, I supported the principle of the bill but caveated my support on the issue of funding, so I am heartened to hear the exchanges today on that.

In the stage 1 debate, I referenced the Broomlee outdoor education centre near West Linton, which I have visited on several occasions. It provides residential outdoor experiences for young people—life-changing experiences in the outdoors for children facing the pressures and anxiety of a post-lockdown world, coupled with the difficulties of a cost of living crisis, given that most of them are from less well-off areas.

At the time of that debate, the centre manager, Richard Gerrish, wrote to me. He said:

> "This issue is clearly very close to our hearts ... because we have witnessed first-hand the ever-increasing numbers of children from economically disadvantaged areas who are missing out on these valuable experiences".

I have abbreviated what he said. Much of what the centre provides is reflected in the bill, and I could see Broomlee providing just such experiences.

Many moons ago, as a working-class child, my first time away from my parents was with the girl guides, camping at North Berwick. Later, as a teenager, I went on a fortnight's retreat to Iona. They were invaluable experiences, so blame the girl guides and Iona for the way I am today.

Finally—other members have said this, but I am not just saying it because they have said it—Liz Smith's retiral next year will, of course, be a loss to the Parliament, as I also said about Maurice Golden. They are both MSPs whom I value in this Parliament. However, I really must not make a habit of saying such things.

17:26

Brian Whittle (South Scotland) (Con): I am delighted to stand in support of my colleague and friend Liz Smith's Schools (Residential Outdoor Education) (Scotland) Bill.

Sometimes, we lose sight of what we mean by "education" and what we are trying to achieve

through it. It is too easy for us in Parliament to get wrapped up in exam results. Increasingly, we seem to be less involved in teaching and learning and, increasingly, we push testing. Standardised testing is important, of course, but it should not be the dominant culture in education. Testing should be a diagnostic and a help. Tests are there to support learning, not to obstruct it.

The role of a teacher is to facilitate learning, and our teachers are experts in that—it is the fire that compelled them down the educator pathway. However, I fear that we have been forcing our teachers to follow a set path that squeezes the alternative routes to learning and is increasingly devoid of creativity, ensuring an approach of compliance and standardisation. What is a standard child? Everybody learns in a different way. The art of teaching—and it is an art—is in developing different learning approaches that include all pupils.

Teachers are brilliant, if given the tools and the opportunity, due to their ability to excite the power of imagination and curiosity—the power of what could be—and to engender creativity. We all know that feeling, at least until society gets the opportunity to stick its oar in and stifle blue-sky thinking and imagination, talking about what we cannot do instead of what is possible.

To me, the epitome of what my friend and colleague Liz Smith's outdoor education bill is about is that it gives every pupil the opportunity of an alternative learning experience, because what initially sparks the fire in them will be different for every pupil. Teachers know how to teach. Build a raft or paddle a canoe—what a fantastic way to introduce physics and the Archimedes' principle. How about flying down a zipline to introduce and discuss gravity? While pushing the creative element and taking a leap of faith, pupils approach new challenges that they might never have even considered but now have to solve. Give pupils an obstacle to overcome, let them work together to find the solution as a team and give them that lifelong, shared experience that I have often spoken about. I would call that, in sporting parlance, deductive coaching.

It is ever more apparent that the elements of our education system that support expression—the alternative routes to achievement and the things that help to build resilience, confidence and a drive to aspire—are being squeezed out of our education system. Sport, art, music, drama and outdoor education create an alternative learning environment that will allow some pupils to thrive and flourish in a way that they might struggle to achieve in a traditional classroom. Those lessons outside the classroom are so important to delivering and achieving in the classroom.

It is time to stop forcing our young people down an ever narrowing education tunnel that fits a decreasing number of pupils. It is time to give back to our educators the full suite of tools for teaching, to allow them to deliver all that they can and are more than willing to deliver. In our education system, we are trying to tackle poor physical and mental health, poor attainment and poor behaviour. A narrow, compliant learning experience, devoid of a space for creative thinking and of a place to try, fail and try again, is a learning environment in which many pupils will struggle to be the best that they can be. Moreover, the chances of full pupil engagement are unlikely.

Outdoor education is an adventure and, goodness me, our young people need some adventure. It is a learning environment in which they do not even realise that they are learning. It is a world of possibilities. It is an opportunity that all our pupils deserve. I urge members to support Liz Smith's bill.

17:30

John Mason (Glasgow Shettleston) (Ind): I hate to be the wet blanket at the party; however, I will start by thanking Liz Smith very much for introducing the bill. I agree with virtually everything that has been said this afternoon and at committee about the value of residential outdoor education.

I was keen to speak in this afternoon's debate as I have been involved in the bill throughout, as a member of both the Education, Children and Young People Committee and the Finance and Public Administration Committee, and I have met virtually no one who disagrees with the principle of the bill, that all young people should have the opportunity of a week's residential outdoor education during their school career. I, too, am in full agreement with that. Many committee witnesses testified to that principle, and I also meet people outside—friends, teachers, parents and former pupils—who are very supportive of the idea.

However, for me, problems arose around the finances as those were originally planned for when the bill was introduced. There was a question as to whether the financial memorandum accurately estimated the likely costs, which Liz Smith put at up to £36 million and the Government put at up to £40 million.

The question then was whether that would include upgrading outdoor centres, whether teachers would need to be paid for carrying out a new statutory responsibility and whether better-off families, who currently can—and do—pay for their children's courses should suddenly make a big saving because the state would fund everyone. I was therefore glad that, at stage 2, Liz Smith and

the Government agreed on amendments to allow parents to be charged if they could afford to pay all or part of the costs. That has been further refined at stage 3 by the requirement that the Government give guidance on that point. So far, so good.

I am considerably less happy about the supplementary financial memorandum, which, I think, we received on Friday 4 April. It does not include any estimate of additional capital expenditure or other costs, which were considered to be too low in the original financial memorandum. No additional cost estimate is included for capital improvements to outdoor centres; nor is there any provision for the changing of teachers' terms and conditions, extra staff cover in schools and similar costs, which the Educational Institute of Scotland and others have raised with us. All that is really dealt with in the supplementary financial memorandum is the effect of amendments at stage 2—which, effectively, is a question of how costs will be shared out, not what they will actually be.

Brian Whittle: Does John Mason agree that, in addition, that financial memorandum does not include spend to save over a long period of time and that, if we had started 10 years ago, we would be in a much better position?

John Mason: I agree that there is money to save, but it raises the whole question about preventative spend. We need to spend £1 today, but where is that £1 going to come from? However, Brian Whittle's general point is absolutely correct.

Paragraph 24 of the supplementary financial memorandum, which deals with costs for parents and carers, says:

"the precise cost of the Bill's provisions on parents and carers is impossible to estimate".

That means that neither is the cost to the Government estimated.

No one is asking that the FM or supplementary FM give precise costs, but they should give best estimates. It causes me considerable concern that the bill is not associated with even estimated costs for the Government. We are faced with passing a bill today with no idea of what the costs are likely to be. As members will have seen, I asked both the member in charge of the bill and the minister for an estimate of costs, but neither was able to give one.

I am somewhat surprised that the Government has agreed to that. It very much goes against the whole principle of financial memorandums, which require the best estimates of all costs.

The Finance and Public Administration Committee has not discussed the issue recently, but I feel that this sets a difficult precedent. Although I fully support the intentions of Liz Smith and her bill, I have reservations about voting for such an open-ended blank cheque when it comes to the finances. We are asking for trouble after the election, when a new Government will be faced with demands that it might or might not be able to meet. Therefore, it is my intention to abstain at the final vote. I regret that I feel that that is my only option, for the reasons that I have given, and I hope that I am proved wrong.

The Deputy Presiding Officer: We move to closing speeches. I call Ross Greer.

17:35

Ross Greer: In my opening speech, I mentioned the value of learning about our natural environment in our natural environment and the knowledge and skills that are accumulated through that. I want to build on that and return to a point that I made to the minister, when she made a statement on the bill in September, I believe. My point was about the need for our qualifications system to catch up. Today, the Parliament will make a clear statement about the value that we place on outdoor education—not just on residential outdoor education but on all outdoor education—and I do not think that our qualifications system has yet caught up with that. There is much more that it can and should do. For example, on specific qualifications, England has recently established GCSE and A-level qualifications in natural history, but we do not yet have an equivalent in Scotland.

We have discussed the meta skills that are developed through outdoor education, such as team working and communications skills, but our qualifications system does not yet fully recognise those. I encourage the Government to say that the bill must be the start of that process and that one of the next steps is about reforming the qualifications system to ensure that the full range of subjects is available—I encourage the creation of a natural history qualification—and that we find a way, whether through Professor Hayward's recommendations or some other means, to formally recognise the kind of meta skills that the residential outdoor education experience can develop; it can have a transformational impact on a young person's skills in areas such as teamwork and communication.

The Parliament has an extensive history—for the entirety of its existence, really—of legislating for rights and entitlements that we then struggle to fulfil. The Finance and Public Administration Committee has raised the issue more widely repeatedly in this parliamentary session. Much of the debate around the specifics of the bill has come back to ensuring that the residential outdoor education experience would be available for young

people with additional support needs. They are one particular group of people in our society who are not having their rights consistently fulfilled and respected by our education system, so there is a challenge for us in that regard, which relates very much to the points that John Mason made about cost.

Helpful amendments were made at stage 2 and earlier today, to ensure that the cost of the bill is shared equally. We have achieved a balance between making reasonable requests of parents who can afford to make a contribution and the importance of avoiding a situation where families whose children have particularly complex additional support needs or families on lower incomes are forced to pay more than would be fair or than they would be capable of.

I cannot claim credit in any way, shape or form for having come to the solutions, so I congratulate colleagues, particularly Liz Smith, the minister and John Mason, for having made the relevant amendments to the bill. There is still a need for us to have a wider conversation about local government funding. If we want our young people to have the best start in life, we need to fund it like we mean it. It would be too much to hope that the last budget before the election will be the one that achieves a consensus, but, particularly in relation to this bill, there is still a huge amount of work to do in bringing the existing outdoor residential education estate up to the standards that we and those who work in it expect. The capital implications of that will still be really significant, and that is something that members in the next session of the Parliament will have to bear in mind.

Today, we are making a commitment that will have on-going costs associated with it, and it will be incumbent on all parties who vote for the bill to engage constructively when it comes to the budget, to ensure that on-going capital allocations are made where required.

It is worth reflecting briefly on the process of the bill and the frustration felt cross party at stage 1 about how the Government interacted with it, but we have moved on significantly from that, and I thank the Government for its engagement at stages 2 and 3. If we had much more of that in the final weeks of the Parliament, there would be far less pressure on our extremely strained legislative timetable. That kind of collegiate working should make it possible for us to get through the remaining bills of the session.

However, this will be a huge moment for Scotland's young people, and I again congratulate Liz Smith, because, when we pass it today, their bill will unlock life-changing opportunities for so many children. It will be a proud moment for our Parliament, and we in the Green group will be proud to vote for it at decision time.

The Presiding Officer (Alison Johnstone): Thank you. I call Paul O'Kane.

17:39

Paul O'Kane (West Scotland) (Lab): I am pleased to close the debate on behalf of Scottish Labour. I recognise that I have come somewhat late to the process at stage 3, but I have been following the bill because of my interest in it. We have heard a lot in the debate about the genesis of the bill, and how it has developed since the initial concerns that were raised at stage 1 through the work by a number of colleagues across the chamber to refine the bill and get it into the place that it is in today, as we consider it at this final stage.

I join colleagues in paying tribute to Liz Smith for her work and her dedication, for trying to improve the bill at each stage, and in recognising the significant challenges that remain and will have to be dealt with in the guidance that the Government will produce.

The first thing to say in summing up is that we all recognise the significant impact and contribution that outdoor education and residential outdoor education make to children and young people in Scotland. We join in paying tribute to all those who have joined us today in the public gallery, who are specialists and experts in that field and who have given evidence at every stage of the bill as to the impact of their work.

We have heard a lot today about the importance of protecting those organisations and specialisms, and about the challenges that have been posed, not least by the pandemic. We need to ensure that we have a strong sector of outdoor residential education in Scotland. That is very important.

It was nice to hear some snippets of personal experience from people who have undertaken outdoor education. I say to Ross Greer that another interesting fact about Castle Toward is that it served as HMS Brontosaurus in the second world war, and that Winston Churchill was a frequent visitor—something that Ross Greer can perhaps share in his next engagement with Piers Morgan.

However, what is important is that everybody recognises the value of the bill. That said, it is clear that significant challenges remain, not least those that have been outlined in relation to the financial considerations and the pressure that is on local authorities.

In my exchange with the minister, I referenced some of the remaining concerns of school leaders. Those are focused on a number of challenges to

do with staffing, including ensuring sufficient staffing and cover; ensuring that a significant contribution is made by those parents who can do so; and ensuring that people do not feel that they cannot make that contribution.

The minister and I were councillors in Renfrewshire and East Renfrewshire. I do not know whether the minister served on the Renfrewshire Educational Trust when she was a councillor, but very often it was such bodies that were required to provide the additional funding that was often required for residential outdoor trips. What is clear is that we need to get the balance right between those who can make a contribution and those who need that additional support, which will come from the Government. I recognise much of what has been said about the challenges in the financial memorandums leading up to this position.

Some of the concerns that have been raised by school leaders and teachers are perhaps reflective of wider issues that exist in Scottish education. After 18 years of the current Government, there are a number of significant challenges, which we will debate on other days. However, those are the issues that are at the forefront of the minds of many headteachers and teachers, and I think that that is being reflected. I think that they would say that they absolutely recognise the importance of outdoor education and the importance of doing something about it, but that does not negate the other challenges that they have to deal with on a daily basis. The member has absolutely recognised that in terms of her leadership on the bill.

I am conscious of time. We will of course support the bill. The principle is absolutely right. What we must do now, as with any legislation, is ensure that the guidance is robust, the data is well gathered and the finance is appropriate in order to support local authorities and individual schools to be able to deliver a meaningful outdoor residential experience for every child in Scotland, and to ensure that that can be done for many generations to come.

17:44

Miles Briggs (Lothian) (Con): In the time that I have served on the Parliament's Education, Children and Young People Committee, there has been a recurring theme that teachers, parents and carers, trade unions, educationalists and, indeed, most MSPs who serve on the committee will recognise, which is that, after the pandemic, our young people continue to face major challenges.

In many cases, the decisions that were taken during the lockdown had and continue to have negative impacts on our young people and the wider school environment, and the bill presents a positive opportunity to try to reset how we value young people across Scotland and to deliver a better offering for them, and for Parliament to send a message that we want to see real investment in the development of our young people now and in the future.

As has been said, no one doubts that outdoor education is one of the most rewarding experiences that a young person can have during their school career. I pay tribute to those who have joined us in the public gallery today for the dedication that they bring—they have dedicated their careers, in fact—to outdoor education and to our young people.

In many cases, as I have seen for myself, outdoor education is truly game changing. It delivers benefits in school and learning long after pupils and teachers have returned to the classroom, and through the joy that young people experience from it. Residential trips help to build confidence, self-reliance, resilience and leadership skills, and they teach the values of friendship, teamwork and a lifelong connection to our great outdoors, which is fantastic.

In an age when there is growing concern about young people's physical and mental wellbeing, the benefits of residential outdoor education cannot be overstated or underestimated. It is worth reflecting that Scotland was one of the first countries in the world to formalise outdoor education. The last significant piece of legislation around outdoor education was the Education Act 1944, known as the Butler act. In the 1960s and 1970s, outdoor education, often formalised as physical outdoor activities and based on residential experiences, was extensively developed in many parts of Scotland.

In more recent times, however, the value of outdoor education has, sadly, not been given the weight that it deserves. We have not focused on the outcomes that we need it to achieve for our young people, and many of our authorities are disinvesting in their outdoor education offerings and facilities. We know that, today, many children are disconnected from their learning environment and from our wonderful natural environment. I believe that Liz Smith's Schools (Residential Outdoor Education) (Scotland) Bill will allow for a reset to enable us, once again, to recognise nationally the importance of residential outdoor education.

As I stated in the stage 1 debate, as an Edinburgh MSP, I know how incredibly lucky young people, and their parents and carers, are to be able to still access the residential outdoor education offering that they really enjoy and value. When I speak to young people in the capital, many of them see it as a rite of passage, as City of

Edinburgh Council has always valued outdoor education.

Finally, I put on record a tribute to my friend and colleague, Liz Smith, for the power of work that she and her parliamentary office and team, along with the Parliament's non-Government bills unit, have put into the bill, and for her lifelong advocacy—as a teacher and as a member of this Parliament—of the benefits of outdoor education for our young people. As we have heard today, Liz Smith is widely respected by members across the chamber and beyond.

However, the bill itself is about what is best for our young people in the post-Covid era, when so many indicators tell us that young people are facing more challenges than ever before. I sincerely hope that, in future years, all young people in Scotland will be able to take part in the life-changing experiences that residential outdoor education delivers. As Martin Whitfield said, that will be a remarkable legacy for Liz Smith, and she should rightly be incredibly proud of the work that she has done on the bill. However, it will also be for us as a country, and for Parliament, to send out the message to our young people, to parents and carers and to teachers across Scotland that we value them and want to invest in them. I support the motion in Liz Smith's name.

17:48

Natalie Don-Innes: In making my final remarks today, I acknowledge the journey that the Schools (Residential Outdoor Education) (Scotland) Bill has been on. As I said at the start of the debate, the work that it takes to introduce and see through a member's bill is substantial.

I want to share some of my personal experience. I did not go on an outdoor residential trip when I was in school—I went on a history trip to York, which, as I am a bit of a history buff, suited me very well. I count myself lucky that, as someone who grew up in poverty—I have been very clear about that—I got to attend one of those trips because, back in 2000, my school ensured that I and others were able to do so, which I think is something that we can celebrate.

However, having heard at first hand from young people about the benefits that an outdoor residential trip can have, I think that it could have really helped me, as a young, quiet, anxious and shy girl, to develop certain skills and confidence and build relationships. I can certainly say that building a canoe or going white-water rafting was very alien to me when I was a little girl, and it still is.

It is wholly positive that more young people will get to experience the kind of outdoor educational residential trip that is right for them. The bill allows for that choice and ensures that the needs of pupils will be considered with regard to what learning experience will be best for them.

As we have heard today, some of the considerations that have been undertaken over the past year or more by Liz Smith, MSPs and the Scottish Government have not been straightforward to navigate. Those considerations include funding, equity of provision for pupils with additional support needs, workforce implications, sector capacity, monitoring and commencement. Those issues and others have required very careful handling and input from a range of stakeholders to inform shared understandings. Members have called further attention to some of those and to other important considerations, which I will take two minutes to address.

I appreciate that some members have raised concerns about the funding. As I said earlier, I have discussed the matter in detail with Liz Smith as part of jointly agreeing to the stage 2 amendment to remove the duty to fund provision. As part of seeking joint agreement, it will be necessary to develop a shared understanding with COSLA of what costs are considered reasonable to incur in providing the residential outdoor education entitlement to each pupil. That will be for COSLA and the Scottish Government to determine, potentially through budget discussions, as I have set out.

Equally, the commencement regulations will allow us the time to gather the data and further understand the extent of the funding that is required. Mr Greer talked about the necessary capital funding to bring the sector to capacity. That is relevant to the debate around equity of provision. As I have already said, amendments that were lodged at stages 2 and 3 allowed us to explore alternate sources of funding.

Mr Rennie commented on a lack of progress since 2010, and he knows that I will dispute that. Outdoor learning is and has been a priority, and there have been a number of developments, such as the outdoor learning strategic working group, the £2 billion learning estate investment programme that will incorporate covered outdoor spaces, and our development of training materials for outdoor education. I could go on, but, after all this time, I am sure that I will not convince Mr Rennie. I would be happy to extend an invite to him to witness, at first hand, outdoor education in our schools alongside me.

Willie Rennie: Are we going ziplining or are we building a canoe? That is what I want to know.

Natalie Don-Innes: I am open to both, Mr Rennie.

A number of members mentioned support for pupils with additional support needs. Again, the

Government is committed to working closely with the sector to ensure readiness for commencement, including considering capacity to meet the needs of pupils with additional support needs.

I know that I am short of time, so I will conclude. Being frank, the issues that I have discussed will not be matters for me or Liz Smith, as we both prepare, for quite different reasons, to stand down, and they should not be allowed to stand in the way of the achievement that the bill represents.

I cannot conclude without paying tribute to Liz Smith. Liz has been a long-time advocate of outdoor education, so it is very fitting that, as she approaches her retirement, this bill will be one of the last substantive contributions she makes as a long-serving MSP with a significant interest in education—both as an MSP and in her previous career as a teacher.

I believe that, as amended and through collaboration, we now have a statutory framework for residential outdoor education that supports equity in provision and access, and will enable more children and young people to benefit from these unique and impactful experiences. For that vital reason, I am pleased to put the full support of Scottish ministers behind the bill.

The Presiding Officer: I call Liz Smith to wind up the debate. Please take us to 6 pm, Ms Smith.

17:53

Liz Smith: If I had known that the bill was going to get Willie Rennie and the minister in a canoe, I would have introduced it much sooner than I did, but I look forward to seeing that.

I say to Mr Mason, whom I sit beside on the Finance and Public Administration Committee, that, in the past year, I have moved him from voting against the bill to abstaining. I look forward to the period after Christmas, when I am still sitting beside him—at Kenny Gibson's behest—when perhaps we might just get him to support the bill.

Here we are—it has been a long journey, and I can now see the summit appearing. We have been in the foothills of this bill for quite some time—perhaps rather longer than I had wished. For all the wonderful tributes that members have paid to me this afternoon, I would not have got here without the Parliament and the engagement that each member has had with me—it is a two-way process. I thank members for their warm regards and kindness, but I would not have been able to steer the bill through the Parliament without them.

I hope that the bill can personify what the Parliament should be all about. We should be able to work together. In my 20 years in the Parliament, I have always thought that it works well when we can engage with each other, despite our strong political differences—we have those, let us be honest. However, throughout the time that I have spent in the Parliament, I have seen our debates sometimes get too toxic and tribal, with too much unwillingness to take on board important facts.

We should never forget that this bill is not about us; it is about the young people who, as Martin Whitfield rightly said, will have new, life-changing opportunities. I do not mind if they do not know who I am, but I mind if they do not get those opportunities.

If the bill is agreed to, we will be the first part of the United Kingdom that will make it a statutory requirement that children must receive four nights and five days of residential outdoor education as part of their school careers. Colleagues in the Senedd and the House of Commons—Sam Rowlands and Tim Farron, in particular—are cheering us on. I hope that they, too—after the bill is, I hope, agreed to in a few minutes' time—will be able to deliver that statutory requirement in the other parts of the United Kingdom.

I began this process when I lodged my draft proposal for the bill all the way back on 22 April 2022. It has been a lengthy route, but I believe that it has been worth while. The bill has been well scrutinised—that is one of the reasons why the process has been important—and I think that it is in tune with what Government policy is intended to deliver.

The effort that the non-Government bills unit has put in on the bill over such a long period of time is a huge credit to it. I could not have done this work without it. I thank it, my staff and all my colleagues. I thank the outdoor education sector and, particularly, I thank young people, who have proven to be the success story of this process, because they have given us something extra.

The Deputy First Minister and Cabinet Secretary for Economy and Gaelic (Kate Forbes): I put on the record my acknowledgment of all that Liz Smith has done with this bill. As interventions are usually questions, I also ask whether Liz Smith agrees that all the best outdoor residential centres are in my constituency.

Liz Smith: I must partially agree with that—it certainly has the best mountains, and I look forward to climbing them when I stand down from the Parliament.

I am proud to ask the Parliament to vote for the Schools (Residential Outdoor Education) (Scotland) Bill. [*Applause*.]

The Presiding Officer: That concludes the debate on the Schools (Residential Outdoor Education) (Scotland) Bill at stage 3.

Decision Time

18:00

The Presiding Officer (Alison Johnstone): There are two questions to be put as a result of today's business. The first question is, that motion S6M-20167, in the name of Maurice Golden, on the Dog Theft (Scotland) Bill at stage 3, be agreed to. As it is a motion to pass the bill, the question must be decided by division.

Members should cast their votes now.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Lab)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Annabelle (Cowdenbeath) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
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)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
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)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McCall, Roz (Mid Scotland and Fife) (Con)
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)
Mountain, Edward (Highlands and Islands) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
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)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Simpson, Graham (Central Scotland) (Reform)
Slater, Lorna (Lothian) (Green)
Smith, Liz (Mid Scotland and Fife) (Con)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
Stewart, Alexander (Mid Scotland and Fife) (Con)
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)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Ewing, Fergus (Inverness and Nairn) (Ind)
Mundell, Oliver (Dumfriesshire) (Con)

The Presiding Officer: The result of the division on motion S6M-20167, in the name of Maurice Golden, is: For 119, Against 2, Abstentions 0.

Motion agreed to,

That the Parliament agrees that the Dog Theft (Scotland) Bill be passed.

The Presiding Officer: The Dog Theft (Scotland) Bill is passed. [*Applause*.]

The next question is, that motion S6M-20138, in the name of Liz Smith, on the Schools (Residential Outdoor Education) (Scotland) Bill at stage 3, be agreed to. As it is a motion to pass the bill, the question must be decided by division.

Members should cast their votes now.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Lab)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Annabelle (Cowdenbeath) (SNP)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
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)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
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)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
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)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Simpson, Graham (Central Scotland) (Reform)
Slater, Lorna (Lothian) (Green)
Smith, Liz (Mid Scotland and Fife) (Con)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
Stewart, Alexander (Mid Scotland and Fife) (Con)
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)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)

Wells, Annie (Glasgow) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Mason, John (Glasgow Shettleston) (Ind)

The Presiding Officer: The result of the division on motion S6M-20138, in the name of Liz Smith, is: For 120, Against 0, Abstentions 1.

Motion agreed to,

That the Parliament agrees that the Schools (Residential Outdoor Education) (Scotland) Bill be passed.

The Presiding Officer: The Schools (Residential Outdoor Education) (Scotland) Bill is passed. [*Applause*.]

That concludes decision time.

Aphasia Awareness

The Deputy Presiding Officer (Liam McArthur): The final item of business is a members' business debate on motion S6M-18720, in the name of Rona Mackay, on awareness of aphasia.

The debate will be concluded without any question being put. I invite members who wish to participate to press their request-to-speak buttons.

Motion debated,

That the Parliament notes that aphasia, which is a language disorder that affects one in three stroke survivors, and can also arise with other neurological conditions or head injuries, can have a significant impact on many people; understands that it can affect speech production and understanding, reading, writing and using numbers and that the level of difficulty experienced varies from person to person, from mild to severe; recognises the significant impact aphasia can have on a person's life, including leading to feelings of isolation, loneliness and mental health issues; notes the impact that aphasia can have on a person's relationships with family and friends, everyday social interactions and access to work or services, as well as the stigma and negative treatment that can arise from living with the condition; welcomes the ongoing work of Chest Heart & Stroke Scotland (CHSS) to support people living with aphasia through resources and services; further welcomes the new CHSS course, Living Well with Aphasia, which focuses on giving stroke survivors the information, skills and resources to live well with the condition; notes the calls on the Scottish Government, NHS boards and other key organisations to be better informed about aphasia and to have a greater understanding of the reality of living with what can be a serious and potentially devastating health condition, and further notes the calls to improve access to supported self-management and rehabilitation services for people living with aphasia in Strathkelvin and Bearsden and across the country, to ensure that everyone gets the support that they deserve.

18:07

Rona Mackay (Strathkelvin and Bearsden) (SNP): This is the Parliament's first debate on aphasia, and it is a historic moment for those who are living with the condition and for their loved ones. I am delighted to welcome to the public gallery members of Chest Heart & Stroke Scotland's aphasia reference group, who have helped to make today's debate possible by sharing their experience. Their presence tonight makes the debate all the more special.

What is aphasia? It is a language and speech disorder that happens when the language centres of the brain are damaged. It is estimated that, in Scotland alone, more than 40,000 people are living with aphasia. Around one in three people who have a stroke are likely to develop aphasia, and approximately 11,000 people in Scotland have a stroke each year. I really hope, therefore, that tonight's debate can raise awareness and understanding of the condition.

I recognise the amazing work that Chest Heart & Stroke Scotland does to support people who are affected by aphasia, and their families, every day. Chest Heart & Stroke Scotland is Scotland's largest health charity supporting people who are living with chest, heart or stroke conditions or with long Covid, including people with aphasia. I thank the organisation for presenting me with the lovely scarf that I am wearing—the pink stripe symbolises the one in three people who are likely to develop aphasia after a stroke.

In the past year, CHSS has supported more than 600 people with aphasia, and their loved ones, through its various services. Over the past three years, the charity has supported more than 2,650 people living with aphasia. It currently offers a range of support measures, including its newly piloted "Living well with aphasia" self-management course and other community support services.

Getting through the day can be a struggle for people with aphasia as they try to do things that most of us take for granted. Aphasia has a significant impact on people's lives. Chest Heart & Stroke Scotland's "No Life Half Lived: 1 in 5 Aphasia Report" found that the condition impacts a person's mental health, their independence and their ability to work.

Stigma is another challenge for people to bear; I will return to that later in my speech. Those with aphasia also need increased access to rehabilitation and support services. In that regard, CHSS is calling for a rehab guarantee to provide an assessment for rehab and support on diagnosis or discharge in order to help ensure that a person's needs are met.

CHSS's new aphasia framework details how it will continue to support people in Scotland who are living with the condition, and that includes raising awareness.

People with aphasia can have difficulty with some or all forms of communication: reading, listening, speaking, writing and texting. It can affect their ability to use and understand numbers, and they may also have problems with thinking, memory and planning. As with most conditions, however, living with aphasia is different for everyone.

It is crucial to realise that aphasia itself does not affect intelligence. People with aphasia still know what they want to say; they just struggle to express it. Two thirds of people with aphasia—that is 69 per cent—said that their condition affected their ability to communicate with others. When people cannot express their wishes or needs, it can lead to people feeling as though they do not have control of their lives any more. It can also change relationship dynamics and the ability to participate in hobbies, social events and wider life that we all take for granted.

A total of 52 per cent of people with aphasia who were surveyed said that their condition affected their mental health, and nearly half the group had experienced loneliness. I spoke earlier about stigma: 38 per cent of people with aphasia who were surveyed reported being treated negatively because of their condition, and some were even accused of being drunk when they attempted to speak. A lack of awareness of the impact of aphasia and of how it presents plays a part in that. Given the way in which ignorance of the condition and a complete lack of understanding can contribute to stigma, it is clear that awareness raising and education are vital. Worryingly, a third of stroke survivors who had experienced stigma said that it made them less likely to seek help.

I would like to give members an insight into what it is like to live with aphasia. Eileen Smith of Newton Mearns and Richard Fisher from Stirlingshire have kindly allowed me to highlight their cases. Eileen said:

"In 2018 I had a stroke because of an aneurysm. One lasting outcome of the stroke is that I had to leave the physiotherapist job I loved, but the most devastating effect is that I now live with aphasia, a language and communication disorder. I want to tell you what it has done to me, but I cannot do it on my own. Aphasia means I struggle to speak and write and express myself clearly and quickly. I used to love maths but now I can't figure out numbers at all. This is what aphasia does to me every day. Every day is difficult. Even shopping is a challenge—I have to write little notes and hand them over sometimes. My husband David deals with a lot of things—I don't know what I'd do without him, because not being able to talk easily or express yourself the way you want to is incredibly frustrating and scary."

Richard Fisher, aged 50, was an air wing paramedic with the Scottish Ambulance Service. He had a stroke in April 2024 that left him with aphasia. As part of his recovery, Richard participated in the CHSS aphasia self-management course in Stirling earlier this year. Despite working for more than a decade as a paramedic, Richard admits that he knew little about stroke or aphasia. He said,

"I knew enough about stroke to get someone to A and E safely, but aphasia is not something we learned about in the ambulance service. I knew nothing about it until it happened to me, then I felt as though I'd been cut off from the world because I couldn't communicate the way I used to. In the self-management group we spent a lot of time laughing about the things we struggle with or ended up saying. We were all in the same boat so it was good to be able to laugh at ourselves."

Richard's wife, Mo, watched as his confidence grew over the weeks that he attended. She said,

"The group set up a WhatsApp with everyone who was on the course and it was a way that they could communicate. Richard showed them how to do a voice

record if they couldn't do that, and now a few of them are using that. These are the hints that you don't realise are useful until you are with people who cannot do what they used to do."

So, what has been done to help people with aphasia, and what more needs to be done? The Scottish Government's document, "A Progressive Stroke Pathway", states:

"People who are identified as having a communication disorder after a stroke should be assessed by a speech and language therapist and provided with an individualised rehabilitation programme".

The Government has set out the aim that, by 2025, all adults will receive rehabilitation when and where they need it. That vision is supported by the Government's strategy, "Rehabilitation and Recovery: A Once for Scotland Person-Centred Approach to Rehabilitation in a Post-COVID Era", and it received cross-party support at the 2021 elections. I welcomed the response by the Minister for Public Health and Women's Health to the claim from CHSS that that aim has not yet been achieved.

There is much to say about the subject, but I see that I am rapidly running out of time, so I will cut to the end. In conclusion, let us hope that this historic debate shines a light on what can be done to understand and raise awareness of this debilitating condition. People who are living with aphasia deserve nothing less. Their needs may have changed, but they are the same people, loved by family and friends, as they were before having the condition, and we must support them to live as comfortably and as well as possible.

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

18:15

Roz McCall (Mid Scotland and Fife) (Con): I thank Rona Mackay for securing this members' business debate today, more so because it is the first time that aphasia has been debated as a stand-alone issue in the Scottish Parliament. I welcome one of my constituents, Nancy Bannon, who is in the gallery with other members of Chest Heart & Stroke Scotland's aphasia reference group. I also thank Chest Heart & Stroke Scotland and the Stroke Association for their briefings for the debate.

The recognition of this issue within the Scottish Parliament has been called an "historic event" by the reference group, as Rona Mackay referred to, but I feel that recognition is a long time coming. We, in this place, must stop procrastinating, and we must use this debate as a stepping stone to do more to combat the condition of aphasia and to support people who suffer from it.

I believe that, in order to do that, we have to take one step back and look at the main causes of aphasia and at what we can do to prevent it from happening in the first place. The phrase "prevention is better than cure" has never applied more, and we must move towards preventative medicine wherever possible.

As Ms Mackay mentioned in her opening remarks, aphasia is a language and speech disorder that happens when the language centres of the brain are damaged. Aphasia does not affect a person's intelligence, but people have difficulty finding and saying what they want to say, and they have trouble understanding other people. There are challenges with reading, writing and numbers, and everyday tasks such as using the telephone, asking for directions and socialising become particularly frustrating.

I ask members to imagine what that must be like: you know what you want to say, but you cannot say it. You are literally trapped inside your own head, and basic communication with loved ones or friends is challenging at best. You are, in effect, locked in. I cannot comprehend how that must feel.

That is why CHSS's course on "Living well with aphasia", as the motion says,

"focuses on giving stroke survivors the information, skills and resources to live well with the condition".

That is vital, and I applaud CHSS's support in that regard. I also call on the Government to improve access to supported self-management and rehabilitation services for people who are living with aphasia.

What is most concerning is that all that comes from damage to the brain, possibly from a head injury but more commonly derived from stroke. There are currently around 150,000 people in Scotland who are living with the effects of stroke, and 50,000 people are living with aphasia as a result. We know that 10,000 strokes occur in Scotland annually; that Scotland has the highest stroke incidence in the United Kingdom; that outcomes are poorer here than in the other UK nations; and that stroke is the leading cause of adult disability. Those are shocking statistics, so we must end the cycle through affirmative action.

I have spoken many times in the chamber about the need for a 24-hour, seven-days-a-week national thrombectomy service in Scotland. It was in the Government's "Stroke Improvement Plan 2023", but we are no further forward in seeing that being implemented on the ground.

The early removal of a clot reduces the amount of the brain that is damaged, and many patients fully recover to lead full and productive lives. It is estimated that each patient treated by

thrombectomy saves the national health service around £47,000 per patient in on-going support. However, if someone has a stroke at 5.30 on a Friday afternoon, their chances of recovering fully are drastically reduced.

In my closing remarks, I say to the minister that, as much as I join other members today in recognising aphasia, I believe that a 24-hour, seven-days-a-week national thrombectomy service would go a long way to reducing not only the numbers of stroke victims and what they have to put up with, but the numbers of those with aphasia. I urge the Government to stand by its 2023 commitment for them all.

18:19

Emma Harper (South Scotland) (SNP): I am happy to support and speak to the motion, and I congratulate Rona Mackay on securing this debate on aphasia, which is a hidden communication disorder that affects many lives in Scotland, as Rona Mackay highlighted well in her opening speech. I, too, welcome everyone to the gallery.

Aphasia arises when the language centres of the brain are damaged, most commonly due to stroke but also through brain injury or neurological disease. It impacts a person's ability to speak, understand, read or write and text, yet it leaves intelligence intact, which leads to misunderstanding and stigma.

In Scotland, the incidence of aphasia following someone's first stroke varies across regions and affects approximately 54 people per 100,000 each year in NHS Borders. Given that a third of stroke survivors have aphasia, there could be as many as 128 new cases in Dumfries and Galloway annually. That means that, across the country, thousands are entering a world of sudden silence. Nationally, an estimated 350,000 people in the United Kingdom live with aphasia: nearly two-thirds of stroke survivors, which is more than those who are affected by Parkinson's disease, multiple sclerosis or cerebral palsy. However, nine out of 10 people have never heard of the condition, which is exactly why we are here today, so it is worth having this debate.

I have heard of aphasia, because I have been a registered nurse since 1988. In my work, over many years, I have looked after many people with aphasia and I have witnessed not only the challenges that are faced by the person who is affected but challenges to my ability to interpret and provide the best care.

Without visible signs, many people with aphasia are dismissed as confused or even drunk, as Rona Mackay has stated. However, all that they need is for us to have patience and take a wee bit of time to understand them.

The consequences of aphasia can be profound and include isolation, loss of confidence, difficulty in work and relationships and mental health challenges. After my close friend Mike—who we sadly lost a couple of years ago—had a severe stroke, he was left without speech. We could see how frustrated he was, because he knew what he wanted to say, but he could not get the words out.

A research report that was published by Chest Heart & Stroke Scotland describes the devastation that is felt by people who are not able to communicate, which leads to feelings of isolation and loneliness and to mental health issues. We can and should do better. Thankfully, inspiring initiatives are emerging here and across the UK. Last June's rocking aphasia campaign saw painted pebbles left in public places, with each stone holding a story, urging finders to learn more, speak slower and listen with intent. Similarly, City St George's, University of London collaborated with Aphasia Re-Connect to use music in storytelling concerts, underscoring how much remains behind the silence.

What can we do in Scotland? First, we must raise awareness. We must share aphasia facts, such as the fact that the condition affects up to a third of stroke survivors and that society often misjudges those experiencing aphasia. We need public education campaigns during stroke and dementia awareness weeks. We can promote the use of simple communication tools, which include picture boards, written cues and supportive care packs, such as those offered by the Stroke Association.

Secondly, we must support speech and language services. Organisations such as the Aphasia Alliance, Chest Heart & Stroke Scotland and Dyscover provide essential therapy and specialist aphasia support and run community groups. Funding those services must be a priority, particularly in rural and island communities where provision is uneven, including Dumfries and Galloway and the rest of the south-west of Scotland.

Thirdly, we need community inclusion. Councils, transport providers, retailers and public services can take simple steps to adopt aphasia-friendly practices, such as using slower speech in announcements and displaying appropriate written signage. A wee bit of patience can transform lives.

Finally, we must listen to lived experience. People with aphasia know best what helps, which can involve everything from adaptive therapy sessions to everyday social events. They should be at the heart of policy conversations.

Let me leave members with this: aphasia is not rare. It is common, disabling and deeply isolating. However, with education, training, support and inclusion, we can give voices back to those who are silenced by aphasia.

18:24

Carol Mochan (South Scotland) (Lab): I thank Rona Mackay for bringing this debate to the chamber. As others have said, it is a historic first debate about the condition. I also welcome the visitors to the gallery, many of whom I met this afternoon. I want to give a special mention to Eileen Smith, who Rona Mackay mentioned, because we worked together almost 20 years ago. Eileen was a physiotherapist and, like many of our NHS staff, she gave her absolute all to support the clients we worked with, and it was a great privilege to work alongside her.

I thank all the visitors from Chest Heart & Stroke Scotland for meeting me and for the opportunity to hear their stories and to gain an understanding of some of the difficulties that they and their loved ones face. The people we meet in this place often shape us, and I found this meet-up useful in helping me to discuss policy in this area, and it was also heart-warming to be able to meet people who are so passionate about the issues that they wish to raise with us as MSPs.

Of course, I had prepared a speech for this debate, but I think that it is probably far more beneficial to share some of the information that was shared with me earlier today. I will use some of the language and the words that people used with me.

What do sufferers and their families want? As with so many of our constituents, they are not asking for too much at all. They want the condition to be understood, for parliamentarians to find ways to encourage understanding and patience, as Emma Harper said, and to support training in our businesses, the public sector and the wider community. They want people to understand that individuals with aphasia are not stupid or unable but just need some time to find the words.

As others have said, aphasia is a language and speech disorder that happens when the language centres of the brain are damaged. It is a long-term and life-changing condition—that is what many people shared with me today. It is mostly a disorder of older adults, and stroke is the major cause of adult aphasia, but it can also arise from brain injury or neurological disease.

When I worked in the health service, much of my experience involved working with people experiencing degenerative neurological conditions. In that role, I understood the power of language, the need for people to be understood and how speech, language and communication are the cornerstone of many of our interactions as human beings. Language and communication are crucial because they are the foundation of learning, they are key to relationships and relationship building and they help us to understand the world around us, particularly the shared world. They enable us to share ideas, build connections, develop empathy and succeed in our lives, whether that is in education, at work or in our social lives.

Mercedes Villalba (North East Scotland) (Lab): I am grateful to my constituents who volunteer at Speakability Tayside, who contacted me ahead of tonight's debate. Does Ms Mochan agree that something that we can all do to support people with language disabilities, such as those she has outlined, is to undertake the free one-hour online training that is being developed by the Royal College of Speech and Language Therapists?

Carol Mochan: I absolutely agree with the member. I always take every opportunity to promote training, particularly from allied health professionals—Eileen Smith and I were in that category.

The loss of language has a significant impact on a person's life, but this evening it is important to mention the impact on family members' lives. It can be very difficult to watch someone not be able to find the words or to see another person question their intelligence or ability.

Others have highlighted the issues that we hope that the minister will respond to, so I will finish on a point that I often raise in the chamber, which is health inequalities. Research has shown that people who live in Scotland's most deprived areas are more likely to die in their first year following a stroke than those in the less deprived areas, and that they are much less likely to receive the appropriate recommended treatments. I do not have time to go over that, but it is an important point to raise, and I hope that others will agree with me on it.

I thank members for their speeches and Rona Mackay for bringing the issue to the chamber.

18:29

Jamie Hepburn (Cumbernauld and Kilsyth) (SNP): I am pleased to speak in support of Rona Mackay's motion. I thank her for securing the debate and for shining a light on aphasia and on the realities that are faced by many people who are impacted by the condition across the country. I join others in welcoming those in the gallery who have come to watch the debate.

As others have said, aphasia is not by any means a rare or marginal condition among stroke

survivors. As has also been said, it can impact those with other neurological conditions or those with experience of head injury. Despite its prevalence, we know that it is a condition that remains poorly understood. Too often, it is misinterpreted as a lack of intelligence or engagement, when in fact it is a disorder of language and not of thought.

It is important, therefore, that we have this opportunity to highlight the impact of aphasia. I have to confess that I was very surprised to learn that this is the first occasion in the entire history of the Parliament's 26-year existence on which we have had a debate dedicated to the subject matter. As Roz McCall suggested, aphasia is a subject to which we have not paid enough attention. Indeed, before this debate, I did a search—I should say that it was fairly rudimentary, so I would not accept this as absolute gospel—and I could find only five mentions of aphasia recorded in the *Official Report* across all the debates that we have had in the chamber since 1999. It is, therefore, very much to Rona Mackay's credit that she has brought the debate to the chamber.

Language shapes how we participate in society—it underpins our relationships, our sense of identity and our ability to advocate for ourselves. When aphasia disrupts speech, understanding, reading or writing, it can profoundly affect a person's independence and confidence. Anyone can see how that that could lead to isolation, loneliness and real challenges to mental health. Those are not abstract harms; they are daily realities for people and their families.

Just yesterday, I was speaking to a constituent about the impact that the after-effects of multiple strokes have had on his wife, and the impact on him as a carer. I recognise the impact that aphasia can have on relationships and social participation. Conversations that once flowed easily can become exhausting or frustrating. Accessing services, returning to work or even carrying out routine tasks can present barriers. When society fails to adapt, stigma and negative treatment can follow. That is why awareness and understanding should not be viewed as some form of optional extra; they are absolutely essential to better supporting people who are impacted by aphasia.

In that context, I very much welcome the outstanding work of Chest Heart & Stroke Scotland—the organisation has been mentioned a number of times, but I will mention it again. For a long time, CHSS has been a trusted partner, providing practical support, advocacy and community-based services for people who are living with stroke-related conditions, and I am very grateful to it for the work that it undertakes.

Improving outcomes for people with aphasia requires more than goodwill; it requires informed systems, NHS boards and public services. Those of us who are policy makers must better understand the condition and embed that understanding in service design and delivery, and in our deliberations in Parliament. Rehabilitation and supported self-management must be accessible, consistent and person centred.

Ultimately, it is about dignity, inclusion and fairness. People who are living with aphasia deserve to be heard, respected and supported to participate fully in our society. This debate—for which I am grateful; I thank Rona Mackay once again—gives Parliament, as an institution, the opportunity to send a clear message: that we recognise the challenges of aphasia, and that we value the contribution of those who are championing the issue and thank them for their campaigning activity. I am glad to have been able to take part in the debate to help do so.

18:33

Michael Marra (North East Scotland) (Lab): I thank Rona Mackay for the opportunity to speak in this debate about aphasia. Among those who are joining us in the public gallery today are just some of the estimated 40,000 people in Scotland who live with the condition, often as a consequence of stroke or brain injury.

Despite the fact that aphasia is more common than many well-known conditions, including Parkinson's disease, cerebral palsy and muscular dystrophy, many people across the country and more widely have never heard of it. We know that the ability to use and understand language underpins all our lives. For people with aphasia, that ability is impaired or sometimes lost altogether. All aspects of communication, from speaking and listening to reading and writing, can be affected. We can all recognise, not just as parliamentarians but as citizens—the people—of Scotland, the huge impact that the condition would have on a person's life, their work and their relationships.

In comparison with other stroke survivors, people who live with aphasia are more likely to experience difficulties in returning to work, and as a consequence they are more likely to experience financial difficulties, too. Rona Mackay spoke eloquently about the issue of stigma—about how people are affected by it and how they are made to feel. That aspect can certainly be compounded by financial difficulties as a result of the condition.

It gives me great pride to see the work that is being done in Dundee and across the north-east to support people living with aphasia. Earlier this year, STV News told the story of Wendy Wallace

from Dundee. After attending a series of art workshops with other people living with aphasia, Wendy found that she was able to use art to communicate in ways that she has struggled to do since having a stroke back in 2015. That is a moving reminder of the power of art to communicate when words fail us.

As mentioned by my colleague, Speakability Tayside is a volunteer-run support group for people living with aphasia. Speakability is part of the Stroke Association and it has supported people living with aphasia for 25 years. Ahead of the debate, I was pleased to hear from constituents who are involved in that important work as volunteers. They paid particular tribute to Helen Gowland from Broughty Ferry, who lives with aphasia and serves as chairperson of Speakability. Helen has led the group with distinction for 25 years, and my constituents were keen that she be recognised in the Parliament for her many years of service. I know that colleagues across the chamber will join me in thanking her for her work on behalf of her fellow sufferers and the community in which she lives.

Stroke remains a significant national problem, with more than 10,000 sufferers per annum in Scotland. It is a leading cause of adult disability in this country in many different ways. We have already heard about the plans that are in place to improve services, but the provision of thrombectomy in Scotland is very poor, running behind the rest of the UK in terms of its availability, both in geographic terms—where it is available—and, crucially, the times that it is available. If a stroke occurs within office hours, availability is much more widely spread. Roz McCall pointed out some of those facts.

Aphasia is just one consequence of the lack of ability to treat people in the golden hour when a difference can be made. I recently visited the image-guided therapy research facility led by Professor Iris Grunwald at the University of Dundee. Many people will have seen the coverage of mobile thrombectomy being done across the Atlantic, with a virtual reality facility allowing remote operations. If more of that availability was supported across Scotland, we could do much more to prevent the long-term health impacts that we see.

Volunteers have also told me that they desperately want to see increased awareness of the condition. I sincerely hope that today's debate goes some way towards helping with that. There are simple steps that we can all take to help sufferers, such as reducing background noise, slowing down and giving people extra time to think and respond. That would make a world of difference to people with aphasia.

I am grateful to Dr Abi Roper, a speech and language therapist and research fellow based in Dundee, for sharing some of the excellent work that is being done. In August 2025, Dr Roper chaired the international aphasia conference in Dundee that brought together 200 people from across the globe who live with aphasia themselves, support others who do so or are researchers investigating the condition. It is hugely encouraging to hear that a growing international community is working together to better understand aphasia and support people living with it. I am sure that we wish them every success in the future, for the sake of the many thousands of people living with the condition across Scotland.

18:38

The Minister for Public Health and Women's Health (Jenni Minto): I thank Rona Mackay for lodging the motion, which highlights the important and often overlooked impacts of aphasia. As colleagues have noted, this is a historic moment, because it is the first time that the Scottish Parliament has dedicated a debate to the condition. I welcome members of the aphasia reference group to our Parliament this evening.

As we have heard, one in every three stroke survivors is affected by aphasia, and an estimated 40,000 people in Scotland are affected by the condition. In addition to stroke, aphasia can arise because of other neurological conditions or from head injuries.

As a language disorder, aphasia can impact people's speech production and understanding, reading and writing, and their ability to use numbers. All these are activities of daily life that many of us take for granted. The impact of aphasia is different for everyone, as Rona Mackay noted.

Chest Heart & Stroke Scotland's "No Life Half Lived: 1 in 5 Aphasia Report" highlighted that 52 per cent of people with aphasia said that their condition affects their mental health, which Jamie Hepburn noted in his contribution, and that 38 per cent of people surveyed reported being treated negatively because of their condition. That is unacceptable. I hope that, through our open and honest discussions tonight, we can play a small part in tackling the stigma that accompanies aphasia. I agree with Roz McCall that we should use the debate as a stepping stone.

In response to comments from Ms McCall and Michael Marra, I will give a wee bit of an update on the thrombectomy service. The Scottish Government remains committed to implementing a high-quality and clinically safe thrombectomy service that is available across Scotland whenever people need it. On 20 November, I wrote to all

health board chief executives to reiterate the critical importance of their continued engagement in the development and delivery of the national thrombectomy service, and an update on service developments was sent to NHS colleagues on 12 November. To date, we have spent £51 million on expanding access to thrombectomy. Although we continue to face significant financial challenges, we are committed to further expanding the service.

In January, I was privileged to attend a meeting of Chest Heart & Stroke Scotland's aphasia reference group in Edinburgh. The group acts as a source of advice for the organisation, helping to guide service development and campaigning work to reflect the experiences of individuals affected by aphasia. I place on record my thanks to the group for all that it does to ensure that aphasia is given the prominence that it deserves.

During the meeting, I met people living with aphasia and their loved ones, and I heard very personal and moving stories about the impact that the condition has on people's lives—similar to Carol Mochan's experience earlier today. We discussed everything from the importance of doing daily crosswords to the merits of the Bob Dylan film, "A Complete Unknown". In reflecting on the contributions that I have heard tonight, I note that, in some respects, that seems an appropriate film title. I hope that we move some way to ensuring that aphasia is no longer a complete unknown, whether we achieve it through the power of art, which Michael Marra talked about, the work of groups such as Speakability Tayside, which Mercedes Villalba spoke about, or initiatives such as rocking aphasia, which Emma Harper mentioned.

As Carol Mochan said, we need to ensure that there is suitable training, and we need to understand, have patience and take the time to find and listen to people's words.

I was struck, too, by the fact that no two individuals' experiences of aphasia are the same, with its impact being felt in different ways and at different times. Common to all the stories that I heard was the profound impact that aphasia has on those who live with it, as well as the strength and support that they are able to provide to one other and more widely.

I also heard about the fantastic work that has been undertaken by Chest Heart & Stroke Scotland to support people who are affected by the condition, including through its course on living well with aphasia.

As Rona Mackay noted, Chest Heart & Stroke Scotland has called for improved access to rehabilitation and support services for those who are affected by aphasia, as well as for a rehab guarantee. An increased focus on rehabilitation is a key component of our stroke improvement plan, which was published in June 2023. NHS boards must now offer a formal review to anyone who has had a stroke, to take place six months after the stroke event and allowing re-referral into stroke services where required.

NHS boards must demonstrate that they have a documented service pathway describing communication and rehabilitation following stroke. NHS boards must also ensure that people who are identified as having a communication disorder after a stroke are assessed by a speech and language therapist and are provided with an individualised rehabilitation programme.

As part of the stroke improvement plan's commitment to strengthening leadership in the delivery of stroke care, every NHS board now has an accountable individual with responsibility for such care. I recently chaired a round-table meeting with those individuals and was heartened by their commitment to working across geographical boundaries and sharing best practice in stroke care. I will continue to ensure that rehabilitation and communication disorders such as aphasia are prioritised in NHS board stroke services. I highlight the points that Jamie Hepburn made around the wider impacts through dignity, respect and inclusion.

We are also in the process of developing measures of rehabilitation to be included in the Scottish stroke care audit and patient reported experience measures of stroke care. Those tools will allow us to better understand the provision of rehabilitation and enable people who have been affected by stroke to have a voice in shaping improvements to stroke care and rehabilitation. I have asked my officials to review how those tools might be utilised to support our understanding of the services and support provided to those affected by aphasia.

I thank colleagues across the chamber for their contributions, and I thank Chest Heart & Stroke Scotland and the Stroke Association for their invaluable work in this area. Above all, I thank the individuals and families who live with aphasia for sharing their stories. Their courage and perseverance will help to ensure that we challenge the stigma of living with the condition. Together, we can make sure that the perspectives and thoughts of people with aphasia are not just heard but at the heart of the decisions that shape their lives.

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

Meeting closed at 18:45.

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