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CONTENTS

	Col.
PORTFOLIO QUESTION TIME	1
DEPUTY FIRST MINISTER RESPONSIBILITIES, ECONOMY AND GAELIC	1
Mossmorran Task Force	1
Mossmorran Just Transition Fund	2
Ferguson Marine	5
Gaelic Language and Culture (Young People)	6
Glasgow (Economic Performance)	6
Young People not in Education, Employment or Training	8
A96 Dualling (Economic Impact)	10
FINANCE AND LOCAL GOVERNMENT	11
Pension Contributions (West of Scotland Local Authorities)	11
A720 Sheriffhall Roundabout (Grade Separation)	12
Budget 2026-27 (Prostitution Support and Exit Services)	13
Employer National Insurance Contributions (Cost to Local Government)	15
Non-domestic Rates Revaluation (Business Support)	16
Business Rate Discount (Retail, Hospitality and Leisure Premises)	17
Budget 2026-27 (International Development)	19
PFI and PPP Payment Obligations (Local Authorities)	20
POINTS OF ORDER	22
A9 DUALLING (PROGRAMME FOR 2035 COMPLETION)	25
<i>Statement—[Fiona Hyslop].</i>	
The Cabinet Secretary for Transport (Fiona Hyslop)	25
CHILDREN (CARE, CARE EXPERIENCE AND SERVICES PLANNING) (SCOTLAND) BILL: STAGE 1	39
<i>Motion moved—[Natalie Don-Innes].</i>	
The Minister for Children, Young People and The Promise (Natalie Don-Innes)	39
Douglas Ross (Highlands and Islands) (Con)	43
Roz McCall (Mid Scotland and Fife) (Con)	47
Paul O’Kane (West Scotland) (Lab)	50
Ross Greer (West Scotland) (Green)	53
Willie Rennie (North East Fife) (LD)	55
Nicola Sturgeon (Glasgow Southside) (SNP)	58
Oliver Mundell (Dumfriesshire) (Con)	60
Jackie Dunbar (Aberdeen Donside) (SNP)	62
Martin Whitfield (South Scotland) (Lab)	64
Paul McLennan (East Lothian) (SNP)	66
John Mason (Glasgow Shettleston) (Ind)	68
Bill Kidd (Glasgow Anniesland) (SNP)	70
Ross Greer	72
Paul O’Kane	75
Miles Briggs (Lothian) (Con)	77
Natalie Don-Innes	79
POINT OF ORDER	83
CHILDREN (CARE, CARE EXPERIENCE AND SERVICES PLANNING) (SCOTLAND) BILL: FINANCIAL RESOLUTION	85
<i>Motion moved—[Natalie Don-Innes].</i>	
BUSINESS MOTIONS	86
<i>Motions moved—[Graeme Dey]—and agreed to.</i>	
PARLIAMENTARY BUREAU MOTIONS	89
<i>Motions moved—[Graeme Dey].</i>	
DECISION TIME	90

Scottish Parliament

Wednesday 14 January 2026

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

Portfolio Question Time

Deputy First Minister Responsibilities, Economy and Gaelic

The Deputy Presiding Officer (Annabelle Ewing): Good afternoon. The first item of business is portfolio question time, and the first portfolio is Deputy First Minister responsibilities, economy and Gaelic. I remind members that questions 1 and 5 are grouped together and I will, therefore, take any supplementaries on those questions after both have been answered.

Mossmorran Task Force

1. Alex Rowley (Mid Scotland and Fife) (Lab): To ask the Scottish Government whether it will provide an update on the progress that it is making in supporting the Fife Council-led Mossmorran task force. (S6O-05355)

The Deputy First Minister and Cabinet Secretary for Economy and Gaelic (Kate Forbes): The Scottish Government is participating in the task force, which is led by Fife Council, and my officials are engaging regularly with the council and with other partners. Our priority has been to ensure that we provide the necessary support to enable the workforce to transition to other employment opportunities, and I believe that it is vital that the task force is fully focused on mitigating the impact of the decision.

Alex Rowley: As I understand it, the first meeting of the task force will be on 28 January in Fife. Does the Scottish Government believe that there is an industrial future for the Mossmorran site once we get past supporting—rightly—the workforce who are currently there?

Has the Scottish Government had any talks with the United Kingdom Government? We will need both Governments to invest if we are going to secure long-term employment for the Cowdenbeath area.

Kate Forbes: I firmly believe that there is an industrial future for the plant, and I say that for a number of reasons. First, the funding that was announced yesterday means that there will be up to £9 million of funding for the site over the next few years.

Secondly, Scottish Enterprise has been engaging closely with ExxonMobil in order to

understand what the opportunities are. I met with ExxonMobil representatives yesterday afternoon to listen to them and get an update from their perspective about what is being provided to Scottish Enterprise. Those talks are progressing well.

There are opportunities to progress. We continue to make the case to the UK Government for additional support, but in the meantime, rather than waiting for anything, we have progressed our own activity both to make funding available, which I am delighted about, and to support Scottish Enterprise with the work that it is doing essentially to match assets and land available at the site with potential employers who have expressed an interest either through the Grangemouth process or separately from that.

Mossmorran Just Transition Fund

5. Mark Ruskell (Mid Scotland and Fife) (Green): To ask the Scottish Government what discussions the Deputy First Minister has had with ministerial colleagues regarding when a just transition fund for Mossmorran will be introduced. (S6O-05359)

The Deputy First Minister and Cabinet Secretary for Economy and Gaelic (Kate Forbes): In yesterday's budget, we announced £9 million over the next three years to help to mitigate the closure impacts and to support a just transition for the skilled workforce.

Mark Ruskell: I am very pleased about what was announced in the budget yesterday—I have been calling for such a fund for many years. However, given that the plant is scheduled to close in four weeks' time, communities need to know when the fund will be up and running. While £3 million is a good starting point, it does not fully address the problems that are left behind by ExxonMobil's decision. There must be a full positive legacy for both communities and workers.

What steps will the Government be taking to help leverage more funds, not just from the UK Government but from ExxonMobil, which made substantial profits from the operation of Mossmorran over many decades?

Kate Forbes: I commend the member for his long-standing interest in the plant. To address his specific questions, I note that he talked about contributions from others. My ambition would certainly be to use the £9 million of funding as leverage for further funding from the private sector, in particular from those investors, developers or businesses that are looking for an opportunity to relocate to use either the assets or the land at the site.

Secondly, we have had some engagement in the past 24 hours with the company to look at

what could be available soon and what commitment it is making to legacy. Mark Ruskell will recall the conversation about legacy that started at the summit in November. There is an openness to explore those questions.

Lastly, the member mentioned the issue of the four-week timeframe, but this has a longer tail than that. We are conscious that there will be on-going activity for a considerable amount of time, which will allow us the opportunity to continue to explore the options and deliver solutions as quickly as possible.

The Deputy Presiding Officer: A number of members are seeking to ask a supplementary. I shall try to get them all in, but we will need briefer questions and responses.

David Torrance (Kirkcaldy) (SNP): Given that the owners of ExxonMobil were clear that Westminster policy was to blame for the closure of the site, can the cabinet secretary provide an update on the Scottish Government's engagement with the UK Government on Scotland's industrial future at Mossmorran? Can she provide an update on her engagement with trade unions through the task force?

Kate Forbes: I have been engaging with trade unions and worker representatives. I met trade unions in December, shortly before Christmas and yesterday, I met worker representatives, who we will continue to engage. We will also continue to communicate with MSPs. We have not seen any changes from the UK Government on those policies. If there are no further changes, there is an on-going risk of industrial failure in other parts of Scotland.

Murdo Fraser (Mid Scotland and Fife) (Con): This morning, the Parliament's Economy and Fair Work Committee heard evidence from trade unions on their concerns about the deindustrialisation of the Scottish economy, of which the closure at Mossmorran is the latest example. They are also concerned that we have well-paid workers in the oil and gas sector who are currently losing their jobs when vacancies in renewables and the new green economy simply do not exist to allow those workers to progress in a just transition. Where is the Scottish Government's skills strategy to ensure that workers who are losing their jobs are not thrown on the scrap heap?

Kate Forbes: I will take those points in turn. I am sure that Murdo Fraser has looked at the commentary from employers in the north-east and oil and gas industry who have regrettably had to relieve workers of their jobs. They have all have cited the energy profits levy as a factor. It is clear to me, as it is now to the Conservatives, that the energy profits levy is having an extremely damaging effect on companies' ability to retain

workers. The whole point of a just transition is that new jobs should be created before old ones are lost. The two arguments are that we should retain the old jobs and create new ones.

On deindustrialisation, as I said in my response to David Torrance, there have been no fundamental changes to some of the key industrial policies, particularly for energy, the cost of doing business, and so on, which are largely determined at a UK-wide level. Quite soon, we need to see a fundamental shift. The member may also be conscious of the announcement of the outcome of allocation round 7, which will create new jobs. However, we really need to see that accelerated and for it to have more momentum.

The Deputy Presiding Officer: I can take two more supplementaries, but I need briefer questions and responses.

Alexander Stewart (Mid Scotland and Fife) (Con): The Government has slashed Ferguson Marine's budget by 57 per cent. Does that not send a stark warning to communities around Mossmorran about how little they can rely on the Government for long-term support interventions and transition funding?

Kate Forbes: I am not sure that I heard the member correctly, mostly because I was astonished by his question. I think that he asked why we had slashed Ferguson Marine's budget. Is that correct?

Alexander Stewart: Yes.

Kate Forbes: That is quite surprising, considering that the Conservatives regularly criticise me for investing in Ferguson Marine. The member can look at our track record of stepping in to save key industrial assets—that is a record that we can stand on in the future.

Paul McLennan (East Lothian) (SNP): Despite a challenging UK policy environment, Scotland continues to do all that it can to preserve skills, protect jobs and deliver a truly just transition. Does the cabinet secretary agree that, in order for that to happen, the UK Government must start delivering north of the border? Can she provide an update on the Scottish Government's work to secure a future for the site?

Kate Forbes: In terms of the funding that we have provided through the £25 million Grangemouth just transition fund, we have invested £8.5 million to date to bring forward new business opportunities to secure Grangemouth's transition. We are also examining every option, alongside Scottish Enterprise, to ensure a just transition for the workforce and the site at Mossmorran, and we look to the UK Government to do the same. The member will have seen the £9 million announcement yesterday, which includes

£3 million for next year to provide support for any new employers moving into the site.

Ferguson Marine

2. Graham Simpson (Central Scotland) (Reform): To ask the Scottish Government under what circumstances it expects to be able to return Ferguson Marine to the private sector. (S6O-05356)

The Deputy First Minister and Cabinet Secretary for Economy and Gaelic (Kate Forbes): The member will know that my approach is to ensure that the MV Glen Rosa moves towards completion and that we support Ferguson Marine to be as competitive as possible by investing capital and providing support as it tenders for new opportunities. We have no immediate plans to return Ferguson Marine to the private sector in advance of those steps being taken.

Graham Simpson: Can the Deputy First Minister set out a timescale for returning Ferguson Marine to the private sector? Is it going to be months or years? What is her expectation?

When Ferguson Marine is finally sold, how will the Government protect jobs and skills in Inverclyde during any transition to private ownership?

Kate Forbes: I am very clear that my immediate priority is to safeguard the yard and the jobs, and to ensure that the company can compete on the open market. There are no immediate commitments to return Ferguson Marine to the private sector.

Stuart McMillan (Greenock and Inverclyde) (SNP): The Deputy First Minister will be very much aware that the yard was in private ownership when it first went into liquidation in 2014, so private ownership is not the panacea that some might suggest.

Does the Deputy First Minister agree that the most important aspect of the issue is that the yard has a future, builds ships, creates opportunities and contributes to the economy, irrespective of who owns it?

Kate Forbes: I agree with Stuart McMillan on the commitments that he has just listed and on the fact that ownership is not the defining issue. What matters most is that the yard has a clear and sustainable future and is able to continue to build ships. We want to support the highly skilled workforce at the yard and to ensure that the business is placed on a stable footing. Those are my immediate priorities.

The Deputy Presiding Officer: Question 3 was not lodged.

Gaelic Language and Culture (Young People)

4. Fulton MacGregor (Coatbridge and Chryston) (SNP): To ask the Scottish Government what action it is taking to encourage young people to be involved in the Gaelic language and culture. (S6O-05358)

The Deputy First Minister and Cabinet Secretary for Economy and Gaelic (Kate Forbes): We are fully committed to increasing young people's involvement in Gaelic language and culture. In order to achieve that, a range of opportunities exist in schools, in media, in arts, in culture and in outdoor activities. The Scottish Government's funding of, for example, MG Alba, Bòrd na Gàidhlig and Sabhal Mòr Ostaig makes that possible.

Fulton MacGregor: I have recently been speaking with early years practitioners at a local nursery, who tell me that they have concerns about getting Gaelic-speaking early years practitioners. I appreciate that that might not concern the cabinet secretary's portfolio directly—it is more an education matter—but what steps is the Government taking more generally to encourage Gaelic-speaking people to consider early years or other care-based roles and professions?

Kate Forbes: That is one of our priorities, precisely for the reason that Fulton MacGregor sets out. There has been a huge increase in demand for Gaelic early learning and childcare and Gaelic-medium education. It is important to ensure that there is a pipeline of teachers and practitioners to support that. We continue to work with providers of education such as Sabhal Mòr Ostaig to ensure that there is such a pipeline.

I always encourage any young person who is considering what to do next to consider a career in Gaelic-medium education.

Glasgow (Economic Performance)

6. Annie Wells (Glasgow) (Con): To ask the Scottish Government what action it is taking to improve Glasgow's economic performance, in light of reports that the city continues to lag behind the rest of Scotland. (S6O-05360)

The Minister for Business and Employment (Richard Lochhead): Glasgow has seen sustained growth, with one of the highest gross value added growth rates of any local authority area over the past five years. It also had the most foreign direct investment projects in 2024 and, compared with 2010, it has the highest business stock growth rate in Scotland.

We have played our part by helping to stimulate that growth through the £500 million city region deal, alongside Clyde mission funding, maritime

skills funding, the region investment zone and national support via the Scottish National Investment Bank, Techscaler and other initiatives.

Our recent announcement that we commit to introducing legislation that enables greater regional empowerment will also provide further support and ensure that the Glasgow city region continues to flourish.

Annie Wells: Business growth is down, private sector investment is down and employment levels are still below the national average. Businesses are closing, including Spuds, in the west end of Glasgow, which closed after just five months. The businesses that I speak to feel let down by the Scottish Government and as if they have been left behind. They want to know what the Scottish Government will do to help fix that immediate decline in Glasgow. I do not know whether you have been in Glasgow recently, minister, but there is a lot of disinvestment there. What immediate actions can the minister take to help businesses to flourish?

The Deputy Presiding Officer: Always speak through the chair.

Richard Lochhead: I am aware that Glasgow, like many other communities in Scotland, is not immune to some of the economic pressures that are faced by Scotland and across these islands. Many of the United Kingdom Government's policies are taking their toll, such as higher employer national insurance contributions and higher energy costs, which are impacting Glasgow businesses as well as those in the rest of the country.

We should note that there are reasons for optimism. The recent global financial centres index ranks Glasgow alongside some of the world's top-performing cities. Glasgow ranks 37th globally and 12th in western Europe. It has made consistent and steady progress in the past year since that survey.

There are plenty of indicators that show that Glasgow has many strengths. It is important that we talk the city up, but there are challenges, and it is important that we work together to address them. We will continue to do that, and, of course, yesterday's budget contains a lot of measures that will support Glasgow going forward.

Daniel Johnson (Edinburgh Southern) (Lab): Annie Wells is right to ask about Glasgow. Output per hour worked in Glasgow is a third less than that in Edinburgh. Worse than that, since 2019, Leeds, Liverpool and Manchester have achieved an annualised growth rate of 3 per cent, whereas Glasgow has achieved barely 1 per cent.

Looking past the issue of mayors, it is clear that having combined authorities with powers over

skills, transport, infrastructure, housing and rates delivers growth. I do not think that putting regional economic partnerships on a statutory footing will deliver that, will it?

Richard Lochhead: The member has not yet seen the legislation on regional partnerships, which the First Minister has referred to in recent weeks. He should await the opportunity, if he is lucky enough to be re-elected to the Parliament in the next session, to influence that legislation.

The Government's commitment is to strengthen and give flexibility to regional partnerships in Scotland to allow them to bring forward their own initiatives to further support their local economies.

Young People not in Education, Employment or Training

7. Davy Russell (Hamilton, Larkhall and Stonehouse) (Lab): To ask the Scottish Government what action it is taking to address the rates of young people not in education, employment or training. (S6O-05361)

The Minister for Business and Employment (Richard Lochhead): A range of support is provided to young people to help them to transition into positive destinations of education, employment or training. That includes professional careers advisers who provide impartial advice so that young people can make informed decisions, having explored all the options. There are also funding programmes that connect young people and employers, and the provision of employability support.

Of the 2023-24 school leaver cohort, 95.7 per cent were in a positive initial destination three months after they left school. The 2024-25 figures will be published on 24 February this year.

Davy Russell: I thank the minister for that answer. The figures hide the fact that that has happened solely through improvements in the rate of teenagers remaining in education, which many of us in the chamber support; however, economic inactivity among those aged between 20 and 24 is at 15 per cent, which has remained the same since 2017.

Does the minister agree that the strategies that have been implemented so far have obviously not gone far enough to allow young people of all backgrounds and capabilities to step into the workforce, contribute to the economy and be self-sufficient, and at the same time have a wee bit of pride in themselves?

Richard Lochhead: It is important that we make relevant and effective support available to Scotland's young people. I should point out that, from 2009-10 to 2023-24, the percentage of school leavers entering positive destinations

increased from 85.9 to 95.7 per cent. That progress should be recognised, and it vindicates, to a certain extent, the policies that have been implemented over the past decade—and indeed, longer than that. In 2023-24, the overwhelming majority—95.5 per cent—of those who entered a positive initial destination went on to sustain those positive destinations.

The latest estimates from the Office for National Statistics annual population survey show that Scotland had a higher employment rate, a lower unemployment rate and a lower inactivity rate for 16 to 24-year-olds when compared with the rest of the UK. We have to be alive to the challenges that the member mentioned, but the policies that have been implemented in recent years, which continue to be implemented, are having a positive effect in supporting our young people.

Marie McNair (Clydebank and Milngavie) (SNP): How many people have benefited from free tuition in Scotland under the Scottish National Party? Do you agree that protecting free tertiary education in Scotland is vital to creating opportunities for people across Scotland?

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

Richard Lochhead: Both members who have spoken have mentioned the importance of education. Marie McNair is right to highlight the benefit of free higher education in Scotland. Analysis of data from the Student Awards Agency shows that around 740,000 students have benefited from free tuition on higher education courses between 2007-08 and 2024-25.

Our policy on free tuition ensures that access to education is based, as we have said many times before, on the ability to learn and not on the ability to pay. It plays a key role in supporting access to higher education and supporting our young people to achieve positive destinations with their lives.

Liz Smith (Mid Scotland and Fife) (Con): It is very good to see, in table 9.01 of the Scottish budget, a little extra money for employability schemes, which was a recommendation from Sandy Begbie in relation to Developing the Young Workforce. However, the enterprise, trade and investment budget—which is crucial to enabling employers to take on young people—has been squeezed, this time from £420 million down to £398 million. Why is that?

Richard Lochhead: There is a whole range of budgets in the budget that was announced yesterday in Parliament. There was substantial additional support and investment for colleges, for instance. We have to look at yesterday's budget in the round, in terms of support for employers as well as the £90 million employability budget, which the member referred to. It is an ambitious budget

that will make a real difference to supporting our young people.

A96 Dualling (Economic Impact)

8. Fergus Ewing (Inverness and Nairn) (Ind): Presiding Officer, may I offer a humble, sincere and unqualified apology for not being present at the beginning of these proceedings. I have got that over with.

To ask the Scottish Government what discussions the economy secretary has had with ministerial colleagues regarding the potential economic impact of fully dualling the A96, in order to provide faster and safer transport links between the two key economic areas of north east Scotland and the Highlands, and to support the significant number of renewable energy sector jobs that it and Highlands and Islands Enterprise anticipate will be generated in the coming decades. (S6O-05362)

The Deputy First Minister and Cabinet Secretary for Economy and Gaelic (Kate Forbes): We fully recognise the crucial role that transport infrastructure, particularly the A96, plays in supporting sustainable economic growth. Connectivity underpins so much of our economic growth and expansion. The Government's current position on the A96, has not changed. It is still in support of full dualling of the A96 and it is currently progressing the dualling process from Inverness to Nairn, including the Nairn bypass.

Fergus Ewing: Does the Deputy First Minister therefore share my disappointment that the Nairn bypass and the section of the A96 that the Scottish Government has been committed to dualling since 2011 is not included in the league 1 list of development projects but is only in league 2—which means that there is no money for the Nairn bypass this decade? I asked the Cabinet Secretary for Finance and Local Government about that yesterday, and she gave an extensively equivocal answer. Does the Deputy First Minister agree that that failure is completely at odds with what she has just said about the centrality of decent transport links to achieving the Scottish Government's economic ambitions?

Kate Forbes: It is important to state that work has begun: the statutory procedures have been completed, the land is acquired and funding is included in next year's draft budget to commence the delivery of advance works for the scheme. In parallel to those advance works, Transport Scotland is continuing to look at the most suitable procurement option for delivering the scheme.

On the status in the infrastructure investment plan, investment in the trunk road network over the next four years, which has been confirmed, will

allow us to make further progress on dualling the A96, including the Nairn bypass.

It is important that the Government is able to follow up with Mr Ewing in setting that out clearly, so that he has the information that he is looking for.

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

Finance and Local Government

Pension Contributions (West of Scotland Local Authorities)

1. Stuart McMillan (West of Scotland) (SNP): To ask the Scottish Government what discussions it has had with the Convention of Scottish Local Authorities, or Strathclyde Pension Fund directly, regarding the levels of pension contributions requested from west of Scotland local authorities for the financial year 2026-27. (S6O-05363)

The Minister for Public Finance (Ivan McKee): The Scottish Government has not discussed employer contribution rates in the local government pension scheme with COSLA or Strathclyde Pension Fund. Rates are a matter for the administering authorities and are certified by their actuaries at each fund valuation.

Following the 2023 valuation, SPF informed its local authorities of a three-year package of rates that would be payable from 2024-25. The rate for 2024-25 and 2025-26 was a significantly reduced 6.5 per cent of pensionable payroll, with a rate of 17.5 per cent applying in 2026-27. Rates certified following the 2026 valuation will apply from April 2027.

Stuart McMillan: The minister will be aware that Strathclyde Pension Fund has a working target to ensure that it is 100 per cent funded over the average future working lifetime of its active membership. The fund is estimated as being 174 per cent funded at March last year. Will the minister clarify whether there is a procedure to allow councillors to release excess funds while not affecting the pension fund's ability to meet its targets, as that money in the local government system could be better used at this time to allow councillors to invest in local opportunities?

Ivan McKee: I understand that the pension scheme regulations allow for a revision of contribution rates after they have been set but that that would require a change to the administering authority's funding strategy statement. It would be for the Strathclyde Pension Fund committee to decide whether that would be desirable and achievable.

The strong funding position of the local government pension scheme as a whole might provide a good opportunity to support the growth of Scotland's economy. In our programme for government, we committed to engaging with the LGPS to explore investment possibilities, and that work remains on-going.

A720 Sheriffhall Roundabout (Grade Separation)

2. Miles Briggs (Lothian) (Con): I will take a deep breath before I ask this question.

To ask the Scottish Government, as part of the cross-Government co-ordination of infrastructure, what discussions the finance secretary has had with ministerial colleagues on when a decision will be made on the design and construction of a new grade-separated junction on the A720 Edinburgh city bypass at Sheriffhall, including what cost revisions have been undertaken. (S6O-05364)

The Cabinet Secretary for Finance and Local Government (Shona Robison): The Scottish Government continues to support the promotion of improvements to the Sheriffhall roundabout as part of its £300 million commitment to the Edinburgh and south-east Scotland city region deal. I regularly discuss the Scottish Government's infrastructure and spending plans with ministerial colleagues to ensure that they are aligned. The latest discussions have focused on the spending review and development of the recently published infrastructure delivery pipeline, which includes Sheriffhall. As is the case for all other road infrastructure projects, the cost estimate for Sheriffhall will be updated once the statutory process has been completed and in advance of procurement.

Miles Briggs: The cabinet secretary states that the Government is committed to the project. However, I have been seeking updates from several ministers on what the cost revisions will look like and when motorists across Edinburgh, the Lothians and south-east Scotland will finally see this critical transport project start.

Funding was secured as part of the city region deal almost a decade ago. To date, Scottish ministers have spent almost £6 million, but only on consultation. Given that the Scottish budget that was announced yesterday contains £860 million of cuts to capital spending from plans that she outlined just six months ago, what assurance can the cabinet secretary give that resources will be made available to deliver the Sheriffhall project and that a decision will be taken before the elections in May?

Shona Robison: First, the availability of capital funding is dictated, by and large, by the capital funding that we receive from the United Kingdom

Government, and that funding is, unfortunately, due to decline.

However, let me say a couple of helpful things to Miles Briggs. I assure him that the Scottish Government remains absolutely committed to the city region deal, which includes up to £120 million for the grade separation at Sheriffhall roundabout. As I said, that project is also included in the infrastructure delivery pipeline. I assure him that the financial risk relating to costs over and above that figure lies entirely with the Scottish ministers and not with city region deal partners. I also assure him that the Scottish spending review includes funding to continue to make progress in delivering improvements to the Sheriffhall roundabout.

Finally, on the timeframe, the construction of the proposed scheme can commence only if it is approved under the relevant statutory authorisation process. Thereafter, a timetable for the scheme's progress can be set. I am sure that the Minister for Public Finance will take an active interest in that matter with the Cabinet Secretary for Transport.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I, too, have a vested interest in the Sheriffhall roundabout, because the A7, from my constituency, ends up there. I hear what the Cabinet Secretary for Finance and Local Government has said, and I heard what the Cabinet Secretary for Transport said on 1 December last year. However, I am still waiting and, like Miles Briggs, I will be keeping my eye on the timetables.

Will the finance secretary convey to the transport secretary that, in the interim, a partial solution could be achieved? As cars approach the Sheriffhall roundabout from the A7, the road becomes two lanes only as they get to the roundabout, so cars bump up on to what we might call the hard shoulder or rough ground in order to make a second lane. Therefore, something could be done. Currently, only three cars can get through if they are travelling west or going straight on. Doing that at the moment would ease pressure. Has Transport Scotland ever considered that? If not, will it?

Shona Robison: I am not aware of whether Transport Scotland has considered that specific option, but the Cabinet Secretary for Transport is in the chamber, and I am sure that she has heard what Christine Grahame has said and will follow up with her directly.

Budget 2026-27 (Prostitution Support and Exit Services)

3. Ash Regan (Edinburgh Eastern) (Ind): To ask the Scottish Government whether it will

consider allocating ring-fenced funding to local authorities in the 2026-27 budget to ensure consistent provision of prostitution support and exit services across Scotland, in line with the joint Scottish Government and Convention of Scottish Local Authorities equally safe commitment to tackling commercial sexual exploitation. (S6O-05365)

The Cabinet Secretary for Finance and Local Government (Shona Robison): In addition to the funding that we have provided to improve support to those with experience of commercial sexual exploitation through the delivering equally safe and victim-centred approach funds, we announced in yesterday's budget that we will provide a further £400,000 of funding, which will support the implementation of our strategic approach to challenging demand for prostitution and improving support for those with experience of it.

Ash Regan: I look forward to seeing the details of that additional funding.

Current funding is very fragmented and it does not align with Scotland's international human rights obligations, the Government's stated aim to eradicate male violence against women or the Government's and COSLA's equally safe strategy, which recognises prostitution as a form of violence. The costs relating to violence against people in prostitution are continuing to escalate, and a tiny fraction of that money could be used instead as a proactive investment to deliver preventative, trauma-informed support and exit services.

Will the Scottish Government finally meet its obligations to reduce the sex trade market through criminalising sex buyers? Will it properly fund the support and exit recovery services that exploited women and children across Scotland need?

Shona Robison: As Ash Regan knows, the Minister for Victims and Community Safety outlined the Scottish Government's position on the Prostitution (Offences and Support) (Scotland) Bill to the Criminal Justice Committee in November. Although the Government strongly supports the principle of legislating to criminalise those who purchase sex, we retain a neutral stance on the bill. A number of stakeholders have voiced concerns about the safety of women, and it is of paramount importance that legislation that is laid before the Parliament be safe for women involved in and exiting prostitution.

The funding that I have announced will further support the implementation of the strategic approach, which will build on the work that we began with Police Scotland last year. That involves developing local networks between justice and wider mainstream and specialist services in order to ensure that women can be

signposted to local support. That funding will help to pave the way for a wider pathway of support for women with experience of commercial sexual exploitation.

Employer National Insurance Contributions (Cost to Local Government)

4. Kevin Stewart (Aberdeen Central) (SNP): To ask the Scottish Government how much the United Kingdom Government's increase in employer national insurance contributions has cost local government in Scotland. (S6O-05366)

The Cabinet Secretary for Finance and Local Government (Shona Robison): The Scottish Government has published an estimate, provided by the Convention of Scottish Local Authorities, of a £240 million increase for local authorities in Scotland in the 2025–26 financial year, following the UK Government's hike in employer national insurance contributions.

Kevin Stewart: That £240 million could have been invested in public services. For example, it could have given Scottish National Party-controlled Aberdeen City Council the ability to increase its anti-poverty fund or allowed Tory-controlled Aberdeenshire Council to reverse its daft decision to stop supplying grit bins. Is the Scottish Government still pursuing and pushing the Labour UK Government to fund those ENIC rises for public services in full?

Shona Robison: I assure Kevin Stewart that we continue to pursue the UK Government on its approach to the cost of ENICs. As I have said many times in the chamber, there is a £400 million-a-year gap between the funding that has been provided and what is needed to meet the cost of the increase in employer national insurance contributions. I have regularly raised the issue with the Chief Secretary to the Treasury and will continue to do so.

Craig Hoy (South Scotland) (Con): Last year's national insurance hike showed Labour's utter disregard for jobs and economic growth. The cabinet secretary was right to say that it has negatively impacted the public sector as well as the private sector.

However, as councils grapple with those costs, yesterday's Scottish budget and spending review dealt them another blow. Today, the Institute for Fiscal Studies has said that the finance and local government portfolio uplift is only 0.3 per cent, which is far less than the 2 per cent that was claimed by Shona Robison yesterday. In future years, the local government portfolio will suffer annual real-terms cuts of 2.1 per cent. How are councils meant to meet those increased costs and deliver front-line services when this Government is intent on slashing their budgets?

Shona Robison: Local government's budget would be slashed if £1 billion was taken out of public services, which is what the Tories have advocated. They cannot come here to ask for more money for local government if they would take £1 billion out of public services. That is a ridiculous position to take.

On the local government funding position, the budget provides a further real-terms increase in the local government settlement by delivering record funding of £15.7 billion, which includes a quarter of a billion pounds of unrestricted general revenue grant. The overall settlement is to increase by £650.9 million, which is a cash increase of 4.3 per cent, or 2 per cent in real terms, compared with the 2025-26 budget. That is the amount by which the local government settlement is estimated to increase by the 2026–27 spring budget revision. Craig Hoy should go away and read the document properly.

Non-domestic Rates Revaluation (Business Support)

5. Murdo Fraser (Mid Scotland and Fife) (Con): To ask the Scottish Government what action it is taking to assist businesses that have seen a significant proposed increase in rateable value as a result of the current revaluation for non-domestic rates. (S6O-05367)

The Minister for Public Finance (Ivan McKee): Valuations are carried out by independent assessors. The average increase as a consequence of those valuations across businesses was 12.2 per cent over a three-year period. We recognise that, although some ratepayers will see their rateable values fall, a number will see significant increases, and we have met assessors and businesses to address those concerns.

That is why the draft budget set out our plans to lower the basic, intermediate and higher property rates for 2026-27 and to provide transitional relief schemes that are worth more than £320 million to deliver support to businesses that need it.

Murdo Fraser: The reaction from business to that aspect of yesterday's budget has been absolutely furious. The Campaign for Real Ale, the Night Time Industries Association and UKHospitality have all said that the reliefs that were announced yesterday will go nowhere close to meeting the extra costs that businesses will face as a result of the revaluation. What more will the Government do, or will it just sit there complacently and watch while businesses fail?

Ivan McKee: I have indicated what we are doing. We have £320 million in transitional reliefs and a total of £860 million in reliefs for businesses across the piece. I recognise that some parts of

some sectors have specific challenges, and we continue to engage with those businesses and meet assessors to address those challenges where necessary.

However, to take a step back and consider the numbers, the estimated revenues from NDRs next year will be 6 per cent lower in real terms than pre-Covid. That is a consequence of the steps that we have taken over that period to reduce the overall rates bill for businesses. As I said, the average increase across the three-year period was only just over 12 per cent.

Liam McArthur (Orkney Islands) (LD): Having lobbied the Minister for Public Finance over many months to maintain the 100 per cent rates relief for island-based hospitality and retail businesses, I welcome the confirmation yesterday of an extension to that provision in the budget. However, as my colleague Jamie Greene highlighted yesterday, further targeted support is still needed.

The Association of Scotland's Self-Caterers has voiced serious concerns about the 2026 valuation model. In my constituency, a local operator has reported a 270 per cent increase in its rateable value. The minister will understand that the situation is unsustainable and that, without further intervention, many small businesses will face a cliff edge. Will he commit to engaging with the sector to put final protections in place?

Ivan McKee: As I indicated, the average increase across the three-year period was just over 12 per cent. However, I recognise that there are specific examples of businesses that have, for various reasons, experienced significant increases. We continue to engage with assessors and the business sectors that are most affected to find solutions. As I said, we have put more than £320 million into the reliefs package to support businesses that are impacted by the increases.

Business Rate Discount (Retail, Hospitality and Leisure Premises)

6. Roz McCall (Mid Scotland and Fife) (Con): To ask the Scottish Government whether it will provide an update on the request from the Scottish Retail Consortium, Go Forth Stirling BID, and other business improvement districts for Scotland to follow England and introduce a permanent business rate discount for all retail, hospitality and leisure premises. (S6O-05368)

The Minister for Public Finance (Ivan McKee): As I indicated earlier, the draft budget ensures that the revenues that will be raised from non-domestic rates in 2026-27 will be 6 per cent lower in real terms than pre-Covid. That is an indication of the steps that we have taken to reduce the impact of the rates bill on businesses. About half of the properties in the retail, hospitality

and leisure sector continue to be eligible for the 100 per cent small business bonus relief. A further 37,000 properties in the retail, hospitality and leisure sector that have a rateable value up to and including £100,000 could benefit from the new 15 per cent relief and the relief for islands. The budget guarantees that support for the full three years of the revaluation.

Roz McCall: Prior to the budget yesterday, five of Scotland's largest business improvement districts, including the Stirling BID in my region, warned that England's new permanent 10 per cent business rates discount will make Scotland

"a materially more expensive place"

to do business, putting at risk sectors that employ 457,000 Scots. The minister may well laud the meagre measures that are in the budget to support business, but, as the Campaign for Real Ale stated,

"Transitional reliefs may sound good but if this Budget still means higher business rates bills than pubs are paying now then this will be the straw that breaks the camel's back for many hard-pressed licensees."

On this Government's watch, the current system is becoming an existential threat to our town centres, from all avenues. Where is the creative thinking? Will the Government agree to freeze non-domestic rates so that we can consider guidelines for the review and bring forward a joined-up approach to fair business taxation?

Ivan McKee: Just to be clear on the facts, Roz McCall mentioned 10 per cent relief, but we have 15 per cent relief for retail, hospitality and leisure businesses. As I have already said, we are putting £320 million into transitional reliefs for the three-year period and we are putting £860 million in total into reliefs. We can listen to the commentary from businesses and business organisations. Scottish Chambers of Commerce has said that

"businesses can take heart from today's Holyrood Budget, which offered firms immediate relief from rising cost pressures."

It also welcomed

"measures such as NDR relief".

Those are words from business organisations that answer Roz McCall's point and Murdo Fraser's earlier commentary.

We are very much focusing on working with businesses and business sectors to put in place steps to address some of the increases. Taking into account the reliefs package that we have put in place, that work is absolutely recognised across the piece as being a significant step by the Scottish Government.

The Deputy Presiding Officer: Humza Yousaf joins us remotely for question 7.

Budget 2026-27 (International Development)

7. Humza Yousaf (Glasgow) (SNP): To ask the Scottish Government how much it has allocated in the proposed Scottish budget to support its international development efforts. (S6O-05369)

The Cabinet Secretary for Finance and Local Government (Shona Robison): Twenty years on from the start of our international development programme, the Scottish Government remains committed to that work.

In the draft Scottish budget for 2026-27, which we published yesterday, we set out that

“At a time when others are stepping back from commitments to the world’s poorest and most vulnerable, support for Scotland’s International Development Fund and the Humanitarian Emergency Fund will grow to £16 million in 2026-27.”

We have also restated our on-going commitment to climate justice, with more than £12 million allocated in next year’s budget to support vulnerable communities in the global south, particularly women and young people.

Humza Yousaf: I was pleased to see in yesterday’s budget the significant increase in the Scottish Government’s international development fund, which the cabinet secretary mentioned. I was, however, disappointed—although not altogether surprised—to hear voices of opposition, particularly from the Tory front bench, to helping the world’s most vulnerable, such as those in Malawi.

Does the cabinet secretary agree that, in a world that is riddled with conflict, poverty and climate-related disaster, investment in the world’s poorest speaks to a nation’s character, values and even morality? If so, will she reassure me that she and other ministers will use their offices to urge the United Kingdom Government to reverse its disastrous decision—to cut overseas aid worth billions of pounds—which is directly harming the poorest in the global south?

Shona Robison: I absolutely agree with Humza Yousaf. The Scottish Government’s continued support for international development and climate justice is an important way that Scotland demonstrates good global citizenship.

It is about our core values. At a time when so much is happening in the world, the support for international organisations’ work on the ground to help communities to help themselves is really important. There was a time in this Parliament when that was a unanimous position; it saddens me that some people have stepped back from our global requirements and obligations.

The First Minister wrote to the UK Foreign Secretary on 14 December, raising his profound concerns about UK Government aid cuts from 0.5

per cent to 0.3 per cent of gross national income by 2027-28. He asked the Foreign Secretary to reconsider the reported proposed cuts to Malawi, which has been one of the Scottish Government’s partner countries since 2005. We continue to advocate on the issue to the UK Government.

Alexander Stewart (Mid Scotland and Fife) (Con): The extra millions for external development, which were announced in the budget, have been allocated at the detriment of many local projects across my region. I ask the cabinet secretary to justify cutting funding streams for those vital projects, which are lifelines to many of my communities, in favour of grandstanding on overseas projects.

Shona Robison: As I said earlier, that speaks volumes, does it not? Alexander Stewart does not seem particularly bothered about the impact on local services and projects of the £1 billion of unfunded tax cuts that the Tories have provided—*[Interruption.]*

The Deputy Presiding Officer: Members!

Shona Robison: Imagine the impact on local projects from £1 billion of unfunded and unaffordable tax cuts—

The Deputy Presiding Officer: Always speak through the chair, cabinet secretary—

Shona Robison: You should reflect on that before coming to the chamber—*[Interruption.]*

The Deputy Presiding Officer: Members!

Shona Robison: —and criticising this Government’s decisions.

The Deputy Presiding Officer: All the shouting means that nobody can hear a word that anybody is saying, so, apart from anything else, it is not a very productive way to proceed.

PFI and PPP Payment Obligations (Local Authorities)

8. Clare Adamson (Motherwell and Wishaw) (SNP): To ask the Scottish Government what support it provides to local authorities, including North Lanarkshire Council, that face significant annual private finance initiative and public private partnership payment obligations, which are estimated to amount to approximately £26.6 million per year. (S6O-05370)

The Cabinet Secretary for Finance and Local Government (Shona Robison): The Scottish Government, by way of the annual local government settlement, provides funding in support to local authorities for payments relating to their PFI or PPP contracts.

We were, of course, able to replace the United Kingdom’s costly PFI with a more cost-effective

alternative, which has enabled us to build hundreds of new schools and substantively upgrade hundreds of others.

Clare Adamson: The PFI legacy contracts that were agreed under previous Labour and Conservative Governments still cost Scotland more than £1 billion per year. One project in my area, which had an estimated value of £150 million, is now expected to cost £764 million.

Will the cabinet secretary give assurances that the Scottish Government will resist a return to PFI-style models, particularly in the light of reports that the UK Labour Government, under Rachel Reeves, may be considering similar schemes again?

Shona Robison: As I said, we are committed to ensuring that PFI contractual obligations are delivered and that contracts are as affordable as they can be. That is why we asked the Scottish Futures Trust to support public bodies in optimising value for money from those contracts, including the provision of expert advice to contract managers where appropriate, and that has been quite successful.

As Clare Adamson said, PFI legacies have placed a huge burden on councils. That is why, in the 2026-27 budget, we provided local government with a further real-terms increase and record funding. It is also why we have delivered a more cost-effective, alternative model; going forward, we will look at using that model, rather than the expensive PFI contracts of the past.

Mark Griffin (Central Scotland) (Lab): The Scottish Fiscal Commission has modelled that local government will receive a real-terms budget cut of almost £500 million between 2025-26 and 2028-29. What analysis has been done on the impact of that cut on the budget of North Lanarkshire Council and of councils across the rest of Scotland?

Shona Robison: I will, again, be clear that we estimate that, by the conclusion of the 2026-27 spring budget revision, the local government settlement will have increased by at least £650 million in comparison with the 2025-26 budget, because of the in-year transfers. That is what members should look at. The spending ability of local government has seen a real-terms increase for the second year running. Those are the facts, as set out to the Convention of Scottish Local Authorities over the course of yesterday and today.

The Deputy Presiding Officer: That concludes portfolio questions on finance and local government.

Points of Order

14:52

Fergus Ewing (Inverness and Nairn) (Ind): On a point of order, Presiding Officer. I seek your guidance in raising a matter that came to my attention around a quarter to 2. Journalists have advised that the Scottish Government representative admitted to them that significant errors were made in the course of yesterday's budget statement and in the associated documents.

The error was that, in the course of her remarks, the finance secretary said:

"We will take forward the dualling of key sections of the A96".—[*Official Report*, 13 January 2026; c 17.]

However, the wording of the commitment should have been, "We will take forward the dualling of the whole of the A96." The mistake is compounded by annex B of an associated document, the "Infrastructure Delivery Pipeline", making no reference to the whole of the A96, only to

"A96 Dualling Inverness to Nairn (including Nairn Bypass)".

I sought to bring the issue to the Presiding Officer's attention shortly before today's plenary meeting in order to give notice of this point of order. I seek guidance, under chapters 13 and 14 of the standing orders, on whether the cabinet secretary—given that she is present—can personally make a correction to what appears to have been a series of, if I may say so, schoolboy howlers, despite the fact that Transport Scotland, Government officials and ministers should have been all over the detail of that vital document. Will she issue a correction now, correct the *Official Report* and take whatever action is required to correct the Government's official document?

Lastly, I apologise to everyone, not least the readers of *The Press and Journal*, which, quite rightly, as the "voice of the north", reported that the Government is no longer committed to fully dualling the A96. In raising this clarification, I might, perhaps unusually, be doing the Government a favour.

The Deputy Presiding Officer (Annabelle Ewing): That is obviously not a point of order, but your contribution is noted, Mr Ewing. Members will of course be aware of the various ways in which the record can be corrected. As far as Scottish Government ministers are concerned, that has to be done as soon as practicable after becoming aware of the relevant question.

In response to Mr Ewing's point about the cabinet secretary's presence in the chamber, I note that the cabinet secretary has pressed her

request-to-speak button to seek to raise a point of order, but that was after another member pressed their button to seek to raise a point of order. I therefore first call Douglas Ross.

Douglas Ross (Highlands and Islands) (Con): Fastest finger first, it seems, Presiding Officer.

This is an extremely important issue, and I am pleased to be able raise my point of order before the cabinet secretary, who I see is ready to read out a pre-prepared script.

This has been a monumental failure by the Government. The pledge and commitment are ones that it has apparently held for a decade and a half, and we are supposed to believe that nobody noticed—not a single person realised—that the Government had omitted to include the dualling of the A96 in its budget document.

Worse still are the words that were used by the cabinet secretary in the budget statement yesterday—a statement prepared and read out exactly by the cabinet secretary. Are we supposed to believe, and will the cabinet secretary confirm in responding to these points of order, that despite having read and practised her statement a number of times, not a single MSP, special adviser or minister said to her, “Hold on, cabinet secretary, you are changing our pledge to dual the whole road by saying that you will dual only key parts of it”?

Can the cabinet secretary also confirm which ministers have failed most here? Is it the Cabinet Secretary for Finance and Local Government herself, given that the supporting documents come out in her name? Is it the Cabinet Secretary for Transport, who is sitting next to her and who did not look at the elements of the statement that related to her brief, or does it go right up to the First Minister, as we know that the budget was his budget? They have all failed, and they have let down the north-east. Had it not been for today's front page of *The Press and Journal*, we might still be in the dark.

The Deputy Presiding Officer: I thank Mr Ross for his contribution. That, too, is not a point of order. I have nothing to add to my response to Mr Ewing.

I now call the Cabinet Secretary for Finance and Local Government, Shona Robison, to make a point of order.

The Cabinet Secretary for Finance and Local Government (Shona Robison): Thank you, Deputy Presiding Officer. I thank Fergus Ewing for the opportunity to say that the “Infrastructure Delivery Pipeline” sets out our commitment to dualling the A96. It lists the Inshes to Smithton section and the Inverness to Nairn section, including the Nairn bypass; it should also have

listed the entire A96 corridor, as that is our commitment. That is what ministers agreed when the draft document was sent to them—*[Interruption.]*

The Deputy Presiding Officer: Members!

Shona Robison: That is what ministers agreed when the draft document was sent to them for formal ministerial approval. So, there has been one error, and we are still looking into exactly how it happened. My understanding is that it would appear to be a production error in the document.

I can say absolutely definitively that the document has already been corrected online, and the full A96 is now included. Ministers remain absolutely committed to that project, including the Elgin bypass. I can see from my copy that that has indeed been corrected. I hope that that will reassure members across the chamber.

The Deputy Presiding Officer: I thank the cabinet secretary for her contribution. Again, that was not a point of order, but I would imagine that it has been helpful for those members with an interest in the matter.

I see that there is a further point of order from Douglas Ross.

Douglas Ross: Thank you, Presiding Officer. It is enlightening to see that the process that the Scottish Government goes through is such that that major error was missed by every single minister.

There is a point that the cabinet secretary has not mentioned regarding the words that she used in the chamber yesterday. The words that came out of her mouth when she was delivering her statement were that

“key sections of the A96”—*[Official Report, 13 January 2026; c 17.]*

would be dualled. Is she now saying that she was wrong to say that? What measures will she take to correct the *Official Report*? As Fergus Ewing says, that must be done at the earliest opportunity, and it was earlier this afternoon, at 2 o'clock, when the Government admitted its mistake.

The Deputy Presiding Officer: I thank Mr Ross for his further contribution, which, again, is not a point of order. The cabinet secretary is present in the chamber and has obviously heard what Mr Ross has had to say, which will be in the *Official Report*. I therefore now plan to move on to the next item of business, as I have nothing further to add on the matter as chair of these proceedings.

A9 Dualling (Programme for 2035 Completion)

The Deputy Presiding Officer (Liam McArthur): The next item of business is a statement by Fiona Hyslop on the A9 dualling programme for 2035 completion. The cabinet secretary will take questions at the end of her statement; therefore, there should be no interventions or interruptions.

15:00

The Cabinet Secretary for Transport (Fiona Hyslop): The A9 is a vital element of our national infrastructure that connects the communities of the Highlands and Islands with central Scotland and supports their economic and social wellbeing. Dualling the A9 between Perth and Inverness will improve the safety, reliability and resilience of the route, and this Government has been consistent in its commitment to completing that vital work.

In support of that commitment, in December 2023, the Government announced its delivery plan for the completion of the A9 dualling programme by the end of 2035. That plan involved the procurement of four design and build contracts and, subject to further decision making in late 2025, the procurement of two mutual investment model contracts.

As the Government indicated yesterday in the budget and spending review statement, the programme will be delivered using capital-funded contracts instead of mutual investment model contracts, and it will still achieve dualling of the A9 between Perth and Inverness by 2035.

I am pleased to provide an update for the Parliament on the A9 dualling programme and further detail on the decision making and on how that decision affects our delivery plan for the completion of this vital programme of work.

The 2023 delivery plan set target dates for progress of the dualling programme. So far, the Government has met all those targets dates, and construction is under way on the third and fourth sections of the programme—Tomatin to Moy and Tay crossing to Ballinluig—which, together, will provide approximately 11 miles of dualling. Procurement of the fifth section, Pitlochry to Killiecrankie, commenced in July this year, and we are on track to award that contract in autumn 2026. That will bring another four miles of the programme into construction. The Government has also made significant progress with statutory processes. Since December 2023, we have published draft orders for one project, made orders for a further three projects and completed land acquisition for six projects.

The 2023 delivery plan anticipated the use of two mutual investment model contracts to achieve completion of the dualling programme. The Government indicated at the time that that would be subject to further decision making in late 2025, to take account of updated assessments of expected market conditions. Extensive work to inform that decision making was undertaken throughout 2025. Our updated business case confirmed that the rationale for completing the dualling programme remains strong and that it is considered to provide value for money. Our market consultation indicated a strong appetite among European contractors for involvement in the delivery of MIM contracts and an appetite among domestic contractors for involvement in the delivery of capital-funded contracts.

Our updated financial modelling indicates that the cost of MIM contracts is now around 28 per cent higher than the cost of equivalent capital-funded contracts—an increase from the 16 per cent difference estimated in 2023. The increased difference is primarily linked to the fact that the expected costs of borrowing for each MIM contract are now around 2 per cent higher per annum, which reflects macroeconomic factors impacting on borrowing costs.

It was concluded that using MIM contracts for the A9 dualling programme would provide poorer commercial value for money than would be provided by capital-funded contracts. Therefore, the Government will progress the A9 dualling programme to completion using capital-funded contracts. That important decision demonstrates the strength of the Government's commitment to meeting its target of completing the A9 dualling programme by the end of 2035.

The decision not to use MIM contracts has implications for how completion of the A9 dualling programme by 2035 will be achieved. The 2026 delivery plan continues to balance factors including industry's capacity to deliver and the need to minimise disruption to road users. It also takes into account the likely need for a public local inquiry for the Pass of Birnam to Tay crossing project. It brings forward the start of works for the Dalraddy to Slochd section in the north, providing earlier completion of the new grade-separated junctions that serve Aviemore and Carrbridge. It facilitates the earlier completion of a section of dualling that includes the new grade-separated junction at Dalnaspidal as part of a combined Glen Garry to Crubenmore contract, rather than as a stand-alone advance works contract.

The 2026 delivery plan is based on establishing a framework agreement that will streamline the procurement process and provide a pipeline of work, as the market has requested. We will continue to engage with the construction industry

on the A9 dualling programme, including with the Civil Engineering Contractors Association, which has welcomed the use of capital-funded contracts.

Next week, in support of that aim, Transport Scotland will launch a further market consultation with interested parties on the design of the framework agreement. That consultation will inform procurement of the framework agreement, which is planned to commence in spring this year, with appointments being confirmed by the end of the year.

Once it is in place, the framework will be used to procure five contracts for completion of the six projects that are yet to commence procurement. Full details of the target dates for each contract to be procured are set out in the 2026 delivery plan, which has been published today on both Transport Scotland's website and the dedicated A9 dualling website.

The 2026 delivery plan maintains the target of having dualling operational between Perth and Inverness by the end of 2035. With continuous construction activity taking place across the corridor, dualling will continue to be brought into operation on a phased basis, with 50 per cent of the route between Perth and Inverness operating as dual carriageway by the end of 2030; 67 per cent by the end of 2032; 91 per cent by the end of 2034; and 100 per cent by the end of 2035.

Today's confirmation of the procurement and funding route for the remaining sections of the A9 dualling programme provides further reassurance for communities and businesses throughout the corridor on the timelines for construction of those projects.

I can also confirm that the updated cost estimate for the programme is now £3.97 billion at April 2025 prices. When adjusted for inflation, that is equivalent to £2.5 billion at April 2008 prices, which remains well within the original cost estimate of £3 billion at 2008 prices. This Government remains committed to providing the necessary funding in support of the estimated costs in order to deliver the dualling programme on track in 2035.

I will briefly cover three related matters. First, the Government has been progressing work to secure planning consent for the proposed active travel route between Aviemore and Carrbridge. Subject to obtaining the planning consent and completing land acquisition, those works will be included within the now earlier Dalraddy to Slochd section.

Secondly, Transport Scotland will continue to investigate the potential introduction of temporary traffic signals at the A923 Dunkeld junction and an associated reduced speed limit. Assuming that those proposals are confirmed, our target is to

deliver those improvements during the 2026-27 financial year.

Thirdly, we will continue to prioritise road safety along the corridor. In 2025, we completed a £5.2 million package of short-term measures. We continue to work in partnership with Police Scotland and our wider road safety partners to respond, where appropriate, to any safety concerns on the route through our established processes, including the A9 safety group.

The 2023 delivery plan provided certainty on the target dates for key early milestones, as well as allowing for a further decision-making process to be completed in late 2025. That decision-making process has led to the 2026 delivery plan that I am announcing today, which provides further detail and certainty on the target dates for key milestones for the remainder of the dualling programme.

The Government is fully aware that much work remains to be done to deliver this vital major infrastructure programme, and we are relying on the contracting industry to work collaboratively with us to achieve that outcome. The Government has made it clear that completion of the A9 dualling programme by the end of 2035 is an absolute priority, and we have now set out clearly how we intend to achieve that goal.

I hope that today's update further reassures the communities that are served by the A9 that there is a clear, robust plan for dualling the A9 between Perth and Inverness by the end of 2035. The visible work that we can all see on the route will continue to ramp up, and I want to take the opportunity to thank all road users for their patience while we undertake this vital work to upgrade Scotland's arterial route, which will support the Highlands and benefit all of Scotland.

The Deputy Presiding Officer: The cabinet secretary will now take questions on the issues raised in her statement. I intend to allow around 20 minutes, after which we will need to move on to the next item of business. As ever, I would be grateful if members who wish to ask a question could press their request-to-speak buttons.

Sue Webber (Lothian) (Con): I thank the cabinet secretary for advance sight of her statement. The dualling of the A9 was meant to be completed last year, but thanks to Scottish National Party incompetence, the can has been kicked down the undualled road to 2035 and taxpayers will now have to fork out almost £4 billion as a result of this catastrophic project mismanagement.

As costs soar and progress stalls, more lives are still being lost on this lifeline road. Yesterday, Shona Robison boasted about the additional £200 million to complete the A9 but—to be frank—that

is a drop in the ocean in comparison with what is actually needed.

Laura Hansler, from the A9 dual action group, said that yesterday's announcement amounted to

"keeping a project technically alive while ensuring it never meaningfully progresses."

Echoing the Scottish Conservatives' proposals, the Scottish Chambers of Commerce said that

"dualling ... must be accelerated, with clear routes for private capital to support."

Nothing in the statement today addresses either of those statements. How can anyone believe a word that the cabinet secretary says, when her party has, time and again, broken its promise on dualling this key road?

Fiona Hyslop: I think that Sue Webber has selective memory when it comes to the financial constraints on capital projects that her party put on the Parliament and the Government. If she had been listening to the statement, she would have heard that I stated that the project is within the original budget, so the costs are not increasing in the way that she describes.

She implies that somehow the project is stalling. When was the last time Sue Webber actually drove the A9?

Sue Webber: Oh my goodness!

Fiona Hyslop: If she did, she would see the groundwork that is happening from Tomatin to Moy. How can the project be stalling when those works are happening at the north and the south ends of the A9 as we speak?

As she will know—[*Interruption.*]

Undoubtedly she has driven the A9 recently, which makes me wonder why she asked the question.

With regard to the budget, the cabinet secretary, in her comments yesterday, referred to the one-year budget and the investment there. I refer the member to the budget items at levels 2 and 3—she can find them in the budget documents and in the spending review; that is where the funding is.

We have said clearly that when we get to the latter sections of the A9 in particular, the work will be funded by revenue transferred to capital. The full funding of the requirements for the 2035 completion has been set out; we have identified how we are going to fund that and we have set out the programme. That is very certain indeed, and I refer the member to the new plan so that she can have a look at the budget figures and identify that we have delivered and are delivering.

The project has construction work happening now, and I encourage all members, if they want to

have confidence that it is happening, to go and see the work on the A9.

The Deputy Presiding Officer: I can confirm that there is a lot of interest in asking questions, and we will get through all those questions only if members ask their questions and then listen to the responses.

Daniel Johnson (Edinburgh Southern) (Lab): I thank the cabinet secretary for advance sight of her statement. The SNP first committed to dualling the A9 at least as early as 2007—20 years ago. Despite promises to complete the work by last year, however, we are barely a third of the way through. The announcements yesterday and today merely commit to the completion being a decade late.

While today's announcement refers to using capital budgets rather than MIM or other financial models, we know from the Fraser of Allander Institute that capital budgets were cut by £850 million in the budget in the medium-term financial statement. That is a 10 per cent cut, despite exhausting the Scottish reserve and despite receiving more through the block grant.

Can the cabinet secretary confirm, therefore, what impact yesterday's cut will have on the A9 dualling and other transport projects? Can she outline what contingency measures will be put in place so that we can have confidence that the dualling of the A9 will be complete by 2035?

Fiona Hyslop: I refer the member to table 9.01 on page 28 of the spending review. The figures for trunk road network safety adaptation, maintenance and improvement are contained in the spending review, as is the next one-year budget for 2026-27. The review covers a number of years, so the figures for the A9 will have both capital and resource funding. The member will see the increase in the budget, which is reflected as we move to the latter stages of the spending review.

I deliberately wrote to the Net Zero, Energy and Transport Committee to advise that I would be making a statement about whether we would be using MIM contracts or capital funded contracts. What I have just announced has been baked in to the budget provision for one year, as well as the comprehensive spending review for future years. That is how it has been organised, which is why I can come to the chamber to deliver the statement that I have just made. I am conscious of time, Presiding Officer.

Emma Roddick (Highlands and Islands) (SNP): I am pleased to hear that we are still on track and, in particular, that the Slochd section will be brought forward. The grade-separated junctions at Aviemore and Carrbridge and the associated active travel route will make a huge difference to practicality and safety. Could the

cabinet secretary provide more detail on the next steps for that section?

Fiona Hyslop: There is an opportunity to bring forward the Dalraddy to Slochd route. We know that there have been safety concerns about a number of junctions on the A9. Work on the three junctions serving Aviemore and Carrbridge will help to improve road safety. That will mean that that section of the road will become the first of the remaining sections to go to procurement. After the framework agreements have been established, the next stage will be to move to develop that area. That will be very welcome, as will the active travel section, which a number of people have been interested in.

Murdo Fraser (Mid Scotland and Fife) (Con): As Sue Webber said, the dualling of the A9 was supposed to have been completed last year. We are already 10 years behind where we should be, and too many lives have been lost in the meantime. I hope that the latest announcement will not turn out to be yet another broken promise from the SNP Government to the people of Perthshire and the Highlands.

In her statement, the cabinet secretary said that there are projects in the north section which have been brought forward. Has that been done at the expense of any projects in the south section? If so, which ones?

Fiona Hyslop: I am sure that the member will have been in the chamber in 2023 when the then cabinet secretary set out the 2023 delivery plan. I reassure him that all the milestones in that delivery plan had been approved. The member is quite right to identify that there has been an adjustment. The Glen Garry to Crubenmore section will go to procurement in 2027, with dualling operational in 2034. That will be a longer period for construction and some of the central sections may take longer. We have to look at what will happen to the Pass of Birnam, depending on the timing and results of any public inquiry, should that happen. The Glen Garry to Crubenmore section will allow us to at least try to get the Dalnaspidal junction into fairly early development. I know that that had been raised previously from a safety point of view.

The remainder of the contracts will be resequenced, but there are benefits within that. I hope that the member can appreciate that we are trying to optimise the remainder of the programme, with completion by 2035.

Kenneth Gibson (Cunninghame North) (SNP): Can the cabinet secretary advise what impact high levels of post-Covid inflation, coupled with years and years of cuts to Scotland's capital allocation by the Tories at Westminster—the architects of the high speed 2 fiasco, who are soon to be outdone by Labour who will cut our

capital allocation to 2023 levels over the next five years—has had on A9 dualling and a host of other capital projects, ranging from new housing to hospitals and harbours?

Fiona Hyslop: The previous Conservative UK Government did not inflation-proof its capital budget. At the time, we forecast that that would have resulted in a nearly 10 per cent real-terms cut in our capital funding over the medium term. We should also remember that the previous UK Government stripped £6 billion out of our budget.

Despite facing significant demands on our capital budget, from inflationary pressures, economic uncertainty, and the energy and cost crises, we are using all the levers that are at our disposal to top up our capital funding through ScotWind. We will continue to prioritise capital funding to eliminate child poverty, grasp the opportunities of net zero, boost economic growth through our infrastructure plans, and maintain services. We can do that only with the funding that is available to us, which has been severely hampered by Westminster Governments.

Rhoda Grant (Highlands and Islands) (Lab): The timeline suggests that about 40 to 50 miles of the A9 could be under construction at the same time, yet the statement makes no mention of contingency for knock-on construction delays or of any mitigation for lengthy delays for road users at that time. It is clear that there are many risks to the project. Will the cabinet secretary therefore support the creation of a parliamentary committee dedicated to the project, as happened with the Queensferry crossing, and will she commit the Scottish Government to a duty of candour, as called for by the Citizen Participation and Public Petitions Committee?

Fiona Hyslop: I am being as open as I can be. I have come to the chamber whenever there is anything to announce.

Having a dedicated committee is a matter not for me, but for the next session of Parliament. However, I have indicated to the current convener of the Net Zero, Energy and Transport Committee that I think that transport would get more attention if the committees were readjusted. The current committee is diligent in its work and has received regular six-monthly updates from Transport Scotland officials. I am also open to being examined by the committee on the provision.

I think that the way in which the programme has been set out has balanced what it means for contractors in terms of the market and how we manage that constant work, which Sue Webber does not seem to understand is happening now. We have to balance the work that is done with the needs of drivers and we have to try to prevent frustrations.

Ms Grant is right to identify the issue that she raises but, if we want the A9 dualled, there will need to be construction work, and our contractors are working very hard to minimise disruptions, as I think that people who travel on the Tomatin to Moy route appreciate already.

The Deputy Presiding Officer: We have about eight minutes left and 10 members who wish to ask questions, so we will need slightly briefer questions and responses.

Rona Mackay (Strathkelvin and Bearsden) (SNP): The dualling of the A9 is a fundamental project to connect Scotland and to ensure that we have the physical infrastructure to meet the needs of the country. Will the cabinet secretary tell us more about how the Scottish Government is enhancing connectivity through infrastructure projects such as that?

Fiona Hyslop: I have limited information before me today, but I will be happy to point Rona Mackay to a number of projects. I am pleased that the comprehensive spending review has funding in it that will help to make improvements at the Rest and Be Thankful on the A83 main artery west, and that, with regard to the road from Inverness, the budget and the spending review contain funding for advance works on the A96 next year, and to progress the work on the Inshes to Smithton route and the Nairn bypass in particular.

Mark Ruskell (Mid Scotland and Fife) (Green): Anyone who has attempted to turn north on to the A9 at Dunkeld will recognise the absolute road safety nightmare that is faced by communities day in, day out. Although I welcome the mention of that junction in the statement, what is proposed falls way short of what the communities have campaigned for over many years. They want a roundabout and permanent speed reduction on the A9. What reassurance can the cabinet secretary give that the improvements that the communities want will be delivered and that we will end up with a safer road rather than just a faster road?

Fiona Hyslop: I recognise those issues, which is why, in my statement, I addressed some of the issues around the A923-A9 junction. There have been local representations about trying to manage them, and we discussed the matter at the most recent meeting of the A9 safety group, in relation to what can be done with our contractors. That is why we are exploring the possibility of implementing a speed reduction, along with, potentially, signalling.

On the idea of a temporary roundabout, I note that there have been a significant number of objections made and concerns raised about that from people in the Pass of Birnam and Dunkeld area. If the issue goes to a public inquiry, as it

might do, it will not be possible for work to proceed on a temporary roundabout.

Willie Rennie (North East Fife) (LD): The minister does not like it, but she needs to be reminded that we are talking about a promise that was supposed to be delivered last year. We are years behind where we should be, and people are suffering as a result.

The minister highlighted the fact that we need to have candour and transparency. In the interests of that transparency, will she set out what is now high on the risk register for the project to dual the A9 up and down its length?

Fiona Hyslop: In terms of the risk factors, some disruptions are outwith the control of contractors. For example, severe weather over lengths of time can cause issues.

We are planning the project as tightly as we can. In my opening remarks, I said that we would have to work with contractors to ensure that we can deliver the project. That has already happened, and I am sure that it will continue to happen.

The framework agreement will provide more certainty, which will be helpful. However, the ongoing risk aspects are something that I and future Governments, as well as future committees of this Parliament, will consider as we progress over the years ahead, towards the delivery date in 2035.

Clare Adamson (Motherwell and Wishaw) (SNP): I thank the cabinet secretary for her statement. I am really interested in the track record of delivering road infrastructure improvements, and I welcome the commitments on both the A9 and A96 that we have heard about this afternoon. Will the cabinet secretary tell us a bit more about the wider plans in Scotland and how those particular roads will help connectivity with the central belt?

Fiona Hyslop: I make the point that the Highlands and the central belt both benefit from the dualling of the A9.

We have already carried out many additional projects. Given Clare Adamson's earlier question about private finance, I point out that we use private finance when appropriate. The Aberdeen western peripheral route and the M8, M73 and M74 motorway improvements all include that element, and the payments for them are identified. We must ensure that we have value for money.

There are limits to our borrowing. If people want us to use additional funding, our borrowing limits would have to be increased. However, we will pursue the A83 works and the Inverness to Nairn section. Obviously, there are constant improvements on the A75 and the A77, but the work on the A75 bypasses is important, as well.

Edward Mountain (Highlands and Islands)

(Con): I agree with the cabinet secretary that there should be a separate transport committee in the Parliament to overlook these projects.

The final section of the A9 to be dualled will be the northern section. Yet again, that means that the Highlands come last. According to the programme, 50 per cent of the dualling will be done in the final five years, but not one bit of the A9 dualling that has been carried out so far was carried out on time. Why should the highlanders believe that you will stick to your timetable? Will you outline the contingency plans should you not reach the deadlines that you have set yourself?

The Deputy Presiding Officer: Speak through the chair.

Fiona Hyslop: Regarding the northern section, Tomatin to Moy is a northern section that is being worked on now. It will be done by the spring of 2028, and the Dalraddy to Slochd section by 2032. That will mean that, on completion by 2032, there will be 38 miles dualled from Inverness to Kincaig.

That information on those 38 miles should reassure Edward Mountain about what is happening in the north. That is one of the significant changes in this work, but, as I mentioned, there will be an area—Glen Garry to Crubenmore—that is due by the end of 2034. I said that we are delivering the first sections on target.

Marie McNair (Clydebank and Milngavie)

(SNP): Given how essential the A9 is to Scotland, it is vital that we improve the safety and reliability of the route for road users across the Highlands and beyond. Will the cabinet secretary provide an update and expand on the recent discussions of the national road safety strategic partnership board and outline the steps that the Scottish Government is taking to drive forward safety improvements across Scotland's trunk road network?

Fiona Hyslop: The statement was specifically about the A9, and the A9 safety group continues to meet. Some of the consequences regarding safety improvements that I mentioned in my statement came from that group.

Any death on any of our roads is regrettable. There was one fatality on the A9 Perth to Inverness section in the operational records that we have—although sometimes those figures can alter—but we need to be constantly vigilant. That is why I put a great deal of emphasis on road safety investment, and £12 million is being spent on delivering casualty-reduction measures and speed reductions on our trunk road network.

Fergus Ewing (Inverness and Nairn) (Ind):

The Tomatin to Moy section was announced in

2021, but it will not be completed until 2028 at the earliest. That is seven years, and there are eight remaining sections. Let us do the maths: if there are similar delays, we are talking about 2075 and not 2035.

When the Tomatin to Moy section was first tendered, it got one offer of £170 million, which was regarded as too expensive, but the outturn figure was £310 million or thereabouts. Does the cabinet secretary agree that there must be an examination of what went wrong and why Transport Scotland failed so abysmally? Will she recognise that there must be an inquiry by Audit Scotland into that scandal of gross abuse and the failure of Transport Scotland to develop terms and conditions that produced competitive bids for the industry, which is a sine qua non—

The Deputy Presiding Officer: Cabinet secretary.

Fiona Hyslop: Competitive bids are what is required. I think that Fergus Ewing is being selective. I know that he likes to dwell on the past—I understand that—[*Interruption.*] We must learn the lessons of that and then move forward. That is what the 2023 delivery plan set out.

I correct the member: the Tomatin to Moy procurement began in September 2023, the contract award was made in 2024 and the dualling operation is due to be complete by spring 2028.

The Deputy Presiding Officer: We will conclude at the 20-minute mark, so I will take the next three questions but they will need to be brief, as will the responses.

Jamie Halcro Johnston (Highlands and Islands) (Con):

Communities living alongside the A9 have endured years of uncertainty about when work will start, which has often impacted on their ability to properly plan for the future. Many are concerned that, when work finally starts, little consideration will have been given to taking into account existing or planned work on major energy infrastructure projects in the area. Does the cabinet secretary recognise those concerns, and will she agree to come to the Highlands and meet my constituents to hear those concerns first hand?

Fiona Hyslop: In relation to the A9 and providing certainty, we are trying to set out for the constituents of Jamie Halcro Johnston—and, indeed, for the constituents of all members across the Highlands—what the work will mean for their area and what will happen locally. Community involvement is essential, and I have been asked by a number of members to look into issues for individual constituents.

The point about energy and planning is important. That is why I, as Cabinet Secretary for Transport, have been encouraging Transport

Scotland to engage, and ensuring that it does so—particularly with our renewables sector in relation to different plans. Jamie Halcro Johnston is perhaps talking about actual delivery, whereas I am talking about transportation requirements, but it is an essential part of our infrastructure planning, and I am very cognisant of what he said.

Jamie Halcro Johnston can write to me to explain what, in particular, he is seeking me to do. I am in regular correspondence about the interests of individual constituents—not least with the First Minister and other members who have constituency interests along the A9.

Douglas Ross (Highlands and Islands) (Con):

I realise that the statement is about the A9, but the cabinet secretary herself has mentioned the A96 in her answers. Given that those two roads are very much linked and that many people who travel up the A9 go on to the A96, if we are supposed to believe the earlier correction to the record that the SNP is still committed to dualling the A96 in full, will the cabinet secretary tell us when that will happen?

Fiona Hyslop: Inshes to Smithton is clearly an important part of the A9 and the connection to the A96. That is where the budget has provided for early advance works to take place, similarly to the Nairn bypass. We will need to look at the procurement method, which would determine which phases of the A9 can be developed and when. However, our commitment to the full dualling of the A96 is unwavering.

In terms of the work and the pressures on the fiscal position, I have set out that, in relation to the Inverness to Nairn aspects, we would expect advance construction early on. Construction work and procurement will certainly take place in the next spending review, and we would see construction of those two parts during the next spending review. At the same time, we will be working on progress improvements eastwards, including on the Elgin bypass. Steps in taking forward an Elgin bypass will include further route development.

Davy Russell (Hamilton, Larkhall and Stonehouse) (Lab): After 18 years, we are now promised that, in nine more years, we will finally have the dualled A9, which will cost between £16 million and £30 million per kilometre. That is 50 per cent more than the going rate—I am telling you that from experience. Are we using golden nuggets or asphalt? Does the Government not see that something is not right? There have been 20 years of delays, and the north-east has been deprived of billions of pounds in economic growth. Countless lives have been lost on a road that is not fit for purpose. The Scottish people deserve better. Will the cabinet secretary explain why costs are far above the going rate?

Fiona Hyslop: Anybody will know—I am sure that Davy Russell will know from his experience—that construction costs and inflation have been particularly problematic over recent years.

I agree with Davy Russell that capital infrastructure is a major driver for economic growth. If he can speak to his Westminster counterparts and the Labour UK Government to ensure that this Parliament and this Government get more capital, we can drive ahead our infrastructure projects. In the meantime, we will use our resources appropriately and deliver, as I have set out in the statement today.

The Deputy Presiding Officer: That concludes this item of business. There will be a brief pause before we move to the next item of business to allow members on the front benches to change.

Children (Care, Care Experience and Services Planning) (Scotland) Bill: Stage 1

The Deputy Presiding Officer (Liam McArthur): The next item of business is a debate on motion S6M-20389, in the name of Natalie Don-Innes, on the Children (Care, Care Experience and Services Planning) (Scotland) Bill at stage 1.

I invite members who wish to participate in the debate to press their request-to-speak buttons. I call Natalie Don-Innes to speak to and move the motion.

15:35

The Minister for Children, Young People and The Promise (Natalie Don-Innes): It is a personal honour for me to open this debate and introduce a bill that will, with the Parliament's support, change lives across Scotland.

We are making good progress on keeping the Promise. More than 2,500 fewer children are in care now than in 2020; the number of students who are supported in higher education by the care-experienced bursary more than doubled between 2019-20 and 2024-25; the introduction in 2023 of a minimum level of allowance for foster and kinship care families benefits more than 9,000 children every year; and no young person aged under 18 has been imprisoned since April last year.

However, we know that there is more for us to do as a Government if we are to keep the Promise by 2030, as we committed to doing, and the Children (Care, Care Experience and Services Planning) (Scotland) Bill will take us further faster. It provides the scaffolding that is needed to build solid systems of support to wrap around whole families and move our services and interventions more towards prevention. However, I acknowledge that some stakeholders and members of the Scottish Parliament feel that it does not go far enough.

I thank everyone who provided evidence to the committee at stage 1, everyone who has engaged with the bill team and Government officials since the bill was introduced last summer and the many people I have met in our communities who are doing important work to support children and young people who are in care or have left care. Most important, I thank children and young people for continuing to share their stories, concerns, challenges, ideas and dreams in the hope that we will take all that experience and make change happen for them and especially for children who might need care and support in the future.

Martin Whitfield (South Scotland) (Lab): The minister spoke of the importance of lived experience and children sharing their stories. Will she share with us what she has heard from young people that concerns her most about the bill and its intended direction?

Natalie Don-Innes: That is exactly what I intend to do.

On almost every visit and in almost every interaction that I have had with a child, young adult or family, I have heard how challenging it can be to access the right support at the right time and how difficult it is to interpret the law around the care journey. Stakeholders and partners have concerns about the legislative landscape being cluttered and difficult for people to navigate and concerns that it is difficult for people to know their rights and entitlements and to know what the duties and obligations on public agencies are.

The Scottish Government committed to exploring the issue in the Promise implementation plan, and I thank The Promise Scotland and its legal consultant, Melanie Barbour KC, for the work that they have undertaken to set out how we might streamline the legislative framework.

Yesterday, I announced that Professor Kenneth Norrie will lead an independent review of the legislative landscape in order to simplify and improve it for the benefit of children, their families and the professionals who support them. Professor Norrie will work in partnership with CELCIS, and I expect them to consider points that were made at stage 1, and for the review to report in 12 months' time, in order to give the next Parliament and Government time to legislate further in this area, if that is required.

Oliver Mundell (Dumfriesshire) (Con): Would the time to do the review not have been before the legislation was introduced? We have known from the plan that such a review has been needed for a while. It feels as though the minister's announcement has come after the event.

Natalie Don-Innes: I do not believe so. I believe that the focus over a number of years has been on enacting the transformation that is required to enable the Promise to be delivered. I appreciate that we have known that we have a cluttered legislative landscape, but a number of aspects have led to the timing of the review.

I understand the frustration among some people that the bill does not seek to re-enact relevant provisions of pre-devolution laws relating to children, such as the Children (Scotland) Act 1995, to bring them within the scope of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024. We are not seeking to create fresh law within the 2024 act's scope in relation to how we provide for aftercare

and a national register of foster carers. Instead, we are seeking to amend the 1995 act.

I have considered carefully how best to proceed. Put simply, there is no right or wrong way to do this and, sadly, there is no clear-cut or simple way to do it, either. Given that the two new sets of provisions will require to interact with part 2 of the 1995 act, it would not be helpful to have one part of the law within the 2024 act's scope and one part outwith it. Piecemeal change would add to the very clutter that we have discussed as an issue and it would make it harder, not easier, for those who will benefit from the bill's provisions—people who are entitled to aftercare, foster carers and children in foster care—to navigate the law.

Martin Whitfield: I am grateful for the minister's patience. On the specific point about the UNCRC, the Scottish National Party Government has consistently said that it intends to introduce legislation so that children can enforce their rights under the UNCRC. However, here we are again with an opportunity being missed. I say this with the greatest of respect: is the point about complexity really an answer to the children who cannot enforce their rights under the UNCRC?

Natalie Don-Innes: I have spoken about the review of the legislative landscape that Professor Norrie will carry out, which will complement the work that we are talking about. Mr Whitfield is aware of the on-going work with the United Kingdom Government relating to the children's rights scheme. If we see no progress in that respect, we will take action by November 2026. I hope that Mr Whitfield will give his full support regarding those negotiations with the UK Government.

Ultimately, the Scottish Government wants all key legislation that impacts on children and young people to be within the 2024 act's scope.

Douglas Ross (Highlands and Islands) (Con): Will the minister take an intervention?

Natalie Don-Innes: I have to make progress.

We are working with the UK Government on the best way to proceed. As I said, if progress has not been made by November 2026, we will review pre-devolution UK acts in devolved areas. However, I do not want to wait for that process to conclude before making progress on legislating so that, when people leave care, they have a legal entitlement to aftercare, with that being planning for before they reach 16. I also want us to do more to recruit and retain more foster carers, and I want more children to benefit from foster care. That is why we are legislating to create a new national register of foster carers.

I recognise that many people have called for the bill to do more for kinship carers, who do so much

for increasing numbers of children, often with minimal amounts of support; for babies and very young children, whose voices are often impossible to hear or easiest to ignore; and for children who need their care to continue beyond their 18th birthday so that they have rights to expect that and do not find themselves on their own in young adulthood. People have also called for family decision making to be an entitlement, which could be a key intervention in preventing more children from moving into care or at least in allowing them to maintain contact with their families.

I reassure members that I am listening to and carefully considering all those asks and more, so that the bill that we pass before the parliamentary session ends is the best that it can be, given the time that we have to improve it and the resources that we have to deliver it.

However, the bill has ambition. It will make a huge difference to the lives of children and young people now and in the future. Through the bill, we are expanding the right to aftercare to more young people, giving every child in care the right to advocacy and ensuring that that right is a lifelong one, legislating to limit the ability to profit from providing care, and requiring private foster agencies to be registered as charities in order to operate in Scotland.

The bill also seeks to transform key elements of the children's hearings system—that uniquely Scottish approach, which we are all so proud of, that involves taking a community-based approach to supporting children who need support the most—so that it is fit for the demands that the 21st century is making of it. Crucially, the objective is to reinstate some of the system's founding principles by trying to make it more streamlined and child centred.

I know that, in its stage 1 report, the Education, Children and Young People Committee set out some robust views on whether our measures in chapter 3 of part 1 of the bill will succeed in that aim, and I am considering what more we might do in that regard to address those concerns. I remain wholly committed to building on the work of the hearings system working group, under the leadership of Sheriff Mackie, and the on-going efforts of the children's hearings redesign board.

In part 2 of the bill, we seek to extend the legislative requirement to be involved in children's services planning to the integration joint boards. That will emphasise the importance of holistic, whole-family support by strengthening the relationship between children's and adult services to plan for appropriate support for children as they transition into adulthood, which is particularly important for children who leave care and for disabled children.

This year, we will mark 20 years of getting it right for every child. That groundbreaking approach is as relevant to the work of national Government, local authorities and voluntary organisations now as it was 20 years ago, and it underpins the bill and our wider work to keep the Promise. We need to get it right for those children who need our support the most. The bill does not fulfil all our aspirations in that regard—no piece of legislation ever could—but it is more than a good start.

I will continue to listen, engage and reflect, including on what members say in the debate today. However, I hope that members across the chamber can come together to agree to the bill at stage 1.

I move,

That the Parliament agrees to the general principles of the Children (Care, Care Experience and Services Planning) (Scotland) Bill.

The Deputy Presiding Officer: I call Douglas Ross to speak on behalf of the Education, Children and Young People Committee.

15:46

Douglas Ross (Highlands and Islands) (Con): As convener of the Education, Children and Young People Committee, I am pleased to speak about the committee's scrutiny of the Children (Care, Care Experience and Services Planning) (Scotland) Bill at stage 1. I place on record my thanks, and the committee's thanks, to everyone who contributed their views and shared their experiences with us. In particular, I make special mention of the care-experienced children, young people and adults from Who Cares? Scotland who took the time to meet the committee in October last year. My thanks also go to colleagues on the Finance and Public Administration Committee and the Delegated Powers and Law Reform Committee for their consideration of the bill.

As we have heard, the bill introduces a wide range of changes that relate to aftercare, advocacy, corporate parenting, profit in residential care, foster care, children's services planning and the children's hearings system. Given the limited time, I will not be able to look at all those areas in detail, but I am sure that many of them will be covered in the debate.

I begin with an issue that came up repeatedly in our evidence sessions. I challenged the minister on this point when we scrutinised the bill at stage 1, I challenged the minister and the cabinet secretary last week and I tried to intervene on the minister earlier. I feel that we are in "Groundhog Day", because we are no further forward. We need to address the issue of compatibility with the United Nations Convention on the Rights of the

Child. The committee heard concerns from stakeholders that the provisions in the bill on aftercare and the register of foster carers fall outside the scope of the UNCRC duty. That is because the bill amends the Children (Scotland) Act 1995, which predates devolution and is therefore not covered by the compatibility duty under the 2024 act.

Stakeholders including the Law Society of Scotland, the Children and Young People's Commissioner Scotland and The Promise Scotland have all raised concerns that the current drafting of the bill means that children and young people do not have justiciable rights under those provisions. That runs completely contrary to the commitment that the Cabinet Secretary for Education and Skills gave in November 2023 to ensure that future legislation would fall within the scope of what became the 2024 act. Given that legislation is still coming forward that is incompatible, where is that commitment and that promise?

Martin Whitfield: Is it not also the case that the promise to bring forward legislation within the scope of the UNCRC duty was a significant factor in the chamber agreeing to the decisions that had to be taken because of the challenges with the drafting?

Douglas Ross: Absolutely. That was a key part, and it is the reason why we got that commitment from the cabinet secretary. That is why I am troubled that the Scottish Government has not responded positively to the committee urging it to explore how it might seek to ensure that the outlying provisions in the bill become compatible. What we have heard from the minister today is exactly what we heard from her last week and at stage 1.

Natalie Don-Innes: It is not.

Douglas Ross: The minister is shaking her head and saying that it is not. I will give way to her in a moment, but she told us at committee that we could look at the issue in 2026 and conduct a review of UK legislation. She said that when I raised the issue with her at committee last week, and she said it again just now. I will come on to the Norrie review in a minute, but that is not the answer to this point; the answer will be in amendments that are lodged at stage 3.

The Government will either have to accept those amendments, come up with them itself or admit to the Parliament that it will not do what Jenny Gilruth and other ministers said that it would do, which is to produce legislation that is compatible with the 2024 act.

Natalie Don-Innes: The conversation has moved on from what I said in committee. I hear what is being said about the scattered and

cluttered landscape and also the issue with the UNCRC, which are relevant concerns. However, in my opening speech, I set out that bringing the two provisions within the scope of the 2024 act on a piecemeal basis would quickly lead to a further scattering of the landscape and an increase in complexity. Through the review and the children's rights scheme, I have set out actions to address those matters. Does Mr Ross agree that there has been progress?

Douglas Ross: No—that is not progress. At the very latest, we will have to pass the bill by April. The Norrie review will not have fed back by then, and nor will the review of UK legislation that the minister spoke about be available in 2026. If the bill is not changed at stage 3, the Parliament will be passing legislation—on a key area that is important across the political spectrum—that is not compatible with the 2024 act. That is not acceptable to me, and nor is it acceptable to the witnesses who came to the committee. We were told that it would not be acceptable to the Government, but it turns out that it is.

On the point about the cluttered landscape, the minister has announced the new independent review, which will explore parts of the complex legislative framework that relates to care-experienced children, young people and adults and how they could be simplified in the future. In giving evidence on the bill, stakeholders told us clearly that the matter requires urgent attention. I look forward to hearing the conclusions of Professor Norrie and CELCIS in due course.

Although I would have liked to stick with the UNCRC, because we have not had answers today, there are other issues that I want to cover. I am sorry to move on to another negative issue, but it is one of the legitimate points that the committee raised in our report. We were struck by the fact that many key stakeholders felt that they had not been fully engaged in the development of the bill and that its provisions were, in their words, the poorer for it.

Representing the Society of Local Authority Chief Executives and Senior Managers Scotland, Jim Savege told the committee that it was

“relatively unusual not to have had some joint working or collaboration on the development of a bill”.

John Trainer of Social Work Scotland suggested that the bill

“would have been vastly improved if that had happened”.

Fiona Whitelock of the Convention of Scottish Local Authorities said:

“We offered support around the financial memorandum and working out some of the costings, but our offer was not taken up.”—[*Official Report, Education, Children and Young People Committee*, 8 October 2025; c 39, 45]

The committee recognises that the minister holds a different view about the engagement that took place on the bill, but we heard that point time and again. Given the scope of what is being proposed and the resourcing implications that arise from it, the committee would have expected stakeholders to have been much more involved at an earlier stage. However, we welcome the minister's commitment to exploring how such engagement could be improved in the future.

I will speak about some other areas of the bill—particularly the provisions to extend aftercare eligibility to a wider group of care-experienced children and young people. The committee welcomed those provisions and recognised that they will address a long-standing inequality in the system whereby those who left care before their 16th birthday are excluded from accessing aftercare support. However, the committee heard concerns about how those new provisions will operate in practice and whether sufficient resources have been allocated to them. The committee therefore welcomes the minister's undertaking to work with Social Work Scotland and COSLA to improve our understanding of the financial implications of the bill, with a view to revisiting the modelled costs.

In the committee's stage 1 report, we called on the Scottish Government to provide clear guidance to local authorities on how eligibility for aftercare will be determined and to ensure that the process of proving care experience is straightforward and non-stigmatising.

I move to advocacy, which is essential in ensuring that care-experienced children, young people and adults have their voices heard and their rights upheld. The bill will introduce lifelong advocacy for care-experienced individuals for the first time. The committee heard strong support for that measure, with stakeholders emphasising the importance of relationships-based and trauma-informed advocacy. The committee also called for a clear definition of independent advocacy to be included in the bill. The committee sought clarity on the eligibility criteria for lifelong advocacy and it explored how consistent and high-quality advocacy provision could be delivered across Scotland.

The bill proposes significant changes to the children's hearings system. The committee heard support from stakeholders for some of the bill's proposals, including the introduction of paid chairs and the use of single-member panels in limited circumstances. However, Sheriff Mackie, who is the chair of the hearings system working group, suggested that the bill's provisions relating to grounds hearings show

“a disappointing lack of ambition and resolve.”

Stakeholders told the committee that those provisions are significantly more complex than what is in place at present, with the potential to cause issues not only for the people who are tasked with delivering them but for children, young people and the people who support them. The committee was clear that the Scottish Government should revisit those provisions in light of the evidence that it heard.

Post-referral discussions were seen as problematic, too, with many stakeholders observing that a meeting with the principal reporter, focused on grounds, was a very different proposal from the familiarisation meeting with the chair of a hearing, as envisaged by the hearings system working group. That risks unintended consequences, should a child or young person not understand the purpose of the post-referral discussion or how the information that was gleaned from it would be used.

I understand that there are other speakers, so I will restrict my remarks, although I could say much more on the bill. The bill has the potential to take an important step forward towards fulfilling the Promise, and the committee has recommended to Parliament that we support the bill at stage 1. However, it is clear that the bill will need significant amendments to ensure that the provisions can be properly resourced and to secure the very best outcomes for care-experienced children, young people and adults across Scotland, which we all want to see.

The Deputy Presiding Officer: The time that we had available over the course of the afternoon has been exhausted, so members will now need to stick to their speaking time allocations.

15:56

Roz McCall (Mid Scotland and Fife) (Con): I am pleased to speak in the stage 1 debate on the Children (Care, Care Experience and Service Planning) (Scotland) Bill—or the triple C ESP bill, as it was described to me the other day.

As much as the bill is a welcome addition to the plethora of just-in-time bills that are being introduced in the final weeks before we break up for the election, it would be remiss of me not to say that, although it first held so much promise, it is unfortunately not what we hoped for. Collectively, we were hoping for a Promise bill that made all the legislative changes required to fulfil the actual Promise, but alas, the bill in front of us is a little lacklustre with regard to that initial goal. I make no apology in saying that, as much as the bill is a step in the right direction, I cannot help but see the potential that was omitted from it, which unfortunately hides its good intentions.

We all know that the next Parliament will need to introduce another bill to make good on our agreed cross-party position to make the necessary changes to keep the Promise by 2030. As I said, however, the bill is a step in the right direction.

Before I speak on the bill in depth, I thank the Education, Children and Young People Committee for all the work that it has done to produce the stage 1 report. I give thanks, too, to the clerks and other staff and to everyone who came to give evidence. It is a comprehensive report that stands us in good stead for the next stages as the bill progresses. I am sure that members know that we on these benches will support the bill at this stage and will vote for it in principle at decision time. However, we have some concerns, which we have already spoken to the minister about. I put it on the record that I thank the minister for the welcome engagement that she has had with us in that regard.

The bill needs strengthening as it goes through the stages—and certainly at stage 2—otherwise we will again miss an opportunity to take us towards that 2030 deadline. The Promise says:

“There must be an approach to care and support that is based on early intervention and prevention”.

I fully believe that, which is why I am concerned that the proposals in the bill are not sufficient for the very youngest in the process.

In its briefing for today, the National Society for the Prevention of Cruelty to Children provided the most sobering of statistics. It stated that, of the 503 children with child protection order referrals received by the SCRA in 2024/25, a quarter were under the age of 20 days—less than a month—at the date of receipt, 37.6 per cent were aged under one and 44.5 per cent were aged under two.

Working with babies is profoundly different from making decisions about adolescents with agency—indeed, babies are uniquely vulnerable.

The NSPCC further stated that

“the Bill as it stands does not account for the unique and specific needs and rights of babies and very young children. There must be specific and focussed attention given to meeting the needs of babies and very young children as without amendment to this Bill in a number of crucial areas, the rights of some of Scotland’s most vulnerable children will ... go unmet.”

We know that if brain development is properly nurtured in the earliest years, that will greatly enhance a person’s chances and prospects in later life, and that any delay to that is acutely detrimental.

The independent care review recommended a right to independent advocacy for care-experienced people, and access to independent advocacy in the children’s hearing system must be

strengthened. That is essential. The Promise Scotland would like to see earlier access to advocacy for children. It states that

“to keep the promise, the Bill must include an extension to the offer of advocacy beyond the entry point to the Children’s Hearings System to children where voluntary measures are in place and provide clarity about the definition of ‘independence’”.

That is paramount. We need to know what the definition of “independent advocacy” is.

The briefing from Barnardo’s tells us that uptake of its own form of advocacy support, when the offer is made directly to the child or young person, is over 90 per cent and that the offer of advocacy is made at a different stage of the process.

John Mason (Glasgow Shettleston) (Ind): Some of the young people told us that they had a very good relationship with a social worker, so they might not need quite so much in the way of advocacy. Does Roz McCall agree that there needs to be a bit of flexibility in the system?

Roz McCall: I thank Mr Mason for his intervention, but there needs to be an independent voice to support the child. I worry that, at times, when it comes to social work, where there is more responsibility, the child’s voice can get overlooked. The lack of a definition of the term “independence” could lead to a wide variance in provision across Scotland, so I would like the provisions on advocacy in the bill to be strengthened.

We have already discussed incompatibility with the 2024 act. It is a simple issue, and I agree whole-heartedly with the Education, Children and Young People Committee on its recommendation to bring as many provisions as possible within the scope of the act.

Another point that needs to be strengthened is the use of IJBs. Although I accept that blending child services with adult services at a local authority level makes perfect sense on paper, the realities are an entirely different matter. Many IJBs are struggling to provide services currently, given the funding that is available to them. The financial strain on the service cannot be overlooked if we truly want to support care-experienced people through delivery. I am concerned that, without adequate funding support, that avenue of delivery will fail and that children and families will pay the price.

I accept that many of the decisions that are proposed to be taken by a single-member panel are procedural and that the proposal is based on defined preliminary decisions in a narrow circumstance. However, it is essential that there is no possibility of slippage in that process. Safeguarding in that area is essential. In its submission, Includem expressed concern that the move to a single-member panel was primarily

driven by resource issues rather than the best interests of the child or young person, which, although I understand the desire to allow more time for the three-member panels to make key decisions rather than procedural ones, can never be allowed to happen.

Foster carers play an essential part in providing children with the family support that they need, often in the most emotionally difficult of times. Any progression of the foster carers register must be carried out in collaboration with them. Anything that makes it harder to become a foster carer will only reduce the number of people applying. Barnardo’s stated in its briefing:

“It will also be important that any national register produced does not result in an unintentional increase in out of area placements.”

That is a valid point.

Scotland’s care-experienced community is watching. It has been very patient. It deserves more from us. It was told that, collectively, we would change the landscape of care experience in Scotland and that that would progress with the lived experience of children, young people and adults alike at its core. We are not there yet. We should not be complacent. We have been challenged with making a radical but positive change for the most vulnerable in our society, and we have not done enough. We have been charged to support those who need us most, and we cannot fail them again.

16:04

Paul O’Kane (West Scotland) (Lab): I declare an interest in that my husband is a service manager in children and families social work and is also a registered social worker.

With only a few months of this parliamentary session left, I am sure that we are all reflecting on what has been achieved and prioritised over the past five years—and, with only some 30 sitting days left, on what has perhaps not been prioritised as we would have expected. Indeed, we are reflecting on a period prior to that, going back into the previous session of the Parliament. In the final year of the previous session, the SNP Government asked the Parliament to make a promise to deliver on the findings of the independent care review by 2030. It then fell to the Parliament to progress that in its current session. The former First Minister herself made that ask of everybody in the Parliament and is asking everyone here today to move that forward.

This afternoon, we should begin by reflecting on the evidence on the progress that has been made in the delivery of that promise. Although it is the responsibility of Parliament, it is the current Government that sets the direction, the agenda

and the legislative programme in the Parliament in order to drive forward the progress that we would all expect to see. We are all concerned—as we should be—about the evidence pointing to our not being as far on as we should be and not making the progress that we are all committed to.

The third report of the Promise Oversight Board, which marked the halfway point in time on the journey to keeping the Promise by 2030, has made that abundantly clear. The minister needs no reminding that that report was lamentable for the Government in many ways, and concluded that

“Scotland is not halfway towards keeping its promise.”

The report noted that the Promise cannot be kept without the Scottish Government, and that it has taken

“too long to produce a delivery plan and too long to respond to the serious concerns raised in our first two reports.”

It further commented:

“The relationship between Scottish Government and local government is creating unnecessary tension in delivering the promise.”

We have already heard allusions to that with regard to where solutions could have been found—and they were offered in evidence to the Education, Children and Young People Committee in terms of the relationship between the spheres of government and the different sectors that will have an influence on achieving what we all want to see by 2030.

The Oversight Board’s report was unequivocal in its call for the Scottish Government “to redouble their efforts”. That is part of the reason why the bill represents a huge opportunity, although there is a risk to it, too, if it is not able to drive forward the progress that we would want to see.

Interrogating the evidence before us that came through the committee process and that has been presented for this debate, I think that the bill might fall into that category of risk. That is very much of concern, and I am sure that that is lamentable for many of us in the chamber. It has taken more than three years from the commitment to a bill in the implementation plan to reach today’s stage 1 debate. As I said in opening my remarks, we will all be reflecting that we have just 30 legislative days left in this session, and we are considering a bill that is meant to drive us towards the progress that we need to see by 2030. I noted the minister’s optimism in her opening speech, but this is a serious issue. Colleagues are already picking up on that, and we will hear much about it in the debate. What can we reasonably expect in amending the bill within the 30 days that we have left, given that stage 2 will begin its progress next week? That will be a theme this afternoon: that

many of the things that we would like to see in the bill might not be achievable in the timeframe that has been provided.

Much of what is in the bill as introduced falls short of what was expected. Stakeholders have been calling for legislation, but they are increasingly frustrated by the approach of the Government. Indeed, in its risk profile for the bill, the most recent oversight report said that it could end up being

“a ready-made excuse to slow the process down and to seek further consultations”.

So far, the Government’s approach to engagement with stakeholders and other parties on what the bill needs to do and how it will be amended exactly meets that warning.

I joined the Education, Children and Young People Committee only after it had concluded taking its evidence on the bill, but I have taken time to go through its stage 1 report. What I find most striking is how keen stakeholders were to talk not just about the deficiencies of what is in the bill, but—in relation to the wider point that I am making—their concerns about what is not in the bill.

We have already heard that stakeholders can see that, unless there is a step change in the bill throughout the stage 2 and 3 processes—in relation to dealing with a cluttered legislative and policy landscape, accountability for the Promise, or early intervention and workforce issues—the bill will not be the significant driver that is required to meet the Promise by 2030.

We on the Labour benches have sought commitments from the Scottish Government on the changes that will need to be made at those stages. However, there has been something of a refusal to elaborate on the detail before this stage 1 debate. That does not fill me with confidence. Our suggested amendments have included measures on aftercare, corporate parenting, advocacy services, reform of children’s hearings and the issues in relation to UNCRC compliance that my colleague Martin Whitfield outlined.

I find it disappointing that the Government has not offered fulsome engagement this week. The minister is shaking her head but, two days ago, the Education, Children and Young People Committee received a letter from her that said that she could not elaborate on many of those details and that we would have to wait until the stage 2 process. I do not think that that is good enough, given where we are in the process.

Throughout this process, the Government has liked to talk about the Promise being owned by the Parliament and about it being ours to keep together. I recognise that we all made a

commitment and that we did so based on the assurances that were given by the Government and by the then First Minister about how it would be driven forward. However, this bill exemplifies that there are significant gaps in the Government's leadership and its engagement to drive the change that is required to meet the Promise by 2030.

Of course one bill will not get us to where we need to be. However, as I have said already, it is a significant opportunity to drive the progress that we need to see. Stakeholders and the care-experienced community in Scotland deserve movement on it, and we want to give the bill the opportunity to be the vehicle that I have spoken about, so Scottish Labour will not oppose the bill at stage 1. However, I am clear that we must see significant movement at stages 2 and 3, in the time that remains in this session of Parliament, to allow the bill to progress past stage 3. We will work constructively where the Government offers its willingness to do that. However, so far, we on the Labour benches have been disappointed with the progress.

16:12

Ross Greer (West Scotland) (Green): As other members have done, I pay tribute to those who have got us to this point and, in particular, to our care-experienced community in Scotland who have had to fight so hard and for so long to get this bill before the Parliament. Many of us will have had the experience of sitting with our care-experienced constituents as they have shared some of the most deeply intimate and personal moments of their lives: the deep trauma, the triumphs, and their hope not only for themselves as individuals but for the entire care-experienced community and for those who inevitably will come after them.

It is difficult to use that word—"hope"—in this context because, in the decade that I have served in this Parliament, I have seen that sense of hope drain away among the many care-experienced people who have had to campaign and fight so hard to see these improvements. This bill has been a long time coming. Like other colleagues, the Greens will support it today, but, following on from what Paul O'Kane has just said, we are under no illusions that this bill alone will fix the situation.

I encourage any colleague who was not sitting on the Education, Children and Young People Committee when we took the first round of evidence on this bill not only to go back and read the *Official Report* of it but to listen to the evidence that Duncan Dunlop gave us. It was a stark wake-up call: when he gave evidence, it was close to 13 years, to the day, from the first time that he had come to the Parliament and had brought a group

of care-experienced young people to explain the realities of their lives.

I welcome all the progress that the minister mentioned in her opening remarks—of course we should celebrate that. However, that progress still leaves us in a situation that is nothing short of absolutely catastrophic for far too many care-experienced people and for far too many of the children who are still in care in Scotland. Although the point has already been made, I have to ask why it has taken five years—almost the entire length of this session of the Parliament—for this bill to be introduced. It has been almost a decade since the Promise and almost 13 years since Mr Dunlop brought those young people in to give evidence.

There is a wider point that needs to be considered by the Parliament and by the Scottish Government, which is to do with just how slowly the wheels of change turn in this country. We are often criticised simultaneously for rushing legislation, which results in it being of poor quality, and for taking far too long, especially when the measures in question are often matters of political consensus rather than contention.

Oliver Mundell mentioned the fact that the review of the legislative framework underpinning the care system that the Government committed to undertake years ago has not happened yet. I welcome what the minister has said about progress on that, and the 12-month timescale in particular, but the reality is that we have before us a bill that could have included many of the changes that we all know are needed. Quite a lot of what needs to be done is relatively obvious, but the relevant provisions are not in the bill because that review did not take place.

We took evidence on what the impact of that will be. CELCIS said that it is concerned that we are layering duties on top of duties in a way that will fragment the system. The Law Society of Scotland, in particular, is becoming increasingly concerned about the fragmentation of child law in this country. As we finalise our manifestos for the election, all of us should probably take into consideration the Law Society's ask that we seriously consider the consolidation of child law in Scotland, which, for many good reasons, has become increasingly fragmented as we have made individual interventions in an effort to improve the situation.

There is a missed opportunity in the bill with regard to early intervention. The minister mentioned family group decision making. I absolutely agree that that is an incredibly important service. If we can get things right at that stage, it will often prevent children from having to be taken into care, which will prevent so much of

the trauma and so many of the challenges that come about as a result of that.

However, one third of councils in Scotland do not have family group decision-making services, and there is nothing in the bill to address that situation. I may have missed a commitment that the minister gave in her opening remarks, but I do not believe that I did. I am still unclear about what the Scottish Government's position is on placing such a duty on local authorities. I understand all the concerns about placing more duties on authorities without providing adequate resourcing, but if we all recognise that family group decision making is absolutely critical at the early intervention stage, I must question why we are allowing a situation in which one third of our local authorities simply do not offer that service.

Natalie Don-Innes: I want to provide clarification. Mr Greer is right to point out that not all local authorities provide family group decision making. The Scottish Government is very supportive of FGDM and of growing it organically.

However, I have heard the concerns about the legislative asks in that area. Next week, I will meet Children First to discuss its proposals on FGDM. I assure Mr Greer that that aspect forms part of my consideration ahead of stage 2.

Ross Greer: I welcome that intervention and the minister's announcement that those discussions are on-going. I hope that that is a matter that we will be able to resolve through the stage 2 process.

I am conscious of time. In rounding off, I want to mention that although the Scottish Greens do not object to important changes being delivered through regulations, given the length of time that it took for the bill to be introduced, the lack of clarity on how ministers intend to use secondary legislation to advance so many of its provisions is disappointing. If the bill had been introduced early in the parliamentary session, I would have been more sympathetic to us consulting on how to take forward the regulations after the bill has been passed, but I think that that is a tenuous excuse when we are five years into the session.

As I said, we will be content to support the bill, but we are disappointed primarily by what is not in it rather than by the changes that are required to what is in it.

16:18

Willie Rennie (North East Fife) (LD): I commend the minister. The Promise is not hers alone, and it was not started by her. It was started by her predecessors in her position and higher up in the Government. She has been landed with a very difficult situation, because the Promise

reaches right across Government, and it requires the commitment of so many Cabinet offices and ministers to make it work. Its implementation will require the full heft of Government.

The Promise was a personal obligation that was set out by a previous First Minister. I am not saying that it is not a commitment of the current First Minister, but we get the feeling that it is not as much of a priority as it used to be. That is why we are in some of the difficulties that we are facing today, particularly in relation to the UNCRC.

The fact that we did not seek to declutter the landscape at an earlier stage to avoid the current situation arising in the first place was a clear omission. Again, it is not the minister's fault that that has not happened before now, but it has not, which is why we are in this difficult position.

While I compliment the minister on her clear passion in this area, I would caution her against saying that the bill is going to change lives. It will make improvements, but we should not overstate its impact beyond that. Those improvements will be good, but they are not going to change lives dramatically in the way that has been set out.

We should also be honest.

Natalie Don-Innes: I thank Mr Rennie for many of his words there. However, to take one aspect of the bill, it will extend aftercare to previously care-experienced children and young people, to which they would previously not been entitled. That could transform the life of a child or a young person.

Willie Rennie: I think that it will make an improvement, but it is all part of the tone with regard to the Promise that we are making to children and young people. Trust in Government is not great among those people, so we need to be honest. We also need to be honest about the fact that we are not on track to deliver the Promise. As much as we would like to say that we are, simply saying so does not make it happen. We are quite far behind where we should be in delivering the Promise.

I come across too many examples in which we still have crisis-driven care. Rather than acting early to prevent a crisis, all that we are doing is constantly putting out fires. That is in large part because we simply do not have the social work workforce to be able to cope with it all. Those in that workforce are under incredible stress, and we hear evidence at committee time after time that they are simply underresourced. Social work is the first point of contact for an awful lot of young people who are in desperate need of help. I would, therefore, caution that we should tone down the rhetoric. Let us be honest with people about where we are, and ensure that we can fix the system for the future.

Nevertheless, there are some very positive measures in the bill, such as the national register for foster carers, along with the measures on independent advocacy, aftercare post-16—although we need to be mindful of those who may have left care before the age of 16 and would, therefore, not necessarily be entitled to that support—and corporate parenting.

Like Ross Greer, I want to push the Government further on family group decision making. It is very clear in the Promise that we should be taking preventative action and early intervention. It specifically mentions family group decision making and ensuring that the children's hearings system is more specialised and restricted in its scope in the future because we are acting at an earlier stage. The benefits of that approach are clear, because we might end up with fewer young people in care, and the voices of those who do go into care will be heard more loudly.

However, the reach of family group decision making does not go far enough. I commend the City of Edinburgh Council and Glasgow City Council, as the approach is well embedded in those local authorities, but it should be everywhere. I know that the minister wants to go down the route of organic development—I understand that. However, England is legislating for the approach and progressing down the route of family group decision making. I urge the minister to consider why, if it is such a good thing, we cannot simply state that everyone has to do it and it has to be available everywhere.

Duncan Dunlop has helpfully provided me with some powerful amendments, which I will lodge at stage 2, on the right to return. He cites compelling evidence from North Yorkshire that even simply saying, "We're there for you when you need us," while it might not result in an awful lot of returns, leaves the door open to providing support. In addition, guaranteed employment placements for care-experienced people in the public sector and ensuring that we have a premature death register for such people could help to bring greater confidence into the sector.

The other area in which I would urge a bit of caution concerns eradicating profit in the sector. CELCIS, for which I have a huge amount of respect—its representatives have given some of the best evidence in our committee sessions—is urging caution, too, because some of the best providers do make a profit. It is about ensuring that we keep under control the degree of the profit that is made, rather than eradicating profit altogether. If a good service is being provided—and the profits are often reinvested back into the service—we should surely be encouraging those kinds of providers.

Finally, I want the minister to understand that we are with her on this and will support the bill at stage 1. We are looking for further amendments to ensure that we can make the bill the best that it possibly can be. My appeal to the Government is that, in the next session of the Parliament, we need to ensure that we have a structure that gives full support to delivering the Promise. Under the current arrangement, we simply do not have the heft of the whole of the Government delivering what should be one of its top priorities.

The Deputy Presiding Officer (Annabelle Ewing): We move to the open debate. I advise members that there is no time in hand.

16:25

Nicola Sturgeon (Glasgow Southside) (SNP): As the First Minister who made the Promise, I feel a particular responsibility to see that it is fully honoured. Children whose lives are shaped, for better or worse, by our care system deserve nothing less. For me, that responsibility will not end when I leave this place. The Promise is a cause that I will continue to dedicate my time and energy to. Although I feel a special responsibility to it, the Promise was made on behalf of us all, and it is owed to care-experienced young people by the Parliament as a whole. I echo Willie Rennie's point—I say this from experience—that delivery needs the whole heft of Government.

I hope that a spirit of collective endeavour will characterise the debates around the passage of the bill. Obviously, scrutiny should be robust, but if there is any piece of legislation that should be protected from pre-election frenzy, this is surely it. I hope that it is so.

I know there are many in the care community who feel that the bill will not fully deliver the Promise. I understand that, but to them I say this: the Promise was never going to be delivered by legislation alone—it is as much about culture, relationships, resources and mindset as it is about laws and regulations. Even so, I recognise that there is more that can—and must—be done by legislation than the bill will achieve. For example, I have considerable sympathy with points that have already been made about decluttering the landscape and about the UNCRC. Of course, even on its own terms, the bill is not perfect. Indeed, I hope that parts of it will be significantly strengthened at stages 2 and 3.

For all that, though, it is a good bill. The minister deserves great credit for that. It deserves to be enthusiastically supported at decision time. The bill's provisions will make life better for care-experienced young people. Indeed, one provision in particular, if implemented properly, will be a

powerful catalyst, not just for the wider delivery of the Promise but for its sustainability.

Time is limited, so I do not have time to go into all, or even most, aspects of the bill. However, there are two tangible provisions that I want to highlight. The first is what I have already referred to as a catalyst for delivery of all the other changes that we want from the bill, which is the right to independent, lifelong advocacy for all care-experienced young people. I think that it is impossible to overstate how transformational that could be. To put it simply, having an independent, relationship-based advocate is about giving care-experienced young people what most of us take for granted from our own parents. It is about having someone who has our back, who is unequivocally in our corner, who has our best interests—and only our best interests—at heart, and who, when necessary, will go into battle for us. Properly implemented and resourced, that has more potential to do what the Promise is all about—making young people feel loved, valued, supported and able to fulfil their potential—than any number of laws or policy documents.

But—and it is a big but—in order to achieve that, advocacy must be truly independent. Someone who has one eye on a young person's best interests and the other on the resources or pressures of a local authority or other public body will not make the difference that is needed. Therefore, I add my voice to the call for a clear definition of independent advocacy to be placed in the bill.

The second issue is that of private profit in children's care services. My view is simple: there is no place for it. Let me be clear: I am not making an argument against profit per se—of course I am not—but I am saying that we should no longer allow private companies to make a profit from the lives of our most vulnerable young people. Every penny that the state spends on children in our care should be invested in improving their lives, not providing dividends to shareholders.

The bill is a step in the right direction. It will provide greater transparency about the financial position of private providers and allow excess profits to be identified. However, we can and should go further. We should aim for a situation in which care is provided only by not-for-profit entities. Wales has already mandated that and set out a clear timetable for implementation and—to Willie Rennie's point—given time for good providers to transition to a not-for-profit model. We should follow suit. Indeed, as the proportion of care that is provided by the private sector is already lower in Scotland than it is in Wales, it should be even easier for us to achieve that, and I hope that we arrange to do so at stage 2.

To conclude, this is a good bill—a very good bill—and we must not lose sight of that. When I vote for it this evening, I will do so proudly. However, with some key changes, including those that I have mentioned, I think that it can become a truly great bill, one that will genuinely transform the lives and opportunities of those who grow up in care. That is the opportunity that we have over the next few weeks, and I hope that Parliament, collectively working together in the interests of those young people in our care, now and in the future, will seize that opportunity.

16:31

Oliver Mundell (Dumfriesshire) (Con): When we make a promise, we are telling somebody that we are definitely going to do something and that it will definitely happen. It is not an ordinary political pledge, a policy or a statement of ambition. It is, by its very nature, different. It says that nobody and nothing will get in the way. It is a personal guarantee that the commitment will not ebb and flow and that it will not be watered down.

In making the promise that all of Scotland's children and young people would grow up loved, safe and respected, so that they can realise their full potential, this Parliament collectively made a commitment of that character. However, I am deeply concerned that, in taking forward the bill, we will, in effect, be breaking that promise and putting the 2030 deadline at risk. That is not politics; it is the reality.

Of course, the argument can be made that the bill is better than nothing and that it takes some important steps forward, but, when put to the test, the promise that was made has been broken because, ultimately, the bill falls short of what it could have been.

Far too often, when it comes to care-experienced young people, we are able to justify poor delivery or outcomes on the basis that it is better to be doing something than nothing, or, to use the minister's words, it is the best that it can be.

In our heart of hearts, we must be willing to acknowledge that the bill is an incomplete shadow of what it could have been, and that it has been pushed into the final stages of this session, despite its importance and necessity being known.

I doubt that the former First Minister will thank me for saying this, and I know that my remarks do not neatly fit with what she has just said, but what Willie Rennie said earlier is right—the absence of Nicola Sturgeon in this area has been felt. The current minister has a personal interest in the subject, and I do not doubt her conviction, but it is manifest that there has been a step change in the level of priority and care around the issue at the

highest levels of Government. The sense of urgency and the pace have just not been there, and the level of ambition has dropped. Beyond the purely legislative dimension—which is only one part of the story, as other members have referenced—it does not feel as if, across the Scottish Government, its agencies and the public sector as a whole, the will is there to make the Promise a reality.

Legislation in itself will be ineffective if we cannot bring about the necessary mindset shift, and too much time has already been wasted. It will be for others in the next parliamentary session to address many of the concerns that have been raised and to confront the reality that is fast coming down the track, that we are running out of time. Due to slow progress, the task that we will be leaving behind is now herculean, and I am not sure that the bill captures the scale of what is truly required.

There will, of course, be opportunities at stage 2 to strengthen the bill, but the real question is why more was not attempted up front. For me, the alarm bells rang when we heard Fraser McKinlay of The Promise Scotland say that he felt that the bill was “locked down”, and we heard key stakeholders such as Jim Savege highlight—as Douglas Ross referenced—the unusual position that there was no joint working or collaboration on the development of the bill. That seems a truly odd approach in this instance, where there is so much consensus. The only explanation that I can reach is that the Scottish Government knew that, by opening up the conversation, it would be raising difficult and unanswerable questions.

It gets worse, because when we look at what is included in the bill, along with its associated documents, we see that it is not satisfactory. We are left in a position where we are supporting a bill that is less than it should be. We should not be at this stage; these are not unknown questions.

Troubling for me is the unconvincing cost. We all know what that means—after 10 years in the Parliament, I certainly know what that means. All too often, it means underresourcing.

We need to strengthen children's rights now. We should not hide behind legal complexities and duplication. If we are serious about the UNCRC, we should not, as one stakeholder described it, be “hollowing out” its protections. We should get on with it and accept that there will need to be a consolidation bill and a decluttering. We should deal with that later and think more about the message that we are sending to young people when we leave them without any enforceability of their rights. That is a poor show.

Also, where is the clarity on aftercare eligibility? I could go on.

Good intentions will not deliver the Promise, and they do not alone make for good legislation. If they did, we would not be looking at the bill before us. Time is short, but there is still some time to get those issues right, although we must be much more ambitious and much more open to confronting the challenges that the bill presents.

That does not mean that no parts of the bill are good or that there are no good provisions in it, but we cannot accept second best. We have made a promise and we must keep it. It is depressing and shameful that we end this parliamentary session not with the clarity and ambition that are needed to keep the Promise alive, but with blame, deflection and future assurances that take us no closer to doing what we said we would do.

16:37

Jackie Dunbar (Aberdeen Donside) (SNP): I am pleased to speak in the stage 1 debate on the Children (Care, Care Experience and Services Planning) (Scotland) Bill, which, to the outside world, is also known as the Promise. I thank everyone who has engaged with the committee, whether in writing or by giving oral evidence. Their evidence has been vital to the process.

I also thank our excellent clerking team for their first-class support, and my MSP colleagues for their collegiate working to get the bill to stage 1.

I was asked recently why I got involved in politics. As cheesy as it might sound, I first joined a political party after my daughter was born, because I wanted to make the world a better place for her. It was not until she grew up and I thought that I was getting away from some parental responsibilities that I let people talk me into standing for council.

One of the first things that I was told after my election in 2007 was that, as a councillor, I was now a corporate parent to every child that Aberdeen City Council was looking after. That was another 15 years of parental responsibilities until I stopped being a councillor in 2022, although we never really stop being parents, and I like to think that that is the case for corporate parents, too.

Just as I still want to make the world a better place for my daughter, I still want to make it a better place for children in the care system. That is why I was pleased to see the Promise to transform the care system by 2030 and to see it get unanimous support. It is also why I am pleased that we have the bill in front of us today, as we take another step towards meeting the Promise.

Right now, I especially thank the young folk who gave evidence to the Education, Children and Young People Committee. Some of them have been through a lot, but every one of them wants to

make things better for those who will come after them through Scotland's care system.

Those young folk all said that private care should not be there just to make a profit from them. They understood that, when the place providing the care was in public or charity hands, the money that it received would be invested back into future care. Overall, they were happy or, at least, content with that.

They also told us how important it was to have someone supporting them throughout their journey. I put on record just how impressed I was with every young person that spoke with the members of our committee. Each and every one was a credit to themselves in how they told us about their experiences and how things can and must be better. They had the courage to put themselves in that position and they all spoke well. They were thoughtful in what they said, and I cannot praise them enough for their contributions.

I like to think that the bill that we have in front of us at stage 1 reflects what we have been told by those who have experienced Scotland's care system. It extends aftercare provision; it creates a legal right of access to advocacy; it requires guidance in relation to care experience to be published, in order to help reduce stigma; it will establish a national register of foster carers; it puts young people before profit; and it will ensure that we keep the Promise.

This bill would not be in front of us today if it were not for care-experienced people making their voices heard. So I asked Who Cares? Scotland whether they had some young folk who wanted to share their own words. The first point that came back was that the advocacy provided for care-experienced children and young people in Aberdeen is no longer independent. That will change if this bill passes, because it will give care-experienced people the option to access advocacy that is independent from service provision.

One care-experienced young person said:

"I like that I can choose if I have family time with mum or not—it makes me feel safer knowing I don't have to see her if I don't want to."

Another shared:

"My advocacy worker goes to the hearing for me because it makes me anxious".

I also want to share these words from Emma Marshall:

"A lot of young people don't understand their rights. And even when they do, speaking up in a room full of adults who hold power over your life? That takes confidence that many of us simply didn't have. That's where independent advocacy becomes transformational. An advocate isn't your social worker. They're not your carer. They're not part of the system making the decisions. Their only job is to make sure you're heard—clearly, accurately, and without fear.

When young people have advocacy, they don't just attend meetings—they participate. They start understanding their options, and being present in decisions."

I accept that this bill will not be exactly what everyone who fed into it wants. For a lot of folk, it probably is not perfect, even if it were to be amended and improved. However, it is progress. It is a step forward in keeping our promise—the Promise. It will make a world of difference to those who will spend some of their childhood in the care system.

16:43

Martin Whitfield (South Scotland) (Lab): It is right that we should begin with children. As John F Kennedy said:

"Not every child has an equal talent or an equal ability or equal motivation, but they should have the equal right to develop their talent and their ability and their motivation, to make something of themselves".

The children we are talking about are those with care experience. According to last year's data, 11,844 children are looked after by the state in Scotland. More than half—54 per cent—come from the 20 per cent most deprived areas. When young people leave care, only 48 per cent of those eligible receive aftercare, despite the law's intent that support should follow them into adulthood. These are not abstractions; these are children and young people who should have an equal right to develop their talents and their ability and their motivation, to be able to make something of themselves. They are the lived measure of whether Scotland is keeping its Promise.

The minister calls the bill, as shorthand, the Promise bill. It should be, but it is not. Words matter. The words of the Promise demanded a system that was rooted in love, respect and rights—and all by 2030. Yet, midway to that date, the Government has introduced a bill that tinkers but does not transform; that reorganises but does not repair; and that states that it will improve the experience of cared-for children but does not do so.

The bill, which is presented as rights based, fails fundamental tests of children's rights. The children's commissioner is clear that significant parts of the bill fall outside the scope of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, which is contrary to the assurance of this SNP Government that such opportunities would not be missed.

Children are being left unable to challenge decisions under UNCRC requirements. There are risks to hearings under article 6 of the European convention on human rights and under article 40 of the UNCRC, particularly where offence grounds or deprivation of liberty are in play. Removing the

duty to attend might reduce participation, especially for disabled children. Those are not drafting quirks; they are rights interferences.

Stakeholders have been clear. The Promise Scotland calls the bill “an essential step” but warns that it cannot be the final step. It demands universal advocacy, continuity of chairs, statutory timetables and a right to return to care. Children First highlights missed opportunities on family group decision making and kinship care, which has been mentioned. NSPCC Scotland warns that, without statutory timescales and specialist decision making, infants’ rights will continue to be breached. Plan 24-30 sets out what must be done, yet milestones slip while rhetoric holds. Scotland’s children cannot live on the promise of things happening “in due course.”

Nicola Sturgeon, in her fine contribution, spoke about working together. I wrote to the minister in November last year, having met in October, with constructive proposals. Her reply, which was sent only two days ago, promised to

“revert more fully after Stage 1.”

I think that we have only a week before stage 2 begins. That is the language of delay. After months of engagement, we have no timetable, no legislative plan and no clarity on bringing provisions within the scope of the 2024 act. Children need action, not acknowledgement—and they need that through the bill.

What must happen now? Stage 2 must be bold. We need to bring provisions within the scope of the 2024 act and mitigate rights risks; ensure that all legislation is in scope and compatible; embed early and independent universal advocacy; guarantee continuity of chair and inquisitorial hearings; introduce statutory timetables of three months for grounds and permanence, aligned to infants’ needs; remove “identifying” from guidance to protect privacy; put family group decision making on a statutory footing; strengthen kinship care; extend continuing care to 26; confirm the requirement of corporate parenting to fulfil the legal duties that already exist under the Children and Young People (Scotland) Act 2014; and retain profit limitation with transparency and enforcement.

We will vote for the principles of the bill, but let me be clear to the Scottish Government: it must stop wasting time. In 2016, Nicola Sturgeon said:

“children don’t need a system that just stops things happening to them—they need one that makes things happen for them. A system that ... gives them a sense of family, of belonging and of love.

My view is simple—every young person deserves to be loved.”

Those were incredibly powerful words then, as they are now. That is the Promise.

Today, I call on the Scottish Government to match those words with deeds. We must make rights actionable, advocacy universal, decisions timely and love practical. Childhood is passing for these 11,844 children while this Government delays. If we are to keep the Promise, Scotland needs to do a lot better.

16:49

Paul McLennan (East Lothian) (SNP): It is a pleasure to speak in this debate today. I will take a step back and look at the background to the Promise. Between 2017 and 2020, Scotland’s independent care review heard of the experiences of more than 5,500 people, including care-experienced infants, children and young people and adults, and members of the paid and unpaid workforce of Scotland’s care system. I express my thanks to them for their contribution. Today, we are speaking for them.

Their vision was set out in the independent care review’s conclusions. In 2020, the Scottish Parliament agreed to keep those conclusions in full. When it did so, it made the Promise, and we have to keep it. The bill represents a significant step forward, but future Parliaments will always have to continue the work, regardless of the views on the bill today.

What was the independent care review? It was a consultation on how our care system needed to change. It came from a place of activism and voice, following the work of a movement of care-experienced people across Scotland who were determined to improve the life chances of people with experience of care. The key message was about improving the life chances of people with experience of care.

In 2016, ahead of the Scottish Parliament election, the movement secured a cross-party commitment to an independent care review. Following that, the then First Minister pledged her support and announced an independent root-and-branch review of care. That review commenced in 2017 and concluded in 2020. During that time, it listened to what thousands of children, adults and families told it about their experiences of the care system. During my 15 years as a councillor, such issues were raised by families, parents and carers on many occasions. We need to focus on what they told us then and take things forward from where we are now.

In brief, the Promise is Scotland’s ambition that every child and young person should grow up safe, loved and respected. The question is how we maximise that. One of the key points that has been made today is about family and group decision making, and I am glad that the minister

touched on that and will be meeting Children First to take forward that work.

I will focus on some of the five foundations on which the Promise is built and the change that is needed. In relation to voice, children and young people must be listened to and involved in decision making about their care. I will touch on advocacy, which is a key issue, later.

The bill is about children and care, but there is also a family issue. Many children feel safe and loved with their families, so they should stay with them if they possibly can. When we spoke to children at the event that was held with Who Cares? Scotland, that was one of the issues raised. When it is not possible for children and young people to remain with their family, they must stay with their siblings if that is possible.

An issue that has not been raised so far today relates to the workforce. The committee heard evidence that members of the workforce must be supported to develop trusting and compassionate relationships with those they support, and they must be aware of the importance of listening during decision making. Children, families and the workforce must be supported by a system that is there when it is needed. There should be the scaffolding of help, support and accountability.

As a member of the committee, I will pick up on a few of the key issues that have been touched on. In relation to engagement prior to the bill's introduction, the committee's report mentioned that key stakeholders felt that they had not been fully engaged in the bill's development. I know that the minister has had extensive discussions and that she continues to do so. I heard that from stakeholders and from discussions with the minister.

Aftercare is incredibly important. Extending aftercare provisions to those who leave care prior to their 16th birthday fulfils a key ask of the Promise. In our discussions about aftercare, we have heard that the issues do not stop at someone's 16th birthday; it is a whole-life experience. That really important issue was raised by the kids we spoke to. Another of the key issues that has been raised is whether an assessment is required before support for someone in that position can be considered. As a few committee members have said, we need to be clear on eligibility. The current duty on local authorities to provide aftercare is closely linked to throughcare, and we must ensure that such support is provided in all parts of Scotland, not just in selected local authorities.

The committee and the previous First Minister, Nicola Sturgeon, have talked about independent advocacy. For me, that was a key issue when we spoke to the children at the Who Cares? Scotland

event. Children must have a voice that will stand up for them. John Mason raised the point about the flexibility of the system. Some say that it is about the person, not just about independent advocacy. That is really important.

Those are a few of the key points.

I thank the organisations that have sent briefings for today's debate, and I will mention a few of them. In its nuanced briefing, Children's Hospices Across Scotland talked about the need for children and young people with life-shortening conditions to get the support that they need, along with their families, to transition into adult services. That is a small but important point to raise. The NSPCC's point about the rights of babies, which has been mentioned, is also important. The minister and I have had discussions about that, and I think that she will be meeting the NSPCC on that particular point.

The most enlightening experience for me was the event that was organised by Who Cares? Scotland, at which we heard from about 40 children of different ages and backgrounds from across Scotland. We had many committee evidence sessions, but the evidence that we heard from the 40 children really stood out. One child stated that it was a great opportunity for all care-experienced people to help shape policy and government and improve the lives of those in care. They are the people who have had to live with it, and we owe it to them to pass the bill at stage 1 and continue engagement.

16:55

John Mason (Glasgow Shettleston) (Ind):

There is widespread agreement to much in the bill, such as the expansion of the availability of independent advocacy services, the strengthening of the practical implementation of the Promise and similar points. I, for one, have no insurmountable issues that prevent me from supporting the bill today. However, as always, there are areas in which questions remain, and changes might be made as the bill progresses.

As I am the only member of the Finance and Public Administration Committee who also sits on the Education, Children and Young People Committee following the sad departure of Mr Greer, it falls on me to focus a bit on some of the bill's financial aspects. There will always be disagreement about the likely costs of expanding the provision of advocacy and aftercare services. The reality is that none of us knows what the uptake of those will be, and we are looking for best estimates rather than exact figures. However, the Education, Children and Young People Committee is looking to the Government for updated costs, particularly on corporate parenting, lifelong

advocacy and the extension of aftercare. To be fair to the Government, at least we have estimated costs, which has not always been the case with other bills.

Under aftercare, I am pleased to see that the Government is looking at revising cost estimates in conjunction with Social Work Scotland and COSLA, and I look forward to receiving an update on that.

One area that I focused on when questioning witnesses was profit limitation and the related issue of fostering services having to be charities. I think that we all instinctively feel that excessive profits should not be made on the backs of vulnerable children. However, we do not generally limit profits that are made by other suppliers to the public sector, such as hospital builders, food suppliers and so on—after all, it is all public money.

Then there is the question of how easy it is to measure profit, to which I suggest that the answer is that it is not very easy at all. Companies, especially larger ones, can become adept at moving costs, and therefore moving profits, from one part of the business to another. One young person told us that a senior member of staff at his charitable residential home drove around in a very fancy car. Technically, that would be a cost, not part of the profit. Again, most folk would say that there is a difference between making a reasonable profit and making an excessive profit, as Willie Rennie said. If the private sector is better at keeping costs down, it might be that it can provide a better service than the public sector for the same price and still make a profit.

Young people also made the point that they would not want current satisfactory placements to be disrupted by the new provision. Others suggested that some providers might leave the sector altogether. I wonder how easy ministers will find it to implement the provision. Anyway, to start with, it will just be a question of organisations providing more information, and I have no particular problem with that.

The Government consultation on that aspect only concluded in October, and I understand that the analysis was published on 10 December, which was slightly too late for it to be included in the committee's report. I note that the public consultation only elicited 31 responses, whereas the engagement sessions had more than 100 participants, so I agree that we need to look at a combination of both exercises. There were clear concerns among participants about the administrative burden.

An interesting point is that perhaps we are seeking to solve a problem that exists in England and Wales but not currently in Scotland. The point

was correctly made that money can be extracted from an organisation in a range of ways other than through declared profits, such as directors' fees and inter-company services. That is why Unison's suggestion that all providers should be registered charities is a little bit too simplistic, because it still leaves loopholes in place that can be exploited.

The committee expects to see Government amendments to the bill at stage 2, and I note that the minister has said that she is "open to any proposals" and "will consider any amendments". Given the uncertainty in this area, I tend to agree with her that we should be wary of being too specific in the bill on the details regarding profit limitation.

Somewhat related to that is the issue of whether all fostering services should become charities. Various points were made in that regard, including that doing so might make little difference to the present position and that stability and the quality of placements are more important than charitable status.

On the separate subject of children's services planning, the debate is about whether integration joint boards should be equal partners with local authorities and health boards. Once again, it strikes me as bizarre that we started with two different bodies being involved in children's services, we then tried to streamline things by creating IJBs and now we have three bodies instead of two. I hope that Ivan McKee, as the minister for public service reform, will get his axe out and do some chopping of all those public bodies.

Overall, although several issues remain to be resolved, I do not have any problems with the bill as a whole. Unlike on previous occasions, when I may have been the only member to vote against or abstain, I will be happy to support the bill at stage 1 when it comes to the vote.

17:00

Bill Kidd (Glasgow Anniesland) (SNP): As a member of the Education, Children and Young People Committee and the Delegated Powers and Law Reform Committee, I, too, thank all those who have been involved in the Children (Care, Care Experience and Services Planning) (Scotland) Bill to date—committee members, witnesses, clerks and those who have given thoughtful contributions in this debate.

As one of the last speakers in the debate, I will take the opportunity to summarise the aims of the bill and to explore some of the issues that have been raised, which the Education, Children and Young People Committee and the Government may wish to consider at stage 2.

The bill is a vital step forward in keeping the Promise by 2030. It will put the needs and rights of care-experienced children and young people at the heart of Scotland's care system by introducing a package of measures that are designed to improve experiences across the care journey in direct response to what care-experienced people have told us they require. It will build on the findings of the independent care review, which gave voice to more than 5,500 care-experienced children, adults and families.

The bill covers two main areas: the children's care system and children's services planning. Regarding the children's care system, the aim of the bill is to extend aftercare support to those who left care before their 16th birthday, which will address a significant gap in current legislation. The bill will expand corporate parenting duties to ensure that public bodies act like good parents and support young people as they transition to adulthood. It will also enshrine a legal right to advocacy, ensuring that care-experienced people have access to independent advocacy at all stages of their journey.

The bill will introduce statutory guidance on care experience with the aim of normalising language and reducing stigma. It will tackle profit in residential care, requiring providers to operate transparently, and it will introduce a register of foster carers. The bill also proposes changes to the children's hearings system to modernise processes and empower children's voices.

With regard to children's services planning, the bill will require local authorities, health boards and integration joint boards to jointly plan services—recognising that children's and adult services are interconnected—and to streamline planning to deliver better outcomes for families and communities. Taken together, the measures are not just legislative changes; they represent a cultural shift towards compassion, dignity and respect for care-experienced people. I welcome that.

Although the bill has been widely welcomed, no legislation arrives oven ready, as I have said many times in the Parliament. I thank the various organisations that have provided briefings for today's debate and that have taken the opportunity to engage with the committee on areas in which they believe that further scrutiny would be beneficial.

The briefing from the Children and Young People's Commissioner, while broadly welcoming the bill, highlighted a few areas in which the commissioner believes that further consideration would be beneficial. Those points chime with the evidence from other organisations. I will therefore summarise some of those areas in the hope that the minister will have the opportunity to address

them when summing up or that, going forward, they can be addressed in the work of the committee.

In relation to the definition of care experience that is contained in section 5 of the bill, the commissioner noted that the Promise calls for a universal definition, and that, at present, the bill only requires the Scottish Government to develop guidance that "may" include a definition of care experience. The commissioner believes that care-experienced voices must be central to that process, pointing out that, without clarity, there is a risk of inconsistency and stigma. I would welcome the Government's thoughts on that issue.

With regard to advocacy services, the commissioner urges that care-experienced children be explicitly included in consultation on how those services are delivered. Although the commissioner is broadly supportive of limiting profit, the briefing notes that we must ensure that that does not reduce the availability of placements and invites the committee to explore safeguards so that provision is maintained while we move towards a not-for-profit model.

Regarding attendance at children's hearings, there is concern that removing the obligation for children to attend hearings could reduce participation, especially for those with disabilities. I encourage the committee to address that concern at stage 2.

The bill represents a significant opportunity to transform Scotland's care system and to deliver on our collective commitment to the Promise. It is about ensuring that care-experienced children and young people are not only supported but respected and empowered throughout their lives. I urge colleagues to support the general principles—I have heard that they will do so—and to work together at stage 2 to address the concerns that have been raised, so that the bill truly delivers the compassionate rights-based system that Scotland's children deserve.

17:06

Ross Greer: In my opening speech, I ran through the range of challenges that we still face, as colleagues did, but I want to be clear that there is a lot to welcome in the bill.

I thank the minister for her engagement on the bill. It is sometimes the case that Opposition members must chase the Government to get a meeting and engagement ahead of a bill. I need to apologise to the minister because, in this case, it has been the other way round—I have been quite hard to pin down. However, I have appreciated the engagement that we have had so far. I am sure that there will be more ahead of the stage 2 deadline.

I want to run through some parts of the bill that I particularly welcome, starting with the national fostering register. Fostering is an amazing thing for people to choose to do. I am sure that many of us in the chamber have been involved in local efforts across the country—in the past or, indeed, at the moment—to encourage people to consider fostering.

A national register will bring clear benefits. In particular, it will be better for safeguarding because it will reduce the potential fragmentation in the system. It was first recommended in 2013 and was rejected at the time, so it is a shame that it has taken us well over a decade to recognise the value in that proposal.

That being said, I recognise some of the concerns about the register. It must not duplicate existing work and double the administrative workload. Although, to be honest, a lot of the concerns about it from local authorities have been knee-jerk responses to the idea that something might be taken away from them, there is a legitimate concern about duplication, which would lead to further fragmentation and things falling through the gaps. Therefore, I welcome any further comments that the minister can make on that provision, which I think will bring benefits.

It is the same for requiring independent fostering agencies to be charities instead of businesses. That is not only about profit and the role of profit in the system but about transparency, as Nicola Sturgeon said. Forcing any fostering agency to be a charity will bring significant benefits with regard to transparency and our collective ability to have oversight of the system. Some of those agencies have fair concerns, however. I understand that those that are not currently charities were never going to be keen on the proposal, but I think that the provision is necessary. It would be helpful if the minister were to provide further information about discussions that she has had with agencies about the length of time that they believe that they would need to make the transition to change the status of their organisation.

In principle, I absolutely agree with the wider steps towards removing profit from the system, although I associate myself with many of the comments that John Mason made about clarifying exactly what that means and how we would go about it. In many of the conversations about the issue, we have been able to achieve a level of consensus and clarity about the fact that we do not want money to disappear out of the system into the pockets of company shareholders, when that money could instead be invested in the children who need to be cared for. However, trying to clarify that in legislation is tricky. An area that would be worth the Government looking at is the role of community interest companies as a

potential status option, which I think would address some issues around ensuring that we are keeping money in the system without throwing the baby out with the bath water.

On independent advocacy, I congratulate Who Cares? Scotland, in particular, and everyone else who has been involved in the campaign on that for a number of years. I also echo what Nicola Sturgeon said about the need for advocacy to be genuinely independent. The best model for us to use is the Mental Health (Care and Treatment) (Scotland) Act 2003, which clarifies what is meant by independence. An equivalent to that definition in this case would clarify that it cannot involve someone who works for the local authority or the national health service or somebody who is involved in the system already. A crystal clear point of feedback from the care-experienced community for many years has been that its members need somebody who is fighting their corner, whom they can trust, who is not split in their considerations and who is entirely and completely dedicated to advocating on their behalf. There also needs to be not just individual advocacy for individual situations but collective advocacy for the entire community of care-experienced people, whether at local authority or national level.

The expansion of eligibility for aftercare is welcome. However, I am not yet convinced that it is appropriate for one-member panels to make decisions on supervision orders. I align myself with the comments that Sheriff Mackie made in that regard.

Other areas in which the bill can be strengthened include estranged young people. That relates to what I have just said about eligibility. Estranged young people have not really been part of the conversation so far. There is no organisation dedicated to advocating for estranged young people in Scotland since the last charity doing so wound up a couple of years ago. There are opportunities in the bill to extend eligibility, in very specific provisions where it would be relevant, to include those who are estranged; that is, those who were in the care of their parents until they became an adult but, at that point, became estranged from them and therefore do not have the family support systems that many others would recognise and are then in a similar situation to those who have been in kinship care or in the care of the state. Any opportunity through the bill to make sure that we include estranged young people in the support that we are trying to offer would be welcome.

We have already been talking about what needs to be in the next bill. That is a shame and a wasted opportunity. I will repeat Nicola Sturgeon's point that we should all be making every effort in

the next few weeks to make sure that this is a great bill, primarily so that there is less work for us to do when we come to the next bill in order to genuinely fulfil the ambitions of the Promise in the next parliamentary session.

17:12

Paul O’Kane: I am glad to follow the speeches of Ross Greer and other members this afternoon, which have been useful in highlighting the challenges that exist in the bill; my opening remarks focused on that, too. I found the contributions from committee members particularly helpful. Douglas Ross, as convener, set the context. Willie Rennie, Ross Greer, Jackie Dunbar and others contributed much of what they had heard in evidence at stage 1.

I am grateful to the committee for the work that it has done. It has produced a robust and important report with important recommendations that have helped to focus this afternoon’s debate and will help to inform what happens at stages 2 and 3. Willie Rennie set the context for where we are and the challenge that exists for the minister, having inherited the Promise and the work around it. I agree with Mr Rennie in that I respect the minister, and I believe that her intentions are good and that she has been doing what she can to drive the bill forward. However, there is much work to be done, as I outlined in my opening remarks.

Context is really important, and Ross Greer set out much of it in his opening speech. It was useful that he took us back to reflections on Duncan Dunlop and the young people who came into the Parliament to tell their story all those years ago, beginning the whole process of what we have come to understand as the Promise, which was made in this place. It is important to put that on the record again.

Thinking about those who are now adults, young people who are in the system at the moment and those who are yet to come into the system, there will be many reflections this afternoon on trying to get it right first time and avoiding situations that have arisen over many years whereby young people have been failed, with a catalogue of promises made to them that were broken. We are all agreed that we want to avoid that, and that is at the heart of this afternoon’s debate.

No one is saying that the Government is moving back or away from its commitment to the Promise and to the whole agenda; it is just that so many frustrations are coming through as a result of the process, including the legislative process, with only 30 days of legislative time left, as I said at the outset of my remarks. There is frustration that we have not done more and that it will fall to the

Parliament in the subsequent session to move much of the work forward.

There are concerns that we will not achieve the Promise by 2030. In the course of the next session, 2030 will not be that far away. I have heard colleagues saying that we need to do more work in the next session, but the reality is that we will have to make significant progress very quickly in the life of the next session—in its early days—if we are to have any hope of meeting the commitments that have been made.

I recognise many of the reflections that have been made this afternoon, including the point that one bill was never going to be able to deliver the Promise. I recognise much of what Nicola Sturgeon said in her speech about changing mindsets, changing hearts and minds and changing our processes. Of course we need to make a whole-system change. Indeed, that chimes with what Willie Rennie said in his speech about the Promise not being the responsibility of just one minister or one bill; it sits across a wider piece. There is something crucial and fundamental there.

I recognise what Nicola Sturgeon said in her speech about not wanting the bill to fall foul of the knockabout politics that we sometimes have during an election campaign. We would all want to avoid that in relation to the core issues, but we cannot escape the fact that there is a bigger debate about resourcing and the choices that are made around resource, particularly for those in local government, for the social work profession and for those who provide a support function. That also concerns issues such as housing, access to justice and all the things that sit around the work that we are discussing today. There will be and has to be a debate around much of that. We heard much of that yesterday in response to the budget, and I know that there will be much of that in the days ahead. That goes back to the fundamental point that we need to ensure that the scaffolding that sits around all the services is right and is well funded, so that professionals can do their jobs to support young people in the system more broadly.

We have outlined our position this afternoon. We are clear in our support for ensuring that the bill can move to its next stage. Martin Whitfield eloquently and passionately outlined where our significant concerns are and our disappointment with the approach taken thus far, as well as our desire to re-engage ahead of stages 2 and 3 to move the bill to a place such that people can be proud and pleased that we have made significant progress.

That will be the test for many colleagues. Will we walk away from this session having passed an act of the Parliament that will make a demonstrable difference? Members might view

that as being life changing or as making an impact on some of the resourcing issues that we have been discussing. Nicola Sturgeon has said that she wants to walk away with a sense of pride. That is the test for us all; it is the crucial test that we must apply to the amendments lodged at stages 2 and 3.

We once again give our commitment to engage in the process, but that will be a high bar to reach in whether or not we support the bill at its subsequent stages.

17:19

Miles Briggs (Lothian) (Con): I thank all the organisations that provided helpful briefings ahead of today's debate. There is cross-party support for ensuring that the Promise that was made to care-experienced people is kept, and that is exactly what Scottish Conservatives have been working to help achieve.

At the outset, as others have done, I thank the minister for her constructive engagement, which is important. However, I hope that she has heard the frustration and concern about where the bill stands and acknowledges that it needs significant change at stages 2 and 3.

I pay tribute to those who are involved in the care sector. Over the past year in which I have been the Conservative education spokesperson, I have met them and I have seen the passion and commitment that the former First Minister outlined. We can pass legislation, but the change of attitude that they have brought since the Promise was made is important.

I hope that the Parliament will make sure that we meet our side of the bargain. We can and must make sure that our children and young people who are currently in the care system or who may come into contact with it, and adults who have experience of it, are at the heart of this. From the outset, we have tried to engage with ministers on what that could look like. So often when we pass legislation, it is not about outcomes but about having a better process. We need to make sure that the bill does not end up in that space.

In the time that I have, I will highlight several areas in which I want to see progress at stage 2 to help strengthen the bill.

Ross Greer and Willie Rennie mentioned family group decision making in councils such as in Glasgow and Edinburgh. I hope that that can be embedded as part of the bill. Intensive support provided early can make a huge difference to families, keep them together and prevent family breakdown. That whole-family approach can make a critical difference and provide the capacity needed to help families. Let us face it—such

capacity will often not be available from social work or other services. I hope that improving support for families before they end up in crisis will be at the heart of the bill. Every parent and carer will face pressures. That is where family group decision making can help to provide workable solutions and, as Paul O'Kane mentioned, the scaffolding to keep families together. It is important that we grasp that opportunity.

Willie Rennie also mentioned the important issue of aftercare and the right to return, which was at the heart of the work that the Education, Children and Young People Committee did in considering the bill. We should look to the positive work, which we did not have a chance to go and see for ourselves, that is being taken forward by North Yorkshire Council. That model has been highlighted again and again. We should look to the progress that the council has made in supporting care-experienced young people and empowering them to access information—an issue that is often at the heart of problems—through an app that it has developed. The “Linking Lives” app is a support tool for care-experienced young people that offers centralised resources on budgeting, housing, education and mental health and key links to organisations in that part of the world. I hope that ministers will consider a proposal for something similar for Scotland because having access to such a service could make care-experienced young people information rich.

The Housing (Scotland) Bill, which recently went through the Parliament, did not put care-experienced young people at its heart. When we speak to homeless people, we hear that so many of them have had experience of the care system. I would like to see where the Government's amendments to the bill at stage 2 will cross into other areas, such as that covered by the housing bill, to fix those other parts that should be at the heart of policy.

We have heard about the welcome progress on addressing stigma in schools. That matter has been taken forward by the Promise Scotland and others outside this building. However, there needs to be a more nationwide approach to understanding care-experienced young people and to the educational support package and offer that they will be given. Our young carers have a number of similar challenges.

The minister will be aware that I have also advocated for better palliative care funding for organisations such as CHAS. I highlight its concerns: it seeks clarification around children and young people with life-shortening conditions, who are also at the heart of the bill.

I continue to be concerned about the decision making that ministers have decided will rest with IJBs, and I have highlighted that to the minister.

We need to look to the delivery of policies. Across Scotland, our IJBs are looking at what they could not do, rather than at what they could be doing in addition. We need to be mindful that the bill could result in a postcode lottery emerging. The Promise should not become that. It would be unacceptable if our IJBs were to end up having to take decisions about the delivery of the Promise that they will not be able to fund or deliver.

Douglas Ross highlighted the issue of compatibility with the 2024 act, which the Government needs to move to fix.

Paul O'Kane highlighted the poor engagement that, sadly, there has been with stakeholders and what they told the Education, Children and Young People Committee is missing from the bill. I hope that ministers will make substantial amendments to the bill in that area and strengthen support for kinship carers. The minister has already suggested that she will take action in that area, but that challenge has not been met in the bill.

As MSPs, all of us will have met and supported members of families—often grandparents—who are providing safe and stable kinship care. That comes from a place of love, but the costs and pressures of such arrangements are often not sustainable. We need to make sure that the bill includes more on kinship care and that kinship carers are put at its heart.

I have not had time to expand on the new national social work agency, which will have to provide the workforce that is required to deliver the bill. Workforce planning must be strengthened. That will come largely from reducing bureaucracy for the sector, which is a process that has not progressed at pace.

All those who are watching today's proceedings will be underwhelmed by the bill. In the coming weeks, we all have the opportunity to look to significantly improve the bill to get it back on track. Ministers must be honest and admit that the bill will not meet the Promise and that, in the next session of Parliament, all those of us who are lucky enough to be returned, along with new MSPs, will have to step up to deliver the Promise by 2030.

The Presiding Officer (Alison Johnstone): I call the minister to wind up the debate. You have up to eight minutes, minister.

17:26

Natalie Don-Innes: I thank members for their helpful and constructive contributions to today's debate. It is clear that the Children (Care, Care Experience and Services Planning) (Scotland) Bill matters to many MSPs, just as it matters to many stakeholder organisations. The points raised in the

Education, Children and Young People Committee's stage 1 report and in this afternoon's debate reflect the extent and scale of the interest in the bill's proposals and in the Promise more generally.

I hope that I have conveyed the fact that I remain very mindful of the apparent gaps in the bill's measures, which children, young people and adults who are or have been in care, along with members and others, have told us that they would like to be addressed. I highlighted some of those issues in my opening remarks, and I reiterate that I have listened to the views of all members and will continue to reflect on how best to address them.

One key issue on which I appreciate that the bill is largely silent, which Mr Briggs just referred to, is kinship care. Kinship care now represents the most common placement for looked-after children in Scotland, and kinship carers have consistently told us that the support system is unclear and extremely complex to navigate. I have listened carefully to the evidence that was taken during stage 1, and I am considering what further steps we could take to improve clarity, consistency and access to support for kinship families. That includes exploring whether changes to policy, guidance or legislation could help to ensure that families are better supported to understand, access and navigate the help that is available to them.

I will respond to some—although probably not all—of the issues that have been raised. I will start with babies and our youngest children, for whom safeguarding and protection are, I agree, absolutely key. I have heard about the NSPCC's concerns directly from it and from other members. The provisions in the bill are not stand-alone developments; they are an interconnected package that will deliver better, more personalised experiences, safer, swifter journeys and surer decisions. However, based on the feedback that I have received through the bill process, I assure members that I am considering how we can further extend the rights of babies and children ahead of stage 2.

On children's services planning and the role of IJBs, we know that children's and adults' services go hand in hand. The wellbeing of one often depends on the other. We know that many children enter care due to parental mental health or substance misuse issues. I think that the bill will greatly improve the connection between children's and adults' services and help to facilitate the delivery of preventative whole-family support at a local level.

On the independence of advocacy providers, I absolutely hear the calls for a definition of independent advocacy, and I recognise the importance of advocacy, its role in ensuring that

the views and wishes of care-experienced individuals are accurately represented and the need for it to be free from conflicts of interest.

There is a lack of consensus about what constitutes independence, and I am considering how we provide further clarity on the independence of advocacy services. I have had a lot of interesting conversations with stakeholders about that aspect—including a very good meeting with Who Cares? Scotland on that exact point—as well as about wider considerations that have been mentioned today, such as when advocacy is offered and whom it is offered by.

With regard to profit, I know that there is a level of uncertainty. I make it clear that, in making any decisions, the needs and the wellbeing of looked-after children will come before all other considerations. That is why we are taking the bill forward. I take on board the comments from Nicola Sturgeon and John Mason on those matters. The consultation responses, although they were generally supportive, confirm concerns that we have all heard from those across the sector that the changes need to be implemented carefully. That is why we are taking a gradual, staged approach, which takes into consideration the need to strike the right balance and tackle the difficulty of defining profit.

I am looking to the moves that are being made in England and Wales. On Mr Greer's points specifically, we are learning from the approach in Wales on supporting private providers to move to a not-for-profit model. The 2030 deadline is achievable and gives independent fostering agencies time to adapt while providing certainty and reassurance for children, carers and local authorities. Overall, it is vital that we tackle profit from residential care in a sustainable way, without destabilising provision.

Bill Kidd mentioned the definition of care experience. In the interests of time, I will not go into a huge amount of detail on that, but I hope to reassure members who have concerns that care-experienced people absolutely will be involved. That is exactly why we are taking a guidance-based approach in order to allow for co-production.

On single-member panels, I heard the concerns coming through in committee and I have heard them again today. We have taken the lead from the "Hearings for Children" report and made provision for the member of a single-member panel to be a chairing member and to take certain decisions as a sole tribunal member. That is in line with the approach that is taken in other tribunals. However, we are mindful that there is a wide range of views on the subject. We have tried to keep appropriate safeguards in place, but given—again—the concern about and consideration of the

points that have been raised, I am considering whether further safeguards could be put in place and how that could evolve.

Some members touched on the social work workforce. Again, I will not go into too much detail, but members mentioned resources and the workforce specifically. The Government has been investing in our social work workforce, and that speaks to the points that members have made about the wider work. I am confident that the actions that we are taking over and above the bill will, nevertheless, help to deliver on our, and the bill's, aims.

Mr Rennie talked about "crisis-driven care", and I absolutely agree: I want prevention and not reaction, and the Government is working towards that. A number of members raised the issue of family group decision making, and I hope that I have provided appropriate assurance on that.

Many members said that the provisions in the bill are not compatible with the UNCRC duty. The issue here is the scope of application of the 2024 act. The children's rights scheme sets out the Government's position on the wider issues and the work to address that, and I have provided a fuller update on that today. Again, I make it clear that the Government wants all key legislation to be in scope, and we are working towards that.

I acknowledge, looking back, that the Government took a cautious approach between the public consultation in 2023 and introducing the bill in June 2025. Members raised issues around engagement and, to be frank, the Government was perhaps too cautious. Perhaps we should have engaged with trusted partners and stakeholders more fully and more regularly while we were developing bill proposals. There is a fine balance to be achieved between protecting the parliamentary process and rules and involving external experts in shaping proposals, so that what a bill does meets people's expectations.

I have reflected on the comments from members across the chamber and note that perhaps we did not get the balance right on this occasion, which we will learn from. However, since the bill was introduced, my officials and I have engaged extensively with everyone who has an interest, and we will continue to do so. I thank everyone who has shared their views, everyone who is delivering the Promise, and all the children and young people who have been involved in the process.

The Presiding Officer: That concludes the debate.

Point of Order

17:35

Stephen Kerr (Central Scotland) (Con): On a point of order, Presiding Officer. I seek your guidance on a matter that goes to the heart of proper budget scrutiny and the Parliament's ability to discharge that function effectively. The issue engages rule 9.16 of standing orders, which frames the Parliament's formal role in scrutinising the budget.

It may well come under the heading of Shona Robison's production errors but, yesterday, my office downloaded the level 4 budget worksheets that were published by the Scottish Government, which set out a detailed line-by-line breakdown of spending. When a member of my team downloaded the same worksheets again today, material discrepancies were identified. They are not minor or presentational differences, because they relate directly to funding commitments within the constitution, external affairs and culture portfolio. In the version that was downloaded yesterday, the worksheets included additional funding of £100,000 for the Scottish Library and Information Council; £500,000 for film houses in Edinburgh, Glasgow and Aberdeen; £1.2 million for an expo fund; and £600,000 for a proposed new museum of empire, slavery, colonialism and migration. In the same version, Screen Scotland's funding was described as an uplift to support specific projects, including a new television festival and the expansion of an existing film festival. However, in the version that was downloaded today, those entries no longer appear.

There is no explanation on the Scottish Government's website; no change log; and no indication that revised figures have been published. I believe that that places the Parliament in a difficult position. Either a production error was made in the original publication, or the Scottish Government has materially altered elements of the budget after publication. Either way, that is a serious issue for parliamentary scrutiny. Rightly, the recipients of the funding will want clarity on whether those commitments still stand. People in Edinburgh, Glasgow and Aberdeen will want to know whether funding for film houses remains in place. Many will also be asking whether the proposed funding for a new museum of empire, slavery, colonialism and migration is still intended to proceed.

I would be grateful for the Presiding Officer's guidance on the following points. Will committees that are scrutinising the budget be given access to both versions of the worksheets? Is it appropriate for the Scottish Government to make material changes to published budget documents without

any reference to the changes or explanation of them? What steps would you advise committee conveners to take to ensure that they are scrutinising the correct and authoritative versions of the spreadsheets that have been published by the Scottish Government?

The Presiding Officer (Alison Johnstone): Budget scrutiny is an on-going process and there will be further opportunities for members to undertake that. The Government will have heard the points that Mr Kerr has raised. It is essential that the Parliament always has the most accurate and helpful information to hand. As I say, Mr Kerr, your points are on the record and the Government will have heard them.

Children (Care, Care Experience and Services Planning) (Scotland) Bill: Financial Resolution

17:38

The Presiding Officer (Alison Johnstone): The next item of business is consideration of motion S6M-20377, in the name of Shona Robison, on a financial resolution for the Children (Care, Care Experience and Services Planning) (Scotland) Bill. I call Natalie Don-Innes to move the motion.

Motion moved,

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Children (Care, Care Experience and Services Planning) (Scotland) Bill, agrees to—

(a) any expenditure of a kind referred to in Rule 9.12.3A of the Parliament's Standing Orders arising in consequence of the Act, and

(b) any charge or payment in relation to which Rule 9.12.4 of the Parliament's Standing Orders applies arising in consequence of the Act.—[*Natalie Don-Innes*]

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

Business Motions

17:39

The Presiding Officer (Alison Johnstone): The next item of business is consideration of business motion S6M-20420, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, setting out a business programme. I call Graeme Dey to move the motion.

Motion moved,

That the Parliament agrees—

(a) the following programme of business—

Tuesday 20 January 2026

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions

followed by Stage 3 Proceedings: Tertiary Education and Training (Funding and Governance) (Scotland) Bill

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

9.00 pm Decision Time

Wednesday 21 January 2026

2.00 pm Parliamentary Bureau Motions

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

followed by Finance and Public Administration
Committee Debate: Scottish Budget
2026-27

followed by Business Motions

followed by Parliamentary Bureau Motions

5.10 pm Decision Time

followed by Members' Business

Thursday 22 January 2026

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

followed by Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions:
Social Justice and Housing

followed by Stage 1 Debate: Wellbeing and
Sustainable Development (Scotland) Bill

followed by Stage 1 Debate: Digital Assets
(Scotland) Bill

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time
followed by Members' Business

Tuesday 27 January 2026

2.00 pm Time for Reflection
followed by Parliamentary Bureau Motions

followed by Topical Questions

followed by Stage 3 Proceedings: Natural Environment (Scotland) Bill

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

9.00 pm Decision Time

followed by Members' Business

Wednesday 28 January 2026

2.00 pm Parliamentary Bureau Motions

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

followed by Scottish Labour Party Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.10 pm Decision Time

followed by Members' Business

Thursday 29 January 2026

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

followed by Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions:
 Education and Skills

followed by Stage 1 Debate: Restraint and Seclusion
 in Schools (Scotland) Bill

followed by Stage 1 Debate: Greyhound Racing
 (Offences) (Scotland) Bill

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

(b) that, for the purposes of Portfolio Questions in the week beginning 19 January 2026, in rule 13.7.3, after the word "except" the words "to the extent to which the Presiding Officer considers that the questions are on the same or similar subject matter or" are inserted.—[*Graeme Dey*]

Motion agreed to.

The Presiding Officer: The next item of business is consideration of business motions S6M-20421 and S6M-20422, on stage 1 timetables for bills, and S6M-20423, on a stage 2

timetable for a bill. I call Graeme Dey to move the motions, on behalf of the Parliamentary Bureau.

Motions moved,

That the Parliament agrees that consideration of the Prevention of Domestic Abuse (Scotland) Bill at stage 1 be completed by 13 February 2026.

That the Parliament agrees that consideration of the Ecocide (Scotland) Bill at stage 1 be completed by 6 February 2026.

That the Parliament agrees that consideration of the Community Wealth Building (Scotland) Bill at stage 2 be completed by 23 January 2026.—[*Graeme Dey*]

Motions agreed to.

The Presiding Officer: The next item of business is consideration of business motion S6M-20424, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, on an extension to a stage 1 timetable for a bill.

Motion moved,

That the Parliament agrees that consideration of the Prostitution (Offences and Support) (Scotland) Bill at stage 1 be extended to 6 February 2026.—[*Graeme Dey*]

Motion agreed to.

Parliamentary Bureau Motions

17:40

The Presiding Officer (Alison Johnstone): The next item of business is consideration of five Parliamentary Bureau motions. I ask Graeme Dey, on behalf of the Parliamentary Bureau, to move motions S6M-20425 to S6M-20428, on approval of Scottish statutory instruments, and motion S6M-20429, on designation of a lead committee.

Motions moved,

That the Parliament agrees that the Companies Act 2006 (Scottish public sector companies to be audited by the Auditor General for Scotland) Order 2026 [draft] be approved.

That the Parliament agrees that the Education (Scotland) Act 2025 (Consequential Provisions) Regulations 2026 [draft] be approved.

That the Parliament agrees that the Official Statistics (Scotland) Amendment Order 2026 [draft] be approved.

That the Parliament agrees that the Cross-border Placement of Children (Requirements, Effect and Enforcement) (Scotland) Regulations 2026 [draft] be approved.

That the Parliament agrees that the Economy and Fair Work Committee be designated as the lead committee in consideration of the legislative consent memorandum on the Cyber Security and Resilience (Network and Information Systems) Bill.—[*Graeme Dey*],

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

Decision Time

17:41

The Presiding Officer (Alison Johnstone): There are three questions to be put as a result of today's business. The first question is, that motion S6M-20389, in the name of Natalie Don-Innes, on the Children (Care, Care Experience and Services Planning) (Scotland) Bill, be agreed to.

Motion agreed to,

That the Parliament agrees to the general principles of the Children (Care, Care Experience and Services Planning) (Scotland) Bill.

The Presiding Officer: The next question is, that motion S6M-20377, in the name of Shona Robison, on a financial resolution for the Children (Care, Care Experience and Services Planning) (Scotland) Bill, be agreed to.

Motion agreed to,

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Children (Care, Care Experience and Services Planning) (Scotland) Bill, agrees to—

(a) any expenditure of a kind referred to in Rule 9.12.3A of the Parliament's Standing Orders arising in consequence of the Act, and

(b) any charge or payment in relation to which Rule 9.12.4 of the Parliament's Standing Orders applies arising in consequence of the Act.

The Presiding Officer: I propose to ask a single question on five Parliamentary Bureau motions. As no member objects, the question is, that motions S6M-20425 to S6M-20428 and motion S6M-20429 be agreed to.

Motions agreed to,

That the Parliament agrees that the Companies Act 2006 (Scottish public sector companies to be audited by the Auditor General for Scotland) Order 2026 [draft] be approved.

That the Parliament agrees that the Education (Scotland) Act 2025 (Consequential Provisions) Regulations 2026 [draft] be approved.

That the Parliament agrees that the Official Statistics (Scotland) Amendment Order 2026 [draft] be approved.

That the Parliament agrees that the Cross-border Placement of Children (Requirements, Effect and Enforcement) (Scotland) Regulations 2026 [draft] be approved.

That the Parliament agrees that the Economy and Fair Work Committee be designated as the lead committee in consideration of the legislative consent memorandum on the Cyber Security and Resilience (Network and Information Systems) Bill.

The Presiding Officer: That concludes decision time.

17:42

Members business will be published tomorrow, Thursday 15 January, as soon as the text is available.

The full *Official Report* of today's meeting will be published online within three hours of the close of business today.

Members who wish to suggest changes to this draft transcript should email them to official.report@parliament.scot or phone the official report on 0131 348 5447.



The Scottish Parliament
Pàrlamaid na h-Alba