



OFFICIAL REPORT  
AITHISG OIFIGEIL

DRAFT

# Meeting of the Parliament

Thursday 15 January 2026

Session 6



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# Scottish Parliament

Thursday 15 January 2026

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

## General Question Time

**The Presiding Officer (Alison Johnstone):** Good morning. The first item of business is general question time.

### Hate Crime and Public Order (Scotland) Act 2021 (Addition of Sex Characteristic)

1. **Michelle Thomson (Falkirk East) (SNP):** To ask the Scottish Government what the current status is of its plans to add sex to the characteristics covered by the Hate Crime and Public Order (Scotland) Act 2021. (S6O-05371)

**The Cabinet Secretary for Justice and Home Affairs (Angela Constance):** The Scottish Government is currently considering responses to the public consultation that we undertook last year on the draft Scottish statutory instrument to add the characteristic of sex to the Hate Crime and Public Order (Scotland) Act 2021, and we intend to lay the final SSI in Parliament in the coming period.

**Michelle Thomson:** I was listening very intently for something substantive in the cabinet secretary's response. What I really want is a personal commitment from her that the SSI will be laid before this Parliament goes into dissolution, because I cannot see how it is conceivable that sex should be the only protected characteristic that is not covered by the 2021 act when, as the Scottish Government says, women experience bad behaviours because of their sex class. I seek a personal commitment from the cabinet secretary that that will happen.

**Angela Constance:** I very much appreciate Mrs Thomson's interest in the matter. I assure her, both personally and politically, that the Scottish Government wants to ensure that women and girls have the new criminal protections that are provided through the 2021 act for other characteristics such as age, disability, religion and so forth.

Mrs Thomson will be aware that we have to follow a super-affirmative process, which is what Parliament agreed when the hate crime legislation was passed. That means that we have to publish a draft SSI and consult on it, and we are obliged to analyse the consultation responses and publish them, where permitted, with the analysis. That will

be done when the SSI is laid, and it will be laid in due course.

**Tess White (North East Scotland) (Con):** The minister says that the SSI will be laid "in due course", but we do not know when that will be. Only this Tuesday, at the Equalities, Human Rights and Civil Justice Committee, the Minister for Equalities informed us that she had not met the Cabinet Secretary for Justice and Home Affairs to discuss the nine protected characteristics—sex being one, as now defined and clarified by the Supreme Court judgment. That was absolutely alarming

You have still not included sex in the hate crime legislation and have still not told us when the SSI will be laid. Also, why have you not met the Minister for Equalities?

**The Presiding Officer:** Always speak through the chair.

**Angela Constance:** In summary, I will repeat the essence of what I said to Michelle Thomson: I will lay an SSI well in advance of the end of this parliamentary session, because I want to ensure that women and girls have those protections in the format of hate crime legislation, in the same way that those with other protected characteristics do. I assure members that that is all in hand.

As for the second part of Tess White's question, I would note that the Minister for Equalities has certainly not met me in recent times on the various equality duties. I recall that, some time ago, soon after her appointment to her post, she met ministers collectively and I know that she has, on more than one occasion, reminded all ministers of our collective responsibility to meet our equality duties. If need be, we could go back into the records and find a note of the meeting that Ms Stewart had with me and a range of other ministers, but that is going back some time, and I will have to come back to the member on that issue.

**The Presiding Officer:** I remind members that, as this is our shortest question session of the week, concise questions and responses are appreciated.

### Pension-age Winter Heating Payment (Mid Scotland and Fife)

2. **Claire Baker (Mid Scotland and Fife) (Lab):** To ask the Scottish Government how many people in Mid Scotland and Fife who are eligible for the pension-age winter heating payment have not yet received their payment for winter 2025-26. (S6O-05372)

**The Cabinet Secretary for Social Justice (Shirley-Anne Somerville):** Pension-age winter heating payment will support at least 880,000

pensioners with heating bills this winter. The United Kingdom Government's 2024 decision to cut winter heating payment was a betrayal of millions of pensioners. Although the belated U-turn was welcome, costs are rising, and many people will struggle with household bills this winter. That is why the Scottish Government is taking action and will deliver the strongest package of winter support compared with anywhere else in the UK. By 14 December 2025, £124.9 million was paid through more than 837,000 winter heating payments, with updated figures due on 4 February.

**Claire Baker:** That means that around 300,000 people have not yet received their payments. The First Minister promised that they would receive them by St Andrew's day. Now, more than six weeks after St Andrew's day, and well into the winter weather, there are still people wondering where those payments are.

Will the cabinet secretary advise why it has taken so long for a payment to be made and when those who are still waiting for payments will receive them? Will the Scottish Government apologise to all those pensioners who were promised payment in November but did not receive it?

**Shirley-Anne Somerville:** Just as the Scottish Government laid out, the payments began in November and will continue through the winter. We have also ensured that the winter heating payment, which goes to pensioners on low incomes, is being paid throughout the winter; that payment is not guaranteed anywhere else in the UK but in Scotland. We have also paid the child winter heating payment to children on the highest rates of disability payments.

The package that we have in Scotland is stronger and more robust than anywhere else in the UK. Payment began in November, and it is moving through the winter months according to the timetable that was set out previously. We are on track to deliver it this winter.

### **Caithness Maternity Services (Independent Review)**

**3. Rhoda Grant (Highlands and Islands) (Lab):** To ask the Scottish Government whether it will provide an update on the independent review of maternity services in Caithness, including the remit and timescale of the review, and what detail has been shared with relevant duty bearers. (S6O-05373)

**The Minister for Public Health and Women's Health (Jenni Minto):** The Scottish maternity and neonatal task force will look at the requirement for, and scope of, a national review, based on the emerging themes and outcomes of the Healthcare

Improvement Scotland inspections of maternity units across Scotland and any other area that the task force might identify. The cabinet secretary has been clear that the task force will look at rural maternity services as one of its first areas of focus, and will review the issues in rural communities, including Caithness and Stranraer. A full work plan will be agreed by the task force following the first meeting in January 2026, and Parliament will be updated in due course.

**Rhoda Grant:** In a freedom of information response, NHS Highland said that there were no plans for an independent review of Caithness maternity services. Instead, it would sit within the wider remit of the task force.

The cabinet secretary knows that this Parliament voted for an independent review of Caithness maternity services; indeed, the need for it was further highlighted when Caithness was cut off from the rest of the country for days during the recent weeks of bad weather and no one could get to Raigmore hospital.

Will the task force be independent of Government? Will it be asked specifically to examine all aspects of Caithness maternity services, including the journey to Inverness, and to make recommendations for the safe delivery of maternity services in the county of Caithness?

**Jenni Minto:** I thank Rhoda Grant for her follow-up question. I also thank the staff in NHS Highland for the way in which they have coped with the really difficult weather, including the wonderful midwives who are based in Caithness.

As I said in my first response, it is for the task force and its expert members to determine whether further action is required—they will determine the scope. As Minister for Public Health and Women's Health, I will chair it, but my co-chairs are both independent of Gov—well, my co-chairs are Ann Gow and Professor Anna Glasier.

### **Scotch Whisky Industry (Importance of Supply Chain)**

**4. Jamie Hepburn (Cumbernauld and Kilsyth) (SNP):** To ask the Scottish Government what its position is on the importance of the supply chain to the Scotch whisky industry. (S6O-05374)

**The Minister for Business and Employment (Richard Lochhead):** The Scotch whisky industry is one of Scotland's most significant economic sectors, contributing more than £5 billion in exports, and a resilient, competitive supply chain is essential to its continued success. The industry supports thousands of jobs across Scotland, not only in distillation and maturation but in farming, malting, packaging, logistics, engineering, tourism and professional services.

The wider supply chain is therefore integral to national economic growth, rural sustainability and export performance, and it is crucial to safeguarding the global reputation of Scotch whisky and ensuring the long-term competitiveness of the sector.

**Jamie Hepburn:** The First Minister has led from the front to protect Scotch whisky from US tariffs, taking the case directly to the US Government. Does the minister have any update on whether the United Kingdom Government has followed up the matter with the United States in order to protect the whisky industry and its supply chain, which includes packager Eurostampa, in my constituency, which recently expanded its site in Cumbernauld with Scottish Enterprise support? Or are we left with the view that the UK Government views the Scottish food and drink sector as nothing more than a cash cow to support the UK Exchequer?

**Richard Lochhead:** Jamie Hepburn makes a good point—the whisky sector is not just about distillers but about the wider supply chain, which benefits constituencies such as Jamie Hepburn's.

On the tariffs issue, the First Minister was highly praised by the sector in Scotland, including in Speyside, in my constituency, as he picked up the cudgels on behalf of the sector and took its case directly to the White House.

I raised the issues with my UK counterpart, Chris Bryant, at our meeting earlier this month. We are still waiting for the UK Government to deliver on what we all expect—to give Scotch whisky the priority that it deserves in those negotiations and to secure tariff exemptions from the US.

We are also disappointed that our calls to address the disparity in alcohol duty in the latest UK budget went unheard. Instead, the spirits sector faces a further increase in duty rates, which will rise by 18 per cent in three years. That takes the tax burden on a bottle of Scotch to an eye-watering 72 per cent.

I agree with Jamie Hepburn's comments, and we will continue to pursue the case.

**Craig Hoy (South Scotland) (Con):** I recently visited the Annandale distillery in Dumfriesshire and was impressed by its commitment to reaching net zero, with a significant investment in a multimillion-pound, game-changing thermal energy storage system, which was partly funded by the previous UK Conservative Government. What support can the Scottish Government give to the Scotch whisky industry to meet its decarbonisation and sustainability goals, not just in our world-class distilleries but throughout the wider supply chain?

**Richard Lochhead:** I have not had the privilege of visiting that distillery in the member's region, but

perhaps one day I will have the opportunity to do so.

In recent years, the Scottish Government has given substantial support to the whisky sector to decarbonise its operations. The sector is playing a really important role in achieving the country's national decarbonisation aims, and we will continue to work in partnership with it.

### **E-scooters (Antisocial and Dangerous Use)**

**5. Sue Webber (Lothian) (Con):** To ask the Scottish Government what its position is on whether reliance on local enforcement to tackle antisocial and dangerous e-scooter use is creating a postcode lottery in public safety, with some communities protected and others left exposed. (S6O-05375)

**The Minister for Victims and Community Safety (Siobhian Brown):** The Scottish Government does not accept that reliance on local enforcement creates a postcode lottery in public safety. Police Scotland operates within nationally set strategic police priorities, which apply to the whole of Scotland and emphasise public safety, prevention and consistency, while allowing appropriate local flexibility to respond to community needs.

The Scottish Government continues to support policing capacity through record funding of £1.64 billion in this financial year. Scotland has a higher number of police officers per capita than England and Wales, and Scottish Government funding enabled Police Scotland to take on more recruits in the most recent financial year than at any time since 2013.

Operational policing decisions, including taking enforcement action against illegal and antisocial e-scooter use, are rightly a matter for Police Scotland, and the member will be aware of my commitment to working collectively to address concerns that were raised during the debate on 9 December. I welcome the positive examples of Police Scotland's enforcement activity in this area.

**Sue Webber:** I struggled to hear the answer, so I will do my best.

In Edinburgh, in my region, the number of e-scooter confiscations has tripled in just two years, while some areas have recorded none. E-scooter use is clearly a growing menace to everyday Scots, who feel unsafe just walking about in their high streets. The statistics show that there is a lack of consistency, but the minister has denied that there is a postcode lottery in public safety. Will the Scottish Government finally press the United Kingdom Government for a clear national framework on registration, insurance and licensing instead of letting the problems get worse?

**Siobhian Brown:** We have had lots of meetings about the matter over the past year and will, I hope, have another one with MSPs who have an interest in it. Jim Fairlie and I wrote to the UK Government regarding it in October. I received a letter last week saying that the Labour Government did not feel that any legislation was necessary, which is disappointing, but I will keep members updated on that.

### Swimming

#### (Open Letter from Elite Swimming Athletes)

##### 6. Liz Smith (Mid Scotland and Fife) (Con):

To ask the Scottish Government what its response is to the open letter from Scotland's elite swimming athletes sent to the First Minister on 6 November 2025. (S6O-05376)

**The Cabinet Secretary for Health and Social Care (Neil Gray):** The Scottish Government agrees that there is a real opportunity to create a lasting legacy for children across Scotland from the 2026 summer of sport. I know that Liz Smith cares a great deal about that and shares my enthusiasm for it.

The 2026-27 budget announced an additional £40 million of funding for sport and physical activity. That includes the universal offer of swimming tuition for primary school children in Scotland to give them vital water safety skills. I hope that members will welcome that announcement and support the budget proposals, which provide vital support for the sector and open up a range of sports and activities to more children.

**Liz Smith:** Is the cabinet secretary aware that, earlier this morning, first at 9.48 am and then at 10.15 am, Shona Robison made a request to correct the record—I am not sure whether it is another of those “production errors”—to say that her answer to the question that Jackson Carlaw asked on Tuesday on the budget statement was factually inaccurate? Namely, the one-year commitment is not, in fact, one year but is being rolled out over a sustainable period. That is welcome, but what action is the Scottish Government taking to ensure that the 18 local authorities that are not making full provision for swimming lessons will now do so and that children in those areas have access to swimming pools in the first place?

**Neil Gray:** I confirm for the record that the funding is, indeed, recurring, which is incredibly positive. Liz Smith shares my enthusiasm for the project, which is good news for swimming provision and is giving children life-saving skills. *[Interruption.]*

**The Presiding Officer:** Let us hear one another.

**Neil Gray:** It is also good news for ensuring that we provide opportunities for the next Duncan Scotts and other elite swimmers to come through the system.

On progress with local authorities, we are providing the funding to enable local authorities to make provision for all primary children in Scotland precisely because of the variability in provision. Those engagements with local authorities will continue, and, given Liz Smith's interest, which I genuinely accept and understand, I will ensure that she is kept updated on the matter.

#### Child Poverty (Draft Budget 2026-27)

7. **Bill Kidd (Glasgow Anniesland) (SNP):** To ask the Scottish Government how the measures announced in its draft budget for 2026-27 will further its aims of tackling child poverty. (S6O-05377)

**The Cabinet Secretary for Social Justice (Shirley-Anne Somerville):** Eradicating child poverty is at the heart of the Scottish budget and the Scottish spending review, which outlines how we will drive continued progress. That includes developing the systems and legislation to increase the Scottish child payment to £40 for children under one year old. We are also investing more than £100 million across the spending review to support the delivery of a universal breakfast club offer for primary school-aged children, alongside increased investment in wraparound activity clubs. Through an annual £50 million package of whole-family support, we will ensure that families receive the support they need when they need it.

**Bill Kidd:** I welcome the Government's commitment to putting the best cost of living support package anywhere in the United Kingdom front and centre of its approach. I particularly welcome the boost to the Scottish child payment, raising it to £40 for families with a baby from 2027, which the United Nations Children's Fund—UNICEF—has welcomed. Save the Children Scotland has said that it is a “bold action” and that “This is a moment of hope for families, and for all of us.”

Will the cabinet secretary say what analysis the Government has undertaken of the impact of the policy on child poverty?

**Shirley-Anne Somerville:** The new premium will undoubtedly assist and deliver increased support for families with children under the age of one. The Scottish Fiscal Commission estimates that around 12,000 children will receive that increased support when the payment begins, in the financial year 2027-28.

That support will make a real difference. Only this morning I heard from mums in Pilton about the difference that the Scottish child payment makes

and how they think that the premium will make even more of a difference. As Save the Children Scotland has said,

“Investing in the tiniest members of our society ... is how we sow the seeds of a brighter future.”

## First Minister’s Question Time

### Scottish Budget

**1. Russell Findlay (West Scotland) (Con):**

The cost of living is hitting hard for people across Scotland, and John Swinney promised to help—so, what is he doing? He is cutting income tax—but only for some, and by a maximum of £31.75 a year. That works out at 61p a week. That would not even buy you a bag of peanuts.

**Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con):** Peanuts!

**Russell Findlay:** John Swinney’s budget might even—[*Laughter.*]

**The Presiding Officer (Alison Johnstone):** Let us carry on with our business.

**Russell Findlay:** Rachael Hamilton is entirely right—it would not even buy you a bag of peanuts.

John Swinney’s budget might even have broken a world record, because a Scottish Government tax adviser says that it

“may be the smallest tax cut in history”.

Does John Swinney really think that his insulting tax cut will actually help Scotland’s struggling households?

**The First Minister (John Swinney):** I am pleased to see that auditions for pantomime dame are being entered early by Rachel Hamilton in Parliament today. Frankly, that was pantomime stuff from the Conservatives.

The Conservative Party has come forward with a proposition for tax cuts that would involve £1 billion-worth of cuts to public expenditure, but with not a scrap of detail about how those would be delivered. That is a false proposition.

My Government has brought forward a range of measures that build on existing cost of living support, such as free prescriptions, free eye tests and the free bus travel that is available in Scotland—[*Interruption.*]

**The Presiding Officer:** Can I just ensure that we can all hear one another? That would be helpful—and it is, of course, necessary.

**The First Minister:** —with an expansion of support for breakfast clubs and additional investment in after-school activities, with measures that have been taken through the extra time programme, with an increase in the Scottish child payment and with an expansion of the Scottish child payment for babies under one year. That is a demonstration of a Government that is on the side of the people of Scotland, and I am proud of the measures that we set out in the budget on Tuesday.

**Russell Findlay:** John Swinney gave those taxpayers a miserly cut—not to help anyone, but to get a cheap and easy headline. For many others, income taxes will rise even further.

One of the reasons for John Swinney's tax raid is so that he can spend even more on benefits. We value the safety net for those who are in genuine need—[*Interruption.*]

**The Presiding Officer:** Let us hear Mr Findlay.

**Russell Findlay:** —but the Scottish National Party's benefits bill is out of control, and it will now go up by another £650 million. [*Interruption.*] I will keep saying it, no matter how noisy SNP members are: Scotland cannot afford this. The Scottish Conservatives believe that taxes cannot keep rising in order to fund higher spending on benefits. Why does John Swinney not understand that his reckless approach is unfair and unsustainable?

**The First Minister:** Nobody in Scotland takes seriously Russell Findlay's claim that the Conservative Party values the safety net of social security, because, every week, its members come to the Parliament and attack the very social security expenditure that is keeping children out of poverty.

As a matter of fact, the updated Scottish Fiscal Commission forecasts show a substantial reduction in the Scottish Government's benefits investment over and above the block grant adjustments received from the United Kingdom Government. That demonstrates that the action that the Scottish Government is taking is sustainable. As is demonstrated by our budget—and as we have always done since we formed the Government—we propose costed financial programmes that deliver real benefits for the people of Scotland. The Conservatives are unable to match the Scottish Government's record on financial stewardship and support for vulnerable people in our country.

**Russell Findlay:** We value social security, but we will always tell the truth about the SNP's out-of-control, unaffordable benefits bill. John Swinney's economic approach is ruinous, but there is another way. The only responsible, credible and sustainable way to raise more revenue for public services is by growing Scotland's economy, which can be achieved by supporting those who create jobs and generate wealth.

However, Scottish businesses face tax rises of almost £300 million in the coming weeks, and their verdict on John Swinney's budget is damning. The Confederation of British Industry Scotland is calling it a "missed opportunity"; UK Hospitality Scotland says that it "missed the mark spectacularly" on business support; and the Federation of Small Businesses says that ministers must "urgently reconsider their

approach" to economic growth. When will John Swinney learn that he has to back business and not attack it?

**The First Minister:** I recognise the challenges that are always felt in the business community. Of all the things that I could be accused of as a member of the Government, that is not one. I have always had very close and active dialogue with the business community in Scotland.

The Scottish Government's budget for the forthcoming financial year will ensure the lowest basic property rate since 2018-19 and will support business and communities with a package of reliefs that will be worth an estimated £864 million in 2026-27.

In response to a key ask from the business community about increased support for the college sector, the Government has increased the colleges budget by £70 million. Another call from the business community was for support for infrastructure investment. We have set out our plans on infrastructure. [*Interruption.*]

**The Presiding Officer:** Let us hear one another.

**The First Minister:** Yesterday, the Cabinet Secretary for Transport told the Parliament about the delivery of plans to dual the A9, which is one of the central economic pledges of the Scottish Government.

At a time when unemployment is lower in Scotland than it is in the rest of the United Kingdom, and gross domestic product per capita has increased at a faster rate in Scotland than it has in the rest of the UK, the Scottish Government is delivering for the Scottish economy, and we will carry on doing so.

**Russell Findlay:** The First Minister says that he recognises the challenges facing businesses, but then he decides to make them worse.

For the avoidance of any doubt, the Scottish Conservatives will not and cannot back a budget that does nothing to help Scotland's workers and businesses. Having been delivered by a finance secretary who is running for the hills, this budget hammers people with higher taxes to fund a bloated benefits system. It is absolutely mind blowing that Labour and the other so-called Opposition parties will let this SNP boorach of a budget pass. It is a desperate budget that kills aspiration, a damaging budget that harms business and a dishonest budget that will need to be fixed within months.

It is the same old John Swinney. Do the people of Scotland not deserve lower taxes, fairer benefits and a Government that is focused on economic growth?

**The First Minister:** Our budget delivers on the priorities of the people of Scotland, strengthening our national health service and supporting people and businesses on cost of living challenges. In the budget, the Scottish Government is expanding the best package of cost of living support anywhere—

**Stephen Kerr (Central Scotland) (Con):** Rubbish!

**The Presiding Officer:** I am sorry to interrupt, First Minister. I know, Mr Kerr, that you share my view that we should always carry ourselves in a very parliamentary manner. I would be grateful if you might demonstrate that.

**The First Minister:** As I said, this budget delivers on the priorities of the people of Scotland about strengthening our national health service and about supporting people and businesses with the cost of living. Thanks to our decisions, 55 per cent of Scottish taxpayers are now expected to pay less income tax than they would do if they lived in England. The people of Scotland have a Government that is on their side, and all the current indications show that the people of Scotland want to have this Government here for the long term, to stay on their side.

#### Budget 2026-27

2. **Anas Sarwar (Glasgow) (Lab):** John Swinney's 19th budget lacks ambition for Scotland, and it fails to deal with the structural issues that are created by this tired Scottish National Party Government, which can be resolved only by changing the Scottish Government in May. While he brags about his £6-a-year tax cut for the lowest paid, a million Scots—*[Interruption.]*

**The Presiding Officer:** Let us hear Mr Sarwar.

**Anas Sarwar:** While he brags about his £6-a-year tax cut for the lowest paid, a million Scots, including nurses, teachers and police officers, face being forced to pay more, all while his Government wastes billions of pounds. That is a tax cut worth 11p a week for the lowest earners, while thousands of nurses pay £400 more and thousands of teachers pay £600 more than they would in the rest of the United Kingdom—even his own tax adviser says that this is a political stunt. Why does John Swinney believe that someone earning £33,500 has the broadest shoulders and, therefore, should pay more tax in Scotland?

**The First Minister (John Swinney):** I will explain to Mr Sarwar that a band 6 nurse who is at the bottom of the scale will take home an additional £1,994 after tax, compared with someone in the same band in England. A qualified teacher at the bottom of the band will take home £6,365 more after tax in Scotland than the equivalent teacher in England. Those are the facts

for Mr Sarwar. A band 6 nurse living in Scotland will take home—*[Interruption.]* Mr Sarwar asked me about nurses, and I am giving him an answer about nurses. A band 6 nurse at the bottom of the scale will take home an additional £1,994 because they live in Scotland and not England, and a teacher in Scotland will take home £6,365 more than they would in England. That is because this Government delivers fair pay for public service workers.

**Anas Sarwar:** John Swinney deliberately focuses on the lowest band and ignores the thousands of nurses and teachers who are paying more tax in Scotland.

Although a million Scots face paying more, the 19th John Swinney budget does not even try to deal with the issues that are leading to billions of pounds being wasted and opportunities being squandered. There is no plan to deal with delayed discharge, meaning that taxpayers pick up a bill of half a billion pounds; there is no plan to deal with Scotland's prison system, while people pay £1 billion and rising for the new Barlinnie prison in Glasgow; and there is no plan to grow Scotland's economy, costing us £800 million. All those plans can only come about with a change of Government in May. John Swinney cannot solve the big issues that he has created—

**The Presiding Officer:** Let us hear one another.

**Anas Sarwar:** There is an urgent new issue that risks the future of thousands of businesses. Why has there been no pause to business rate revaluations? They have meant that many businesses face a 400 per cent increase—far greater than any rate relief—and risk their survival and the loss of thousands of jobs. Why has there been no pause to those revaluations?

**The First Minister:** I notice that Mr Sarwar has moved the subject on from the tax position of teachers and nurses, because I have completely demolished the arguments that he has put in front of me today.

On the subject of business rates, the business rates position is a product of two elements: the independent valuation that is undertaken and the policy decisions that are taken by the Scottish Government. The independent valuation, which was agreed to across the Parliament, has taken its course. In policy terms, this Government has put in place a 15 per cent relief to retail, hospitality and leisure premises in mainland Scotland that are liable for the basic or intermediate property rate; we have expanded the 100 per cent relief for retail, hospitality and leisure businesses on our islands; we have maintained the small business bonus scheme; and, crucially, we have put in place a package of business rates reliefs worth an

estimated £864 million in the forthcoming financial year. That is the Government investing to support business and the economy, alongside a range of other measures in the budget that I hope that Mr Sarwar will support.

**Anas Sarwar:** In the words of his old pal Alex Neil, the First Minister is talking “rubbish”. He has failed to deal with the serious question of—*[Interruption.]*

**The Presiding Officer:** Let us hear Mr Sarwar.

**Anas Sarwar:**—revaluations that will see some businesses being forced to pay 300 or 400 per cent higher amounts, which risks the survival of those businesses. He completely ignored that question.

The one bit of good news is that Scots do not have to put up with his failure for much longer: in May, they can choose a new Government. The Scottish National Party has spent the past 19 years—*[Interruption.]*

**The Presiding Officer:** Sorry, Mr Sarwar—it is somewhat noisy. Let us hear one another.

**Anas Sarwar:** It is okay—we will say cheerio to Shona Robison in four months’ time too.

The SNP has spent the past 19 years failing to deal with the real issues that are facing Scotland. It has nothing new to deal with the crisis created on its watch: nothing to deal with the hundreds of thousands of Scots who are stuck on national health service waiting lists; nothing to deal with the drug deaths emergency that is killing hundreds of people a year; nothing to address the homelessness crisis that is leaving 10,000 kids stuck in temporary accommodation; nothing to help businesses, wages or the economy to grow; and nothing for the thousands of our amazing young people who are missing out on the education that they deserve.

John Swinney has had 20 years. He has had his chance and he has failed, has he not?

**The First Minister:** I do not think that today is the day that Mr Sarwar is in a strong enough position to accuse me of talking rubbish. This morning, a health campaigner raised publicly the fact that she has requested a formal apology from Mr Sarwar after a campaign leaflet—which I have in front of me—was posted to thousands of homes around the country with a false quotation in support of his party in it. The campaigner who was falsely quoted asked a fair question:

“If they’ve written that out of nowhere, what else have they lied about?”

So, I do not think that Mr Sarwar is in a position to say to me anything about the budget. Not only has he misled the public in a campaign leaflet—a member of the public has called him out—but he is

wrestling with Reform to try to get into second place in the opinion polls. Mr Sarwar knows that it is all over. It is finished. The dream is gone. He is in opposition and we are going to stay in government.

### US Military (Use of Scottish Infrastructure)

**3. Gillian Mackay (Central Scotland) (Green):** The First Minister’s Government has long aspired to Scotland’s being an independent Nordic nation. However, right now, our Nordic neighbours need our help. Yesterday, in the White House, Donald Trump repeated his threat to—in his words—“conquer” Greenland. That is no empty threat and comes directly off the back of his immoral and illegal invasion of Venezuela.

Scotland must stand up to Trump and his contempt for international law, and reassure the people of Greenland that we will not be complicit in any part of an attempted annexation. Can the First Minister commit to ensuring that the United States military will be banned from using Scottish infrastructure and assets, including all our publicly owned airports, if the US launches operations against our Nordic allies?

**The First Minister (John Swinney):** I acknowledge the importance of the issues and the concern that Gillian Mackay raises. As I have made clear over the past couple of weeks, and over the entirety of my political life, I believe fundamentally in the international rules-based system for ensuring peace and security in the world.

As I expressed in relation to the situation in Venezuela—I put this on the record last week in response to Mercedes Villalba—I do not believe that the intervention in Venezuela could be justified within the international rules-based system.

Gillian Mackay raises issues concerning the use of infrastructure in Scotland that is under the control of the Scottish Government. I want to make it clear that I believe that it is important that all that infrastructure, if it were ever to be used, could be used only in a way that was consistent with the international rules-based system for the arrangements between countries. As First Minister, I will ensure that that is the case.

**Gillian Mackay:** It is not good enough for us to be vague on this. We are talking about a US Government that is pulling its own citizens out of their communities, that has shot a mother in broad daylight and that is actively advertising that it wants to invade other countries. People across the world are terrified, and we have—*[Interruption.]*

**The Presiding Officer:** Let us hear Ms Mackay. Mr Kerr, I am chairing the Parliament at the moment, thank you.

**Gillian Mackay:** People across the world are terrified, and we have the ability to take action, so I again ask the First Minister whether he will stop the US military using all publicly owned Scottish airports if it launches operations against Greenland and whether he will stand with the international community.

**The First Minister:** I absolutely stand with the international community on the resolute views that have been expressed on the situation in Greenland and on protecting the status of Greenland and the right of the people of Greenland to determine their own future. I state that unreservedly to Parliament.

I also say again, in the hope that I express this clearly to the public and to Parliament, that I will insist that the infrastructure that is under the control of the Scottish Government can and should be used only to support the international rules-based system, because that is the foundation for the peace that I have enjoyed throughout my life, and I want to make sure that that is the case for my children and my grandchildren.

#### Local Growth Fund (Allocations)

4. **Keith Brown (Clackmannanshire and Dunblane) (SNP):** To ask the First Minister whether he will provide an update regarding the Scottish Government's latest engagement with the United Kingdom Government in relation to the distribution of local growth fund allocations in Scotland. (S6F-04587)

**The First Minister (John Swinney):** Despite repeated requests over the past year, we have had no meaningful discussion with the UK Government on the local growth fund. The Secretary of State for Scotland wrote to us on the day of the announcement, stating that UK Government officials would be in contact, but we have no more detail on the programme. The announcement has come far too late.

The Scottish Government and local authorities repeatedly warned the UK Government that any reduction in funding would have a devastating impact, and we can now see that in the reports of some organisations issuing redundancy notices. The programme does not come close to matching the shared prosperity fund that it will replace, and it leaves nine Scottish local authorities with no allocation whatsoever.

**Keith Brown:** The First Minister will be aware that, in Wales, the Welsh Labour Government will decide how to spend £547 million of local growth funding, whereas, in Scotland, it appears that the UK Government intends to spend Scotland's £140 million for us.

At the same time, analysis shows that Forth Valley, which includes my constituency, faces a

cut of around a third compared with current funding levels, which threatens employability, skills and business support programmes that sustain local jobs. In my constituency, local groups will lose jobs.

Does the First Minister agree that that represents blatant political bias, with Scotland's communities being not only short-changed—*[Interruption.]* I do not know why the Tories do not like that being raised. Does he agree that Scotland's communities are being not only short-changed but denied the right to decide their own priorities? While Labour politicians in Wales have defended devolution, they called Starmer's approach a constitutional outrage. Is it not time for Labour MSPs in the Scottish Parliament to do the same or to accept that Scotland would be far better served by a Scottish Parliament that had the full powers of independence?

**The First Minister:** There are two issues that I want to address in response to the matter that Mr Brown has raised with me. The first is the fact that, when it comes to the quantum of support that is available, the resources that are available in Scotland are dwarfed by those that are available in Wales, so there is no equity in the arrangements that have been put in place.

The second point is that, in Wales, where there is a Labour Administration, the UK Labour Government has decided to allocate that money to the Welsh Government to enable distribution to take place in a way that is complementary to the priorities of the Welsh Government. That is a rational and logical position to adopt. In Scotland, the UK Labour Government has engaged in no dialogue with us whatsoever about the delivery of this funding, and it is being deployed in a way that was chosen by the UK Government with no regard paid to the priorities that are democratically agreed by this Parliament.

Worse than all of that, people in Scotland are now losing jobs because of the decisions of a Labour Government. When we add that to the decisions about employer national insurance contributions, it shows that the Labour Government is costing Scotland jobs. We cannot afford to have any more control from Labour in Scotland.

**Alexander Stewart (Mid Scotland and Fife) (Con):** Clackmannanshire has just received £9.8 million of investment through the local growth fund. *[Alexander Stewart has corrected this contribution. See end of report.]* That money came from the UK Government, as already has been discussed. It came openly, transparently and in partnership with local leaders. In contrast, the 2026-27 Scottish budget has been called "misleading" and "not good enough" by the Institute for Fiscal Studies.

Who is to blame for the flattering figures that have been identified by the Institute for Fiscal Studies and the Fraser of Allander Institute? Is it the Cabinet Secretary for Finance and Local Government, or is it the First Minister?

**The First Minister:** I think that we are going to have to have some consistency on the Conservative benches. Alexander Stewart has turned up and spoken to Parliament as an advocate and a cheerleader for the Labour Government in London, when his party leader is denouncing the Labour Government in London. The Conservatives have got to get their act together—or, should I say, those who are left, because many of them are getting chucked out because they are dabbling with Reform. It is all over for the Tory party.

### Supreme Court Ruling

**5. Douglas Ross (Highlands and Islands) (Con):** To ask the First Minister for what reason the Scottish Government is going to court to continue to allow it to house male prisoners in the female prison estate, in light of any projections it has made of the cost to taxpayers in Scotland of challenging the Supreme Court ruling in this way. (S6F-04578)

**The First Minister (John Swinney):** The judgment of the Supreme Court is accepted by the Scottish Government. What we are doing—as any responsible Government must—is ensuring that our policies comply with all our legal obligations, including the Scotland Act 1998 and the European convention on human rights. Every key area of Government that is or might be affected by the Supreme Court judgment is carrying out assessments across legislation, guidance and policies, and changes have already been made in some areas.

The prisons guidance has not been changed, and it can be taken from that that the Scottish Government has concluded that it does not need to be changed in light of the Supreme Court judgment. For Women Scotland has brought proceedings challenging that conclusion, as it is entitled to do. The matter is now before the court.

The Scottish Government has to make difficult decisions that balance the interests and rights of individuals, often in complex situations, and this is one such situation.

**Douglas Ross:** I am not allowed to call the First Minister a liar, but that answer was not truthful. I have just said that I am not allowed to do it, but he is not giving a truthful answer. It is desperate stuff from the First Minister. How on earth can he stand up here and say that the Government is respecting the Supreme Court ruling when it is in court arguing the very opposite?

Those actions threaten women's safety. Right now, at this very moment, three biological males are housed in Scotland's female prison estate. Alex Stewart was jailed for 19 years for murder after stabbing his victim 16 times in the chest. Melissa Young was jailed for 20 years for murder, having left his victim with 29 injuries from multiple stab wounds. Paris Green was jailed for 18 years for torture and murder. He recently assaulted a female member of staff, but has still not been moved to a male prison.

Let me ask the First Minister this question. Those evil killers are all housed with women prisoners. Are they male or female?

**The First Minister:** As I indicated in my earlier answer, the Scottish Government must ensure that, on all occasions, our policies comply with our legal obligations, including the Scotland Act 1998—[*Interruption.*]

**The Presiding Officer:** Let us hear the First Minister.

**The First Minister:** —and the European convention on human rights.

In such situations, the Government must wrestle with complex issues and make difficult decisions that balance and reflect—[*Interruption.*]

**The Presiding Officer:** Let us hear the First Minister.

**The First Minister:** —the interests and rights of individuals.

The matter is actively in front of the courts at this time. Scottish ministers appreciate the public interest in the particular circumstances of this case, so, in the interests of open justice, the Government will publish our written case—that being our answers to the judicial review and our note of argument—ahead of the hearing that is due to begin on 3 February. Making the materials that have been lodged with the court publicly available will allow anyone with an interest to follow, in a well-informed way, what is said in court.

I stress that the matter is actively in front of the court and that the Government is trying to make information available to ensure that members of the public—[*Interruption.*]

**The Presiding Officer:** Thank you, members.

**The First Minister:** —can follow the case in a well-informed way.

**Ruth Maguire (Cunninghame South) (SNP):** The need for the protection of space on public boards for women has been accepted and the law corrected, but a policy that means that female prisoners, a majority of whom have experienced male violence, might have to share close quarters

with male-bodied inmates while they are in the care of the state is being defended.

Knowing everything that we know about trauma, and given the countless testimonies from women on this matter—including testimony given both privately and publicly by a number of his own party colleagues—does the First Minister understand just how appalling the Government's actions feel to many of us and how difficult it is to reconcile the Scottish Government's words about the protection of single-sex spaces for females with its actions on the matter? *[Interruption.]*

**The Presiding Officer:** Let us hear the First Minister.

**The First Minister:** I acknowledge, understand and appreciate the strength of feeling expressed to me by Ruth Maguire. I understand her views and the points that she makes and expresses on behalf of those who have had traumatic experiences.

I stress what I said in my earlier answer. The judgment by the Supreme Court is accepted by the Scottish Government and what we are doing is ensuring that our policies comply with all our legal obligations, including the Scotland Act 1998 and the European convention on human rights. The Government is obliged to ensure that that is the case. We have considered the issue and the actions that we are taking are consistent with that consideration.

**Pauline McNeill (Glasgow) (Lab):** The Government claims that it accepts the Supreme Court ruling on the definition of women in the Equality Act 2010, but I am not certain that it does. To be honest, I am not sure that the First Minister fully understands the impact that that is having.

The Government has chosen to advance an argument in court that a blanket ban on housing trans women in the women's prison estate may violate their human rights under the European convention on human rights. What consideration did the Government give to the human right of female prisoners to serve their sentences with dignity and to be kept safe from male-bodied prisoners?

In the likely event of the Government losing its court case, in light of the Supreme Court judgment, how soon after that will the Government comply with that judgment? Will it change its policy as a matter of urgency?

**The First Minister:** Pauline McNeill questioned the Government's acceptance of the Supreme Court judgment, so I say once again that the Government unreservedly accepts the Supreme Court judgment. As a consequence, we have revised guidance that is in place in other areas of policy to ensure compatibility with that judgment.

In the case of the guidance on prisoners, the Government has made an assessment, and that is now being tested in the courts. The issue will be determined by the courts. Out of the respect that I have for the decision making of the courts, I want to make sure that the court is free to make its judgment on the application of the guidance that the Government has put in place.

### **Assisted Dying for Terminally Ill Adults (Scotland) Bill (Implementation)**

**6. Pam Duncan-Glancy (Glasgow) (Lab):** To ask the First Minister what the Scottish Government's response is to findings published by the Royal College of Physicians and Surgeons of Glasgow indicating that a majority of clinicians anticipate practical challenges in implementing the Assisted Dying for Terminally Ill Adults (Scotland) Bill. (S6F-04588)

**The Presiding Officer:** I am somewhat disconcerted that we do not have a live audio and video feed for Ms Duncan-Glancy. I will let the question go ahead in this instance while we seek to resolve the issue.

**The First Minister (John Swinney):** The Scottish Government is aware of the findings of the Royal College of Physicians and Surgeons of Glasgow, which detail its members' views on assisted dying legislation. Similar to the college, the Scottish Government maintains a position of neutrality on the bill. Our stage 2 assessment of non-Government amendments to the bill, focusing on the technical, legal and delivery aspects, was informed in part by the evidence that stakeholders provided to the Health, Social Care and Sport Committee, and we continue to pay close attention to stakeholder views.

**Pam Duncan-Glancy:** I hope that the technical issues with the audio and video feed have resolved themselves.

I thank the First Minister for that answer. It is important that we, as MSPs, listen to experts, including those who will be tasked with implementing any change in the law—in this case, those who will be helping people to die. Does the First Minister agree that, if those experts tell us that the legislation could be unsafe and inoperable, we should listen to them?

**The First Minister:** As I indicated in my earlier answer, the Government is neutral on the bill. It is a matter of conscience and personal decision making, I think, for all members of Parliament. My view, of opposition to the bill, has been expressed publicly and is well known. It will be up to individual members to assess the points that are expressed by a variety of stakeholders as Parliament considers this important bill.

**Liam McArthur (Orkney Islands) (LD):** As the First Minister will recall, Parliament voted to support the general principles of my bill at stage 1, since when both the Scottish and UK Governments have worked constructively to ensure that a comprehensive system of assisted dying can be implemented if that remains the will of MSPs. I put on the record my thanks to both of them for those efforts.

At this point, however, can the First Minister assure the Parliament that the Scottish Government will now engage on any amendments that it believes will be necessary at stage 3 to deliver a safe and compassionate choice for terminally ill adults in Scotland who wish it?

**The First Minister:** The Government is actively considering the issue. Obviously, the Government has to be mindful of the position, which will be sustained during consideration of the bill, that it has a neutral position on the bill.

I acknowledge that there will be technical, practical, operational and legislative questions that the Government will be called on to engage with, and that issue is under active consideration within Government at this time. I stress that a multiplicity of questions will have to be wrestled with, and the Government will give consideration to those in good faith.

**The Presiding Officer:** We move to constituency and general supplementary questions. I would be grateful for concise questions and responses.

### Avian Flu

**Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP):** The First Minister will be aware of the outbreaks of avian flu at Glenrath Farms in my constituency, which is the largest egg producer in Scotland, producing 1 million eggs a day. Thousands of birds have been culled and all the Glenrath eggs on the shelves have been recalled.

I ask the First Minister for an update on the contamination security measures at the site. At the risk of reprising the infamous Edwina Currie egg panic, I also ask for an assurance that, given the recall, the eggs that are on shelves now are safe.

**The First Minister (John Swinney):** We are aware of a cluster of outbreaks of the highly pathogenic avian influenza H5N1 in the Scottish Borders.

Food safety is a matter for the Food Standards Agency. On the point that Christine Grahame asked me about, Public Health Scotland advises that the risk to public health from the virus is very low, and Food Standards Scotland advises that avian influenza poses a very low food safety risk

to consumers. On the advice of Public Health Scotland, properly cooked poultry and poultry products, including eggs, are safe to eat.

I also assure Christine Grahame that rigorous safety measures are in place to monitor the condition of different sites, and those are what highlighted the issues that are being faced in the Borders.

### Energy Convention (Scottish Borders)

**Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con):** On Saturday, I will meet more than 40 community councils at an energy convention in the Borders. They feel voiceless because monster pylons and other infrastructure are industrialising the countryside in the Borders without a clear plan from the Scottish National Party Government.

An invitation to the convention was sent to your energy secretary, Gillian Martin, nearly a month ago, with no response having been received. Now we have learned that she has abdicated responsibility for consents to another SNP minister. Does that chaos not prove that your energy strategy is confused, incoherent and failing communities? First Minister, will you personally guarantee that those communities will receive a response from Gillian Martin by the end of the day?

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

**The First Minister (John Swinney):** Ministerial invitations will be considered and judgments will be arrived at as to whether it is appropriate for ministers to be undertaking engagements. A decision has been taken that Ivan McKee will determine applications, given his wider planning responsibilities and the importance of those approaches being taken.

I say to Rachael Hamilton that the Government is absolutely committed to ensuring that Scotland's enormous renewable energy wealth is utilised for the benefit of the people of Scotland. I look forward to making more progress on that when Scotland is able to exercise the powers of independence to lower fuel bills by putting Scotland's energy wealth to work for the people of Scotland.

### Seized Oil Tanker

**Audrey Nicoll (Aberdeen South and North Kincardine) (SNP):** It is understood that the tanker that was seized by US authorities last week is currently in Scottish waters. I understand from reports that the First Minister was not briefed on that by the United Kingdom Government. Can the First Minister provide an update on the Scottish

Government's understanding of the current situation with regard to the seized tanker?

**The First Minister (John Swinney):** As Audrey Nicoll has recounted, the Government was not advised that that vessel was coming into Scottish waters. It is pretty obvious that, when such an event happens—when a vessel of that type comes into Scottish waters—there could well be implications for the exercise of Scots law and Scots jurisprudence.

I have raised with the UK Government my complete dissatisfaction at the absence of prior notice that that was going to be undertaken, because of the potential interaction with our responsibilities. One example of that is that the Lord Advocate is seeking to establish that all aspects of the rule of law are being respected with the presence of the tanker in Scottish waters, which is her statutory responsibility, and that we can be assured that the health and welfare of those on board are preserved.

Given the total absence of proper formal communication from the UK Government to the Scottish Government about an issue that has implications for the delivery of our responsibilities, this is an example of shockingly poor conduct by the UK Government.

#### **Dementia Support (Dumfries and Galloway)**

**Finlay Carson (Galloway and West Dumfries) (Con):** My constituents are deeply alarmed that Dumfries and Galloway's integration joint board plans to end Alzheimer Scotland-commissioned dementia support on 31 March. They fear that that change will seriously harm the care of the 373 people who are currently supported, including 235 who are in the year of guaranteed post-diagnostic support.

I am aware that you have recently been heavily engaged in looking at the future of dementia support through your advanced dementia round-table work, precisely to avoid changes being made without proper consultation. Will you instruct your officials to engage urgently with the health and social care partnership and the IJB in Dumfries and Galloway to secure and make public a dated continuity plan that includes single family contacts and named leads and a timetable for consultation under the Transfer of Undertakings (Protection of Employment) Regulations, and will you commit the Government to give support, if required, including bridging arrangements, so that there will be no cliff edge in April?

**The Presiding Officer:** I remind members of the requirement to speak through the chair.

**The First Minister (John Swinney):** Mr Carson makes a series of reasonable points. I have been very pleased to convene the round table on

Alzheimer's care suggested to me by one of Scotland's leading and most distinguished industrialists, Sir Iain Anderson. I welcome Sir Iain's intervention to advance these issues, and the active participation of clinicians.

Mr Carson makes a strong point about the early intervention support that Alzheimer Scotland makes, particularly in community settings, which I suspect must be the context of the arrangements in Mr Carson's constituency. I give him the assurance that I will take the issue away and explore it with the health secretary to see what steps we can take to ensure that there is continuity of service. It is obvious that any disruption to the care arrangements of individuals with Alzheimer's is likely to be damaging to them.

#### **Mansion Tax (Scottish Budget)**

**Alasdair Allan (Na h-Eileanan an Iar) (SNP):** I welcome the announcement this week in the Scottish budget of a mansion tax on properties valued at more than £1 million. Although I am sure that he is not being singled out, it seems likely that the new leader in Scotland of Mr Farage's party will be among the first to pay the tax. Does the First Minister agree that it is fair to ask the wealthiest to contribute to public services and that it will be good to see certain figures in the House of Lords doing so more evidently?

**The First Minister (John Swinney):** The Government has a foundation to its tax approach; it is based on the progressive principle. We have taken that principle and applied it to the council tax provisions at the higher end of the spectrum. Those policies will be brought forward as part of the Government's budget process.

#### **Violence Against Woman and Girls (Prostitution)**

**Ash Regan (Edinburgh Eastern) (Ind):** The latest Crown Office and Procurator Fiscal Service figures show a 43 per cent post-Covid rise in under-16s who are reported for rape and sexual assault. There is a crisis of violence against women and girls in Scotland. What we are currently doing is not working. Will the Government please do something different and start with what the Lord Advocate has described as root-cause offending: the violence against women of prostitution? Prostitution dehumanises women and girls, and that human rights abuse is currently state sanctioned. Will the Government take this opportunity to stand up for women and girls, protect them and support my unbuyable bill?

**The First Minister (John Swinney):** First, I acknowledge unreservedly the significance of the issue that Ash Regan puts to me and, in particular, the significant increase in sexual violence and the reporting of sexual violence in our society. That is

evidenced in a lot of the data that we have wrestled with in Parliament and it has resulted in the Government's actions to ensure that more cases are pursued, more cases are taken to court and more prosecutions are successfully achieved.

However, that is not to suggest in any way that there is not more that we need to do, which is about education, advice and intervention to create a different culture in the attitude towards women and girls in our society—an attitude that is being fuelled by so much of the unacceptable material that is floating around on social media. I welcome some of the steps that the United Kingdom Government has taken in the course of this week alone to apply greater regulatory force to many of these issues.

Ash Regan asked me specifically about her bill. The bill is at stage 1 consideration, and the Government has engaged with that process. We will listen with care to the conclusions of the Criminal Justice Committee when its report is available to us.

**Keith Brown (Clackmannanshire and Dunblane) (SNP):** On a point of order, Presiding Officer. In relation to the question that I raised during First Minister's question time, a supplementary question from Alexander Stewart contained the statement that Clackmannanshire has received £9 million or more. The truth, of course, is that Clackmannanshire has not received a single penny. I think that Mr Stewart may be confused with the award that is said to have been given to the whole of Forth Valley rather than Clackmannanshire.

It is also true that the money has not been paid yet and will not be paid for several months, and that the United Kingdom Government has allocated it to something called the Forth Valley regional partnership—a body that does not exist. Given the importance of those facts for jobs in my constituency, I wonder whether Alexander Stewart can be given the opportunity to apologise for his error in order that the facts can be put into the *Official Report*.

**The Presiding Officer:** Thank you, Mr Brown. You will be aware that the content of members' contributions is not a matter that the chair would ordinarily rule on.

## Point of Order

12:49

**Kevin Stewart (Aberdeen Central) (SNP):** On a point of order, Presiding Officer. The chamber will be aware of reporting by Alice Faulkner of Clyde 1 news that a campaign leaflet issued by Labour features a made-up quote that is incorrectly attributed to maternity campaigner Claire Fleming, who has publicly denied saying those words, and—

**The Presiding Officer (Alison Johnstone):** Mr Stewart, points of order should refer to whether proper parliamentary procedures have been followed.

**Kevin Stewart:** I am coming to the parliamentary aspect of the issue, Presiding Officer.

Despite promising on multiple occasions to publicly apologise to Ms Fleming once he found out about the issue, I note that Mr Sarwar has yet to do so. Blatant disinformation of that type undermines trust in politicians, our politics and this Parliament. Although you are not responsible for the output of members in a political space, Presiding Officer, I point out that fabricating quotes from members of the public has repercussions way beyond that political space and has serious potential for this very institution to be brought into disrepute.

Presiding Officer, can you outline how members can ensure the accuracy of our output, both inside and outside the chamber? Will Mr Sarwar take this opportunity to put his full apology to Claire Fleming on the parliamentary record?

**The Presiding Officer:** As I indicated, that is not a matter for the chair, but, of course, members should strive to be accurate always.

The next item of business is a members' business debate, and there will now be a short suspension to allow those leaving the public gallery and the chamber to do so.

12:51

*Meeting suspended.*

12:52

*On resuming—*

## Scottish Fire and Rescue Service

**The Deputy Presiding Officer (Liam McArthur):** The next item of business is a members' business debate on motion S6M-20218, in the name of Maggie Chapman, on a Scottish Fire and Rescue Service fit for the future. The debate will be concluded without any question being put.

*Motion moved,*

That the Parliament recognises, and is grateful for, the work of the around 7,600 firefighters and support staff in the Scottish Fire and Rescue Service (SFRS), who help keep people and nature in the North East Scotland region and across the country safe; understands with concern that, since 2013, the SFRS resource budget has been reduced in real terms by £58 million per annum, with 1,239 firefighter posts lost, and that the recent Service Delivery Review could see the loss of fire stations and appliances across the country; welcomes the dedicated work of Fire Brigades Union (FBU) Scotland in campaigning for a well-resourced and well-equipped service, and its 2023 paper, Firestorm, a Report into the Future of the Scottish Fire and Rescue Service; notes the shared commitment of FBU and SFRS to firefighter role expansion and, in particular, the FBU's campaign, DECON, which aims to shed light on the health risks of fire contaminants to firefighters; understands that firefighters have a mortality rate from all cancers 1.6 times higher than the general public; notes the DECON campaign's recommendations, which include annual health monitoring and recording of exposures for all firefighters; further notes what it sees as the impact of the climate emergency on the SFRS, including an increasing frequency and severity of wildfires and flooding, and notes the FBU's Climate Emergency campaign, which aims to highlight the impact of the climate crisis on fire and rescue services.

12:53

**Maggie Chapman (North East Scotland) (Green):** I am grateful to those who supported my motion to allow this debate to go ahead today. I led the Scottish Greens' first members' business debate in this session, which was on St Fittick's park, and I am proud to devote this penultimate Scottish Greens members' business debate to the fire service.

I speak today with immense gratitude to the Scottish Fire and Rescue Service and say hello to its members who are in the gallery this afternoon. I am grateful to all of the roughly 7,600 firefighters and support staff who, every day, place themselves between danger and the people and places they serve, and support those in need. They are there at the worst moments of our lives: when a family home is ablaze, when a car is twisted around a tree, when floodwater rises, when wildfires rage and when the climate emergency stops being an abstract concept and becomes an immediate terrifying reality.

**Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con):** I stand with Ms Chapman's comments about our immense gratitude to those who risk their lives for us.

Hawick fire station is at risk of having its full-time-equivalent service cut. I agree with Maggie Chapman about the incredible risks that we face from wildfires, climate change and so on. Does she agree that now is not the time for that cut to happen? Some 1,250 jobs have gone from the service. The Scottish Government must back it now, while we face those increased risks.

**The Deputy Presiding Officer:** I can give you the time back, Ms Chapman.

**Maggie Chapman:** I will come on to the service delivery review in a moment, but it is important that we recognise and acknowledge that the staff who work for the Scottish Fire and Rescue Service are there for us when it matters most. I have outlined their work when family homes are on fire and in response to the climate emergency, as Rachael Hamilton highlighted, but, as is often forgotten, it is also about someone being on the phone, hoping for rescue, even when the service just cannot get to them in time.

Firefighters are not just emergency responders; they are a national strategic asset. Yet, for more than a decade, it sometimes seems as though we have treated them as if they were expendable. Since 2013, the Scottish Fire and Rescue Service resource budget has been cut by £58 million a year in real terms and 1,239 firefighter posts have been lost. Appliances sit uncrewed and response times have lengthened year on year.

Now, through the service delivery review, communities are being asked to contemplate the loss of stations and appliances that they know, in their bones, keep them safe.

Let us be honest. This is not modernisation driven by vision; this is change driven by austerity.

I will speak directly about the north-east region and, in particular, about Balmossie community fire and ambulance station. The message from the responses to the consultation on the service delivery review could not be clearer. Communities, workers, unions and local representatives all said the same thing—Balmossie must stay open, with no loss of appliances. This is not special pleading; it is common sense. Balmossie serves a growing population in an area where there are complex industrial risks, major transport routes and communities that already feel stretched. Closing or downgrading the station would increase response times and put lives at risk. I pay special tribute to Alan Park at Balmossie for his tireless activism—raising awareness, supporting people to understand how the consultation worked and so much more. Thank you, Alan.

Of course, similar concerns are being expressed elsewhere, such as in Lochgelly in Fife. I know that my colleague Mark Ruskell would be here if he could, representing the workers and constituents who worry about the proposed changes there. If we ignore these warnings, we will not be able to say that we did not know.

Firefighters are being asked to do more with less in conditions that are increasingly intolerable. That is why the work of the Fire Brigades Union matters so profoundly. I thank the FBU for its tireless campaigning and its 2023 report, "Firestorm", which set out not just a critique but a credible vision for the future of our fire service.

**Beatrice Wishart (Shetland Islands) (LD):** Last year, the Health and Safety Executive issued an enforcement notice to the SFRS about welfare facilities at three fire stations in Shetland. There were no fixed toilets, rest facilities, showers or changing areas. Although I understand that progress has now been made at the stations concerned, does Ms Chapman recognise the impact on personnel, especially when they are trying to decontaminate after attending an incident, and the potential impact on firefighters' health? That is an example of what can happen when there is inadequate funding for emergency services.

**The Deputy Presiding Officer:** Again, I can give you the time back, Ms Chapman.

**Maggie Chapman:** Absolutely, we need to make sure that we are investing in the decontamination facilities that all firefighters need. I will speak particularly about the FBU's DECON campaign, which the Parliament has debated before and which I have been proud to support.

In comparison with the general public, firefighters are 1.6 times more likely to die from cancer, five times more likely to die from a heart attack and nearly three times more likely to die from a stroke. That is not a coincidence—it is an occupational scandal. The science is clear. Fire contaminants—toxic carcinogenic substances that are released during fires and are in some of the firefighting equipment—are killing firefighters slowly, long after the flames are put out. The World Health Organization recognises firefighting as a carcinogenic occupation. Professor Anna Stec's research has reinforced what firefighters have known for years: their work is poisoning them.

The DECON campaign is not radical; it is responsible. We need annual health monitoring, recording of exposures, proper decontamination facilities, clean kit, clean stations and safe systems of work. Some progress has been made—as Beatrice Wishart highlighted—and that should be acknowledged; however, without

sustained, ring-fenced investment, these measures will remain patchy, unequal and inadequate. If we know the risk, and we fail to act, that failure is on us.

This debate is also about the future and about potential. There is a shared commitment between the FBU and the SFRS to role expansion. Firefighters already prevent, protect and respond. With the right training, staffing and funding, they could do even more, thereby alleviating pressure on the Scottish Ambulance Service, supporting the national health service and strengthening community safety and resilience.

However, let me be absolutely clear: role expansion cannot be a back-door cost-cutting exercise. It cannot be done on the cheap and it cannot be imposed on a service that is already stretched to breaking point. An agreement in principle was reached in 2022, but what has been missing ever since is Government backing. Political leadership means turning warm words about public sector reform into real investment that allows reform to happen safely, fairly and effectively.

We cannot talk about a fire service that is fit for the future while firefighters work in stations that lack basic dignified facilities, while more than 100 stations do not meet minimum toilet standards, while hundreds lack proper changing areas, and while capital investment lags hundreds of millions of pounds behind what is needed. We cannot talk about climate resilience while not investing properly in the very service that responds to floods, wildfires and extreme weather events.

Our firefighters do not ask for praise; they ask for the tools to do their job, the numbers to do it safely and the protection that they deserve in return for the risks that they take. The Parliament now faces a choice: we can continue down the road of managed decline—consultation by consultation, closure by closure—or we can choose investment over cuts, prevention over reaction, and justice over neglect.

Keeping Balmossie open, backing the DECON campaign in full, funding role expansion properly, rebuilding stations, recruiting firefighters and reducing response times—that is what a fire and rescue service that is fit for the future looks like. Scotland's firefighters step up every day—it is time for us to do the same.

13:02

**Jamie Hepburn (Cumbernauld and Kilsyth) (SNP):** I thank Maggie Chapman for securing the debate.

In her motion, the member quite rightly mentions the DECON campaign, and I very much associate

myself with her remarks about it. The campaign has indicated and highlighted the excess mortality rates in relation to cancer, heart attack and stroke, which we would all agree are an obvious concern for us. When the evidence starts to emerge, including through academic research, it requires a response. There are recommendations in the FBU report, and I am keen to hear the Scottish Government's response to them.

Maggie Chapman is also right to highlight, as she did in her contribution as well as in her motion, the impact of climate change. I have spoken in the Parliament before about having seen the effects of climate change locally in my constituency. Last spring, we saw a major wildfire at Palacerigg, which required a significant response from the Scottish Fire and Rescue Service. The service certainly rose to the occasion, and I am grateful to it for doing so.

The Scottish Government held the wildfire summit, and I am grateful for the Government's update to MSPs on the work that has arisen out of that. It would be useful to hear from the minister about what might emerge from that, if she is able to provide us with an update.

I will focus my remarks primarily on the fire service delivery review, as it impacts my area. As a member of the Criminal Justice Committee, I am grateful to the Fire Brigades Union for coming along to speak to us about its perspective on the review, and I look forward to having the Scottish Fire and Rescue Service speak to us before any final decisions are made. I know that a decision has been delayed, which reflects what has been, as members might have expected, a significant response to the Scottish Fire and Rescue Service's consultation, and I look forward to being able to question the SFRS on aspects of the review.

The proposal in my area is, thankfully, not to close the fire station; indeed, I would have been surprised if there had been a closure, given the size of my community. However, there is a proposal to move from two full-time appliances to one operating full time—which would be welcome, of course—and another operating full time during the day on weekdays only and then being operated by retained firefighters at night time during the week and at weekends.

Understandably, that has generated concern in the community, with the primary concern being about any delay to a second appliance arriving and the pressure that that might place on the crew of the first appliance that arrives on site. There is also concern about retained firefighter availability—we are already seeing that, with the Kilsyth and Stepps fire stations not always being available—and about the challenges with recruiting such personnel.

I have a particular concern about the review process, which I have expressed to the Scottish Fire and Rescue Service, and which I now take the opportunity to place on the record in the Parliament. We benefit from having a national service—for example, we do not, as I have seen, have the same challenges with cross-boundary transfer—but I do not think that the Fire and Rescue Service's proposals have considered that. For example, changes that are being talked about in Glasgow could impact my area—and, of course, vice versa—and I do not think that that has been considered.

I am glad that Maggie Chapman has brought the debate to the Parliament, and I am glad to have been able to place some of my concerns and those of my constituents on the record. I am keen to see where the review lands and, in that regard, I look forward to being able to question the Scottish Fire and Rescue Service when it comes before the committee.

I place on record my thanks to all existing fire service personnel and all those who have served in the past. They deserve our greatest thanks.

13:07

**Edward Mountain (Highlands and Islands) (Con):** I will start off with a couple of apologies. First, I apologise to Maggie Chapman. If I had known how you were going to address the debate and how it was going to pan out, I would have supported your motion, and I apologise to you for not doing so.

**The Deputy Presiding Officer:** Please pass your apology through the chair, Mr Mountain.

**Edward Mountain:** I also apologise to members for having to slip away before the end of the debate. I forewarned you of that, Presiding Officer, and agreed it with you in advance.

I thank Maggie Chapman for bringing the debate to the Parliament because, as she rightly said, whenever we call for a firefighter or fire engine, it is because we need them. At that stage of need, we realise just how important they are.

That is why I have always campaigned across the Highlands for a local call centre. The difficulty of ensuring that we deploy our retained firefighters to the right places in the Highlands is often quite stark. I dread to think how many Kinlochs are dotted round the Highlands; when we call for a fire engine to go to Kinloch, it might end up near Tongue, near Skye or elsewhere. That is an important point that we have missed.

I must also compliment the Fire Brigades Union, which has been vocal in bringing these matters to the Parliament. I was going to say that I admire its militancy, but I think that that is the wrong word;

perhaps I should say that I admire its tenacity in the way in which it has brought the issues to the Parliament.

Indeed, I thank it for doing so, because, in the Highlands, there have been various issues, especially in the past year, that have required a huge amount of support. I do not need to remind the Parliament that there were probably more than 70 wildfires across Scotland last year, the majority of which were in the Highlands. One of the biggest—which was in the Highlands—raged for weeks.

That proves that there is a lack of the equipment that we need to fight such fires. I strongly believe that there should be a centralised resource of equipment to enable firefighters to get to the hill. That could, and should, include equipment such as Argocats, which are hugely expensive—up to £30,000, in fact.

I also want to touch on certain issues relating to retained firefighters that I see when I travel around the Highlands. We owe them a huge debt of gratitude, but the problem is that we do not make it easy for people to become retained firefighters. Their training requires them to take quite long periods off work, which is an onerous commitment for their employers—even though it is vital for their communities—and I hope that at some stage the review can look at how that training could be made easier, not in terms of what the people involved have to do, but time-wise.

Furthermore, I hope that we can ensure that the training is appropriate, given that certain things that firefighters might have to deal with in one area, such as fires in flats, are not things that firefighters on, say, the west coast of Scotland have to deal with. The training should be made more appealing, too.

The other thing that has been definitely brought to my attention is the lack of facilities for firefighters when they return from fires. Too many fire stations have no showering facilities. It was only midway through last year that Inverness fire station ended up with suitable facilities for firefighters, so that they did not have to go home, reeking of smoke and carrying back to their families and homes the contaminants that they had been exposed to during that day's firefighting experience.

That sort of thing is fundamentally wrong; I can say from personal experience that there is nothing worse than going home in soot-covered clothes and smelling of smoke. It takes days to get it out of your clothes and out of the house, and we should not impose that on firefighters' families. Therefore, I hope that the review will cover that issue, too.

I support the motion, and I call on the Government to support our firefighters, for the

simple reason that, when we need them, they have to be there—and they have to be properly equipped.

13:11

**Richard Leonard (Central Scotland) (Lab):** I thank Maggie Chapman for lodging the motion in Parliament, which I am delighted to support.

A few weeks ago, one Friday afternoon, I sat down with firefighters at the Cumbernauld fire station. It is a station which is set to be downgraded under the so-called service delivery review, with proposals to cut firefighters' hours, with proposals to cut the number of fire appliances and with proposals to cut emergency cover on the night shift—even though the population that the Cumbernauld station serves is rising; even though, as one long-serving firefighter told me:

“Every bad incident I've experienced has been at night-time. It is when the risk is greatest”;

even though, as another younger firefighter told me:

“The very first video you are shown when you start your training is about time critical: the difference that two to three minutes can make”;

and even though, as Scott Fleming, the local Fire Brigades Union representative, told me:

“There are fewer house fires: but the fatalities from house fires have not dropped.”

So, even though these are the experiences, this is the evidence and these are the facts, the minister will tell us that these are purely operational matters for the service to decide, when, in truth, these are life-and-death matters, and so political and moral matters for this Government and for this Minister for Victims and Community Safety to decide.

There are other considerations, too. We also spoke that Friday before Christmas about the new fire station that had been promised when reinforced autoclaved aerated concrete was discovered at the station, which was built back in the 1970s. We spoke about it, because that new replacement fire station has now been shelved, because of the same service delivery review. I have to say that it beggars belief that, as we marked in Parliament just last month, 70 years ago, an earlier generation could build an entire new town in Cumbernauld; now this Scottish National Party Government in this generation cannot even build a new fire station in Cumbernauld.

And what of this week's budget? Well, as the Fire Brigade's Union's Scottish secretary, John McKenzie, has explained,

"the capital budget increase of less than £1.5 million"—

that is for the entire Scottish Fire and Rescue Service—

"is utterly inadequate and sits against an £818 million capital backlog, leaving fire stations not fit for purpose, some held up by scaffolding and many without adequate toilets or running water."

Meanwhile, the Government continues to throw millions extra for a new information technology system for the Fire and Rescue Service at the US-owned multinational corporation Motorola, having already wasted millions on a botched IT system splashed out to the French-owned multinational corporation Systel.

And just last week in Parliament, I revealed that, while the SNP Government's budget for the removal of dangerous, highly flammable cladding in the wake of the Grenfell tower tragedy was £35 million last year, only £6 million of that was spent. It is another example of how little this Government regards community and fire safety, how little it understands the risks posed to firefighters and the public by these unsafe buildings, how lightly it takes its serious duty of care to these residents—especially those who are most at risk: children, those with a disability, the elderly and the frail—who are still waiting more than eight years after the Grenfell tragedy, simply for their homes to be made safe.

It is high time that we ended this indifference, this callous disregard. It is time that we saw action and that we saw new investment in our Fire and Rescue Service, in our firefighters, in our communities. That is what I will continue to campaign for, inside and outside this Parliament.

13:16

**Lorna Slater (Lothian) (Green):** I thank my Green colleague Maggie Chapman for securing this debate. I also express my thanks to Scotland's firefighters and their support staff for their continuing dedication, professionalism and courage in keeping our communities safe across Scotland.

Many constituents have been in contact with me about their concerns about the proposed closure of Marionville fire station. Marionville fire station is located just along the road from the Scottish Parliament, less than a mile from the city centre. It serves a densely populated area and provides cover to a large part of Edinburgh, including the growing populations in the north and east, the Forth ports and the Scottish Parliament. It forms part of the broad response network that keeps our communities safe through rapid emergency

response and prevention work. My constituents are deeply concerned about the proposal to close Marionville fire station and relocate its services to Newcraighall, with the likelihood of increased response times for those of us who live and work in the city centre. My constituents do not consider that to be a minor adjustment; they think that it is a dangerous backward step.

The proposal comes at a time when east Edinburgh's population is growing at an unprecedented rate, increasing demand on services. Local fire services also cover major venues such as Meadowbank stadium, which holds 1,300 people, and Easter Road stadium, which has capacity for 20,000 people. Local people feel that the risks in our area are increasing, not decreasing. They worry that removing such critical resource from the heart of Edinburgh will stretch already limited resources, increase response times and put public safety at risk. Fires can go from manageable to fully developed in a matter of minutes, and closing the station could place significant pressure on the surrounding stations, two of which are already among the busiest in Scotland.

With climate change bringing more severe wildfires and other emergencies, the demands on our fire service are only going to rise. We are all too aware of the danger and damage caused by fast-spreading wildfires, and we witnessed such scenes on Arthur's Seat last summer. Dry vegetation acted like kindling, and shifting winds drove flames towards paths, wildlife habitats and homes. We need to ensure that crews are based where they can respond quickly to such incidents, as delays in response times can dramatically increase risk to people, property and the firefighters themselves.

I share the concerns about increases in response times, the withdrawal of appliances and the loss of jobs. Any reassessment of resources must be done collaboratively with the firefighters themselves, the Fire Brigades Union and the communities affected. The Scottish Greens will continue to push for fair work principles and decontamination systems, ensuring that those who protect us are well supported, well compensated and safe in their work. Every station should have the staffing, training and equipment that it needs to keep our communities safe.

The Scottish Greens stand with our firefighters. Those courageous people put their lives on the line for the safety of our homes and the wellbeing of our communities. They do an extraordinary job and they need the resources to match the challenges that they face, such as long and exhausting shifts, contamination from fires, road accidents and, of course, more wildfires. This is not just about the bricks and mortar of the

Marionville fire station building; it is about lives. It is about ensuring that when the worst happens, help arrives quickly and effectively. Let us work together to protect our fire service and the people who depend on it.

13:20

**Mercedes Villalba (North East Scotland) (Lab):** I begin by reiterating my support for the motion and my gratitude to the thousands of firefighters and support staff who keep my constituents, and all of us, safe.

Securing meaningful and sustained funding for the fire service is a crucial issue for the North East Scotland region that I represent, particularly in Monifieth and Broughty Ferry, which—as Maggie Chapman mentioned—are served by Balmossie fire and ambulance station. Like many communities across Scotland, Monifieth and Broughty Ferry have been impacted by an increasing centralisation of powers and services of the Scottish Fire and Rescue Service, and by almost two decades of continued austerity and underfunding from the SNP Government.

In 2023, stretched budget funding resulted in one appliance at Kingsway east station in Dundee being removed. That was played down at the time as a short-term measure by both the Scottish Government and the Scottish Fire and Rescue Service, but, three years later, we still have no resolution to the downgrading of the service at Kingsway east. Now, with the current proposals on the table, we face the same dangerous situation at Balmossie. That will result in slower response times and a greater risk to life and to the community. The community in Monifieth and Broughty Ferry feels—rightly—that the battle has already been fought and won once before, when previous attempts to close Balmossie were overturned as a result of sustained public pressure led by the Fire Brigades Union. Yet, once again, the service is under threat.

I therefore ask the minister today how she can defend these brutal cuts. Does she seriously believe that they will leave anyone in North East Scotland safer? My constituents need and deserve a fire and rescue service that can meet the challenge that we face from increased wild fires, flooding and extreme weather. Instead, under the SNP, we have had two decades of managed decline of our public services; reductions in the number of front-line firefighters; exposure to occupational hazards; and inadequate training equipment. Under the SNP, the Scottish Fire and Rescue Service has seen a real-terms resource budget cut of tens of millions of pounds. Those cuts mean that much of the estate and the equipment are now unfit for the service.

Further cuts will, therefore, surely risk lives, because neglect and lack of investment leave the SFRS unable to implement best practice in reducing cancer and other disease risks that disproportionately affect firefighters.

At every opportunity, the SNP Government has chosen quick cuts to balance a broken budget over the lives of workers. That has happened against our interest, against the public's interest and against the will of us all, because the public do not support these cuts. The public do not support the changes that the SFRS has put forward; they do not want to see any reduction in services; and, most of all, they do not want their local fire stations, such as Balmossie, shut down.

My constituents want a Scottish Fire and Rescue Service that is properly funded and well resourced to face the risks that climate and environment breakdown are causing. However, if the past two decades are any indication, it is clear that they will not get that from this minister or this SNP Government.

13:24

**Ariane Burgess (Highlands and Islands) (Green):** I, too, thank my colleague Maggie Chapman for bringing this important debate to the chamber. I also recognise the dedication, professionalism and courage of firefighters and support staff in the Scottish Fire and Rescue Service across Scotland and especially in the Highlands and Islands. They protect lives, communities and nature, often across vast distances and in very challenging conditions.

However, appreciation alone will not sustain the service. As we have heard, the SFRS resource budget has been reduced by £58 million per year in real terms since 2013, with the loss of more than 1,000 firefighter posts. Those figures translate directly into stretched cover, pressure on crews and difficult decisions about stations and appliances. Those pressures are now being highlighted by the service delivery review.

In the Highlands and Islands, the context is stark. Inverness is the only permanently staffed full-time fire station in the entire Highlands. Alongside it are 51 retained duty system stations and nine community response units covering huge geographic areas and often operating in severe weather and on difficult terrain. Retained and community firefighters are essential for keeping people safe, but they must be properly supported to do so.

In my conversations with firefighters across the region, I have heard repeatedly about the reality on the ground. Some rural stations, I am told, do not have basic facilities—no toilets, no showers, no proper changing areas and patchy internet

access. After incidents involving smoke contaminants or floodwater, that is simply not acceptable. Dignity and health at work must apply equally, regardless of the location.

The nature of the job is changing. Firefighters are increasingly being called out to flooding, extreme weather and climate-driven emergencies. Wildfires, in particular, are becoming more frequent and more severe, yet firefighters have told me that the training is inconsistent. Although some crews have received specialist wildfire training, others have not, yet they are still being mobilised to attend wildfire incidents. One firefighter described to me how they had attended multiple wildfires where they and their colleagues were unable to fully engage because they had not been trained in techniques such as back burning. They told me that that is frustrating for someone whose vocation is service.

I have also heard concerns about all-terrain equipment not being fit for purpose, which limits firefighters' ability to operate safely and effectively in remote landscapes. At the most basic level, firefighters have raised issues about the quality of standard kit, including socks that wear out quickly and need to be replaced very frequently. Those details may sound small, but they speak to morale, comfort and a wide pattern of underinvestment. That is why the work of the Fire Brigades Union is so important.

I recently visited the decontamination unit in Inverness fire station. It is important to note that the unit was largely funded by the efforts of the FBU, which demonstrates both what is needed and what can be achieved through determination and partnership. That matters, because firefighters face a cancer mortality rate 1.6 times higher than that of the general population. The FBU's decon campaign includes calls for annual health monitoring and proper recording of exposure, and it deserves our full support.

I agree with the need for role expansion, which enables firefighters to act fully as emergency responders in this climate-altered world. However, role expansion without resources is not reform; it is risk transfer. If we want a properly funded Fire and Rescue Service, we must be serious about how we raise revenue. Measures such as taxing private jet use and introducing a mansion tax are a fair way to strengthen the public purse. With independence, Scotland would have the full powers that are needed to tax wealth and properly fund the SFRS and other vital public services.

Firefighters are ready to serve. Our responsibility is to ensure that they are properly funded, properly trained, properly equipped and properly valued.

**The Deputy Presiding Officer:** Before I call the next speaker, in order to allow other members to participate, I am prepared to accept a motion without notice, under rule 8.14.3, to extend the debate by up to 30 minutes.

*Motion moved,*

That, under Rule 8.14.3, the debate be extended by up to 30 minutes.—[*Maggie Chapman*]

*Motion agreed to.*

13:29

**Sarah Boyack (Lothian) (Lab):** I, too, thank Maggie Chapman for securing today's debate, because it could not be more important. As colleagues from across the country have highlighted, we need a fire service that is fit for purpose, now and for the future. With the growing impact of the climate emergency and extreme weather, the need to have an effective fire service for my constituents has never been more vital, especially after the fire last summer on Arthur's Seat and other fires that have happened across the city.

As Lorna Slater highlighted, the proposal to close Marionville fire station has been met with widespread opposition from the community and from our firefighters. We know that the building has RAAC, but closing Marionville without a replacement facility in the area will leave our brave firefighters overstretched and underresourced.

The proposed closure makes even less sense when we consider that it is not even the option that the SFRS had recommended. In the 2020 options appraisal report for Marionville station, which I acquired through a freedom of information request, neither of the options that were evaluated even considered not replacing the station. The report recommended exploring the idea of maintaining the operation of the current station while building a replacement station on another site. Last year, it emerged that there are two potential council-owned sites in the area. Therefore, we need to know whether the SFRS has discussed those options with the council.

Five years after the options report, why has no station been built? Why do we now face the prospect of Marionville being closed with no plan to replace it? Those questions are especially important because there is a growing number of homes in the area and developments at the port of Leith.

Since the creation of the SFRS, Scotland has lost almost a sixth of our firefighters, and Scottish Government budget cuts have left the SFRS with one hand tied behind its back. As the FBU's excellent briefing notes show, that has created huge pressures on firefighters, and response

times have increased. That is not acceptable. My constituents are now facing the consequences of those cuts, potentially losing a fire station without getting a replacement in their area. The closure of Marionville is opposed by a staggering ratio of 10:1 in the local community, which has been consulted and was clear that we need the station to be replaced.

The SFRS needs to support our local communities. If the Scottish Government wants to ensure that our fire service is fit for purpose, it must invest in services, not cut them. It must give the SFRS the tools that it needs to grow our fire safety infrastructure. We should not be in the situation of losing key stations after a summer when there were major fires.

The problem is not just wildfires; our communities will also face more flooding incidents in which people will need to be protected. Last month, a Scottish Environment Protection Agency report estimated that 400,000 homes and buildings are now at medium risk of flooding. This week, we learned that the Scottish Government's budget will cut funding for the flood resilience strategy from £14 million to under £1 million. Worryingly, there is no clear budget line for flood defence scheme funding in the local government budget. Although the budget will increase funding for the SFRS, there is still an £800 million capital backlog, as Richard Leonard highlighted. That is utterly unacceptable.

I will continue to work with our local community, MSPs across Parliament and councillors to ensure that our vital emergency services in Edinburgh and the Lothians are not hollowed out. The Scottish Government and the SFRS must urgently listen to the communities and—as is being asked for across the country—give us the investment that Edinburgh and the Lothians urgently need. I hope that the minister will take up the issue with the SFRS and talk with her Cabinet and ministerial colleagues. We need to make progress, not to go into reverse.

13:33

**Foysoyl Choudhury (Lothian) (Ind):** I thank Maggie Chapman for securing this much-needed debate. The estate of the Scottish Fire and Rescue Service is not fit for the future. According to the Fire Brigade Union's "Firestorm" report, as of 2023, 75 per cent of buildings in Scotland's fire estate were rated as having "bad" or "poor" suitability. Having visited Crewe Toll fire station in Edinburgh and spoken with firefighters, I am aware of the poor condition of our fire estate.

However, the SFRS does not have the capital budget that is required to rebuild or upgrade the stations. The SFRS recently told the Criminal

Justice Committee that, if its capital budget does not grow significantly by 2031, it will be short of £119 million.

The SFRS's solution is to consider closing stations, including Marionville in Edinburgh, after RAAC issues were identified. The service explains that rebuilding the facilities would be too costly. However, many members of the community, while recognising the financial pressure that the SFRS faces, strongly oppose those decisions, arguing that the cost of addressing RAAC is being used as a justification for closure, which exposes the community to significant safety risks.

In the recent consultation on proposals to close the Marionville station, opponents outnumbered supporters by a ratio of 10:1. I am one of those opponents and remain convinced that Marionville must remain open.

In the "Firestorm" report, the FBU estimated that the SFRS had a capital investment backlog of around £800 million, and, since then, the SFRS has reiterated those figures to the Criminal Justice Committee. However, the SFRS's capital budget is only £47 million for 2026-27. Beyond that specific figure, the Scottish Government has ignored the requests of both the SFRS and the FBU for the budget to be allocated on a long-term basis rather than annually as is the case currently. We welcomed long-term funding for the culture budget, so why can we not have that for our life-saving fire services?

The SFRS told the Criminal Justice Committee last September that its ability to manage change, including making strategic investments to enable longer-term savings, is made more challenging because it is limited to working within an annualised budget. The SFRS cannot make long-term strategic plans for its capital investment and is forced into short-term savings while the backlog of capital investment continues to mount.

Last September, the FBU told the Criminal Justice Committee that, without the required real-terms investment, the SFRS will continue to close stations in its attempts to reduce its capital backlog. That is the cost of the Scottish Government's mistake. If it refuses to increase the capital budget to the SFRS and continues to set that budget annually, more stations will be threatened with closure, like Marionville.

The existence of a station in a community makes a vital difference. The shorter the journey between the station and the incident, the better the chance that lives are saved, traumatic burns are prevented and buildings are saved from being reduced to dust. I thank our dedicated firefighters and service staff across our nation for carrying out their dangerous work and ensuring that our communities are safe. However, I urge the

Scottish Government to allocate sufficient funding for our fire services to be fit for the future.

13:38

**Katy Clark (West Scotland) (Lab):** I thank Maggie Chapman for securing this important debate on whether the Scottish Fire and Rescue Service is fit for the future.

I welcome the focus on response times in several of the speeches. As we know, there has been a significant increase in response times under the Scottish National Party, which, of course, increases risks.

Maggie Chapman's motion rightly highlights the challenges that the SFRS faces due to the climate emergency, including increased frequency and severity of flooding and wildfires. As a number of members have said, last year, we saw the risks posed by the climate emergency right on Parliament's doorstep, with yet another wildfire engulfing Arthur's Seat. This week alone, we have seen the impact of flooding on many communities across Scotland, but the Scottish Government has chosen not to support our firefighters so that they are properly equipped to respond to those challenges in future.

Since 2013, the SFRS resource budget has decreased by £58 million a year in real terms, and around 1,250 firefighter jobs have been lost. The resource increase that is offered in the Scottish Government's budget, therefore, goes nowhere near far enough to reverse the damage that has been caused by more than a decade of cuts and job losses in the fire service. The proposed resource increase also falls short by more than £11 million of what the SFRS has set out as being required in order to recruit the new firefighters who will be needed over the next three years.

As Richard Leonard and a number of other members have said, the capital budget increase of less than £1.5 million is also completely inadequate, given the £818 million capital backlog that the SFRS faces.

A number of members have spoken about the conditions in some fire stations, including the lack of showering facilities. I recently highlighted to the Scottish Government that many fire stations in my West Scotland region are still in a state of disrepair. In the past six years, Greenock, Gourrock and Port Glasgow stations have had to conduct essential repairs and maintenance amounting to more than £1 million due to the condition that they were in. Dregghorn fire station, which is the main fire station service in Irvine, was also found to be in poor condition. This is a Scotland-wide challenge and, given the Scottish Government's failure to properly invest in tackling

the capital backlog in this budget, I fear that those fire stations will continue not to be fit for purpose.

Some members have focused on the service delivery review, which could lead to the closure of 13 fire stations, the permanent withdrawal of 10 appliances and changes to fire cover, leading to increased response times as a result. I reiterate my call to the Scottish Government to commit to a debate in Government time so that Parliament can have its say on any proposals before they proceed.

With regard to the expansion of the firefighter role, I thank all members who have signed my recent motion calling on the Scottish Government to make progress on that issue, particularly in the light of the shared commitment of both the FBU and the SFRS. Members have highlighted the FBU's DECON campaign, and I reiterate my calls for greater action from the Scottish Government to protect the health and safety of firefighters. I reiterate that there is a legal obligation on the Scottish Government and on the SFRS as an employer to provide a safe system of work to firefighters.

I conclude by placing on record my thanks to the firefighters and staff—there are around 7,600 of them—for the vital work that they do in keeping us safe.

13:42

**The Minister for Victims and Community Safety (Siobhian Brown):** I thank Maggie Chapman and all the members who have contributed to this important debate.

As the minister with responsibility for fire and rescue, I express my appreciation for the staff of the Scottish Fire and Rescue Service, who work tirelessly to keep our communities across Scotland safe. I welcome to the public gallery representatives of the FBU, along with representatives of the Fire and Rescue Services Association whom I met this morning when we had some very helpful conversations.

I want to get a few points across about the service delivery review first, because the debate is very broad. As we know, the nature of the emergencies to which the SFRS responds has changed significantly over the years. As an example, the number of dwelling fires has reduced by more than 20 per cent since 2013.

I heard what Richard Leonard said about his conversations. I do not know whether the figures that he mentioned are accurate, but that is not the information that I have been given. The statistics show that there has been a 33 per cent reduction in non-fatal fire casualties between 2009-10 and 2023-24, but there has been a 32 per cent

reduction in fatal fire casualties over the same period. It is very important that we get that across.

**Richard Leonard:** I had a look this morning at a graph on page 18 of the incident statistics document. If the minister looks at the statistics, she will see that they show that there has been a drop between 1990 and 2014, but from 2014 to the present day the line is pretty much flat: the number of fatalities has not dropped in the same way.

I will also say this: this is not just about house fires. Colin Brown of the FBU told me:

“Overall casualties and fatal casualties from all incident types have risen sharply”.

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

**Siobhian Brown:** Thank you, Deputy Presiding Officer.

I am just going on the information that I have in front of me today. I will write to the member about that point.

I would also say that, although house fires and casualties have reduced, the number of incidents such as flooding and wildfires has increased, of which we are all acutely aware. That is why it is right that the Scottish Fire and Rescue Service carefully considers how to adapt to changing risks in order to remain effective and efficient, to ensure that firefighters are in the right place and at the right time. I am sure that all of us in the chamber, regardless of our political colours, would agree with that.

**Maggie Chapman:** I do not think that there is anybody in the chamber, including among the representatives of the SFRS and the FBU, who does not think that there needs to be some change. The fire service cannot go on as it is, because the risks certainly are changing. However, part of the problem is that, given how and where things are being targeted, the review is clearly being viewed as an austerity measure, not as a strategic piece of work in the round.

I think that we all agree that we need to have conversations about how we address the changing nature of the role of firefighters, including how they deal with floods, wildfires and the like, but that is not what the service delivery review is doing. The review looks like it is targeted, and it looks like it is an austerity measure.

**The Deputy Presiding Officer:** We are going to need briefer interventions, if they are to be taken.

**Siobhian Brown:** I totally appreciate and understand what the member says. I have regular meetings with the SFRS, which has made it very clear to me—I know that this has come up at committee, too—that it would be considering the

proposed changes even if it had all the money. I get independent advice from His Majesty’s Fire Service Inspectorate in Scotland, and the chief inspector has said to me that he would be very concerned if the SFRS was not considering reform.

I understand that people are concerned about austerity, but I have had those conversations about how the review can deliver over the next five years. I am told that it is not about austerity, although I understand that people think that it is.

I will try to make a bit of progress, if I can. The SFRS’s public consultation on its service delivery review concluded in September. However, the SFRS board has requested that further work be undertaken on the independent analysis of the consultation responses, along with a fresh and independent look at the equality impact of the possible options for change. That work is ongoing, and that is why things have been delayed. The SFRS is not able to provide a precise timetable for when the work will be completed. I would like to clarify that the SDR is a change programme, which will be implemented over a five-year period.

**Katy Clark:** The minister must be concerned about not only the continued increase in response times, but the prediction that they are going to increase if current policies are continued. She must surely be considering, as one of the aspects of the review, whether any changes will bring down response times.

**Siobhian Brown:** Of course—I will come to response times further on in my speech, if I may.

Deputy Presiding Officer, can I get some time back?

**The Deputy Presiding Officer:** I can give you the time back for the intervention.

**Siobhian Brown:** I have made it clear that I view the decisions on where the resources should be placed as a matter for the chief officer and the SFRS board. It is not appropriate for me, or for any politician, to attempt to intervene in those operational issues.

The Scottish Fire and Rescue Service needs to be effective and efficient. The nature of risk is changing and, with that, there needs to be change in how the SFRS configures its response capability. In saying that, I state that I will, of course, have to be absolutely assured that public safety will not be unduly compromised as a result of any changes that the SFRS makes. However, I know that the SFRS will properly assess the impact of any change, and I will continue to seek assurance from it on that matter.

I will move on to public sector reform and reduction in firefighter numbers. It is important to

remember that, through the Police and Fire Reform (Scotland) Act 2012, this Government introduced a major piece of legislation on public sector reform to create a single national fire and rescue service in Scotland. That was done to reduce duplication and to save money while protecting front-line service delivery, and the SFRS has achieved that. The previous model was simply not sustainable.

The reduction in the number of firefighters consists of 661 whole-time firefighters, 515 on-call firefighters and 63 in operational control. However, the majority of those on-call posts are actually vacancies, and the SFRS continues to work to fill those posts wherever possible.

As part of the measures to reduce duplication, the SFRS has moved from having eight control rooms to having three, which is why there has been a reduction of 63 control-room staff. On whole-time firefighters, the SFRS has also reduced duplication in the number of middle managers while ensuring that the vast majority of the 356 fire stations across Scotland remained operational.

On broadening the firefighter role, I meet Fire Brigades Union Scottish officials regularly, and I recognise that they have a sound working relationship with SFRS senior managers. In those meetings, they are effective in lobbying for additional funding, and I know that the firefighters will be disappointed that we have not been able to afford the significant additional cost of broadening their role. Although there are clear public sector reform advantages in firefighters doing more to keep our communities safe, the tough choices that the Government faces—

**Audrey Nicoll (Aberdeen South and North Kincardine) (SNP):** Will the minister give way?

**Siobhian Brown:** Yes.

**The Deputy Presiding Officer:** Very briefly, please.

**Audrey Nicoll:** I express my disappointment at the recent Scottish Government budget announcement with regard to funding for the Scottish Fire and Rescue Service. Notwithstanding the constraints on the Scottish Government's budget, does the minister agree that there is a case to continue calling on the United Kingdom Government to consider how borrowing and the use of reserves can be offered to the Scottish Fire and Rescue Service?

**Siobhian Brown:** Yes, I agree that that would be very helpful during these financially challenging times.

I will move on, as I know that we are short of time. On decontamination, I acknowledge the FBU's work on its DECON campaign, along with

Maggie Chapman's efforts in raising that important issue in the Parliament. The safety and wellbeing of firefighters are a priority for both the Scottish Government and the Scottish Fire and Rescue Service. Scotland is leading the way in that area. The SFRS continues to work very closely with Professor Anna Stec in developing research on health screening for firefighters, supported by a £450,000 investment from the Scottish Government's CivTech programme. To reduce the risk of contaminants, there has been significant change in a wide range of process and practice, and the SFRS is investing in additional personal protective equipment and facilities for firefighters, to reduce further risk. We will continue to work with the SFRS on that issue.

On climate change, we continue to work to support the full implementation of the wildfire strategy. In the number of wildfire warnings that were issued and the scale of summer wildfires across Scotland, 2025 was a record year. The potential increase in the risk of wildfires and flooding is one of the main drivers of the on-going service delivery review, which is looking to ensure that the SFRS has the right assets in the right places to deal with the current and future risks. In the prevention of and response to wildfires, the SFRS works in close partnership with all partners in the Scottish Wildfire Forum, including Forestry and Land Scotland and a wide range of landowners.

The issue of increased response times has been raised. As I have said previously when it has been raised with me, it is a complex issue. Many factors are involved. Those include geography; crews attending other incidents; extra time when a 999 call is taken, to ensure that the right resources are deployed; extra time for crews to enter an appliance, so that they can travel in safety; and extra time in travelling to incidents, due to traffic conditions and street furniture. Each of those elements can be relatively small but they can easily add up to the 90-second increase that has been quoted by the FBU.

Although the time that is taken to arrive at an emergency can be important, we should concentrate on the right resources being deployed to provide a successful outcome, and the SFRS continues to respond to every emergency incident with the appropriate level of resources. The latest statistics, which were published in October, are very encouraging. There was a 7.4 per cent reduction in the overall number of incidents that were attended by the SFRS last year, and I welcome the 4.9 per cent decrease in fire incidents.

A few weeks ago, I was at the Tollcross operational fire station and had an opportunity to see how things worked on the ground when 999

calls came in. I encourage any MSP to do likewise if they have the opportunity, to get a deeper understanding in how response times work.

I will end as I started, by commending the SFRS and its staff. I fully support its work to reduce fires, support local communities and promote safety.

**The Deputy Presiding Officer:** That concludes the debate.

13:54

*Meeting suspended.*

14:30

*On resuming—*

## Portfolio Question Time

### Climate Action and Energy, and Transport

**The Deputy Presiding Officer (Annabelle Ewing):** Good afternoon. The first item of business is portfolio questions, on climate action and energy, and transport.

#### Freight Crime

1. **Audrey Nicoll (Aberdeen South and North Kincardine) (SNP):** To ask the Scottish Government what discussions the transport secretary has had with the justice secretary regarding action it is taking to tackle freight crime in Scotland. (S6O-05379)

**The Cabinet Secretary for Transport (Fiona Hyslop):** Although the justice secretary and I speak regularly about matters of shared interest, we have not discussed freight crime in Scotland.

**Audrey Nicoll:** Increasing freight crime reporting is a significant challenge for hauliers. The true cost of freight crime is estimated by the national vehicle crime intelligence service to be around £700 million a year and, largely, it is carried out by organised criminal gangs. The second strategic transport projects review included a recommendation for a national audit of freight facilities—specifically, lorry parks and rest areas, which are crucial to drivers' safety and secure parking.

Given the key role played by our road haulage industry in supporting our economy—not least in the building of new homes, constructing wind farms and improving our national infrastructure, to name but a few—can the cabinet secretary say more about the progress that is being made following the audit in order to improve safety for hauliers and reduce freight crime across the country?

**Fiona Hyslop:** I am aware of the valuable work of the national vehicle crime intelligence service, which is a United Kingdom national police unit that is funded by commercial companies. I recognise the importance of secure rest and welfare facilities for hauliers across Scotland.

The need for an initial audit of existing facilities was identified as part of the work of the second strategic transport projects review. That work is in its early stages and, rest assured, we shall work with the haulage industry, Police Scotland and other stakeholders on that important matter.

In the near future, I will be meeting the Road Haulage Association, which is one of the largest trade associations for hauliers, regarding the provision of heavy goods vehicle drivers' welfare, secure facilities and aspects of freight crime.

**Sue Webber (Lothian) (Con):** Logistics UK has highlighted the fact that we are facing a shortage of safe and high-quality truck stops, which are needed for driver dignity as well as for safety. In relation to the cabinet secretary's discussions with the justice secretary, another big ask is to have a specific crime code for the recording of retail crime.

**Fiona Hyslop:** Issues to do with the recording of crime codes and all the rest are a matter for the justice secretary and for Police Scotland. The member might want to contact them on that specific issue.

On the member's point about dignity and respect—and in relation to planning for the future energy needs of HGVs—it is important that we look at the framework for those stops. I know that the UK Government is doing likewise.

The crime figures show that more crime tends to happen around distribution centres and on dense motorway networks such as those in the midlands—not necessarily here. However, we need to be vigilant, and it is important that the members have raised the issue.

### Household Waste and Recycling (Statutory Code of Practice)

2. **Bob Doris (Glasgow Maryhill and Springburn) (SNP):** To ask the Scottish Government whether it will provide an update on the development of a new statutory code of practice for household waste and recycling. (S6O-05380)

**The Cabinet Secretary for Climate Action and Energy (Gillian Martin):** A new statutory household recycling code of practice is being co-designed with local authorities, businesses and other waste sector stakeholders to promote greater consistency in services, increase recycling rates and cut emissions.

The first co-design workshop was in June last year. A second workshop is taking place on 27 January and a third workshop is scheduled for summer 2026. The findings of recent consultations on textile collections and rural food waste will support those workshops. The draft code of practice will be published for consultation by the end of 2026.

**Bob Doris:** I am deeply concerned about the association between bulk uplift charges for domestic waste and the proliferation and environmental impact of fly-tipping. A Scotland-

wide approach to providing minimum standards and affordable prices for bulk uplift services at low cost or, indeed, no cost would support our communities and reduce the blight of fly-tipping.

I introduced amendments to the Circular Economy (Scotland) Act 2024 that provided the Scottish Government with powers to include the operation of household bulk uplift and garden waste in any new statutory codes. Will the Scottish Government, in partnership with other stakeholders, consider such measures?

**Gillian Martin:** I am very appreciative of Bob Doris's effort in working with the Government during the passage of the Circular Economy (Scotland) Act 2024, and I know that the issue that he raises is one that he feels strongly about, as do many people.

The circular economy and waste route map sets out that a review of local authority charges for waste collection services, including the collection of bulky items and garden waste, will form part of the co-design of the household recycling code of practice. We have surveyed local authorities and are now considering the findings. A financial analysis and assessment of the behavioural impacts on recycling of such charges has also been undertaken prior to consideration of the issue at the co-design workshop in summer 2026. The review will ensure that the right incentives are in place to reduce waste and to maximise the use of recycling and reuse services, which we expect to reduce the scourge of fly-tipping.

**Sarah Boyack (Lothian) (Lab):** What extra resources is the Scottish Government allocating to local councils to enable them to invest in new infrastructure so that they can separate household waste and maximise recycling, given their key role as waste producers, waste collectors and waste managers, and given the duty that they will have to take all reasonable steps to separate collections for metals, glass, plastics, paper and card? Will food be included?

**Gillian Martin:** As well as providing record funding of more than £15.1 billion to local authorities in 2025-26 through the block grant, in 2021, the Scottish Government launched the £70 million recycling improvement fund, which provides capital funding grants to help local authorities to improve infrastructure and related services. Through 47 projects, we have supported 27 councils to reduce waste and increase recycling rates.

Of course, the United Kingdom-wide extended producer responsibility for packaging scheme has also come into force. Those reforms are anticipated to increase recycling rates for packaging materials to at least 76 per cent by

2030. That scheme will augment the funding that the Scottish Government has provided.

### **Transport Links (Severe Weather)**

3. **Jamie Halcro Johnston (Highlands and Islands) (Con):** To ask the Scottish Government how it will ensure transport links remain open during incidents of severe weather. (S6O-05381)

**The Cabinet Secretary for Transport (Fiona Hyslop):** Transport Scotland has contracts in place with its operating companies to ensure that the trunk road network is safe, efficient and well managed during periods of severe weather.

Transport Scotland works in close partnership with other transport operators, including ScotRail, and with key agencies such as the Met Office and Police Scotland, through established multi-agency response team—MART—arrangements, which can be activated during severe weather events to support a co-ordinated and effective response to large-scale network disruption. Such arrangements, which form part of the Scottish Government's wider resilience response, were active during the weather warning periods at the end of December and the beginning of January. I thank all partners for their important work over a prolonged period.

Maintaining strong collaboration with contractors and partners across the Scottish Government is central to planning and preparing for, and responding to, both planned and unplanned events, and it helps to keep Scotland's transport links operating wherever it is safe to do so.

**Jamie Halcro Johnston:** I remind members of my entry in the register of members' interests: I am a partner in a farming business.

The recent severe weather left communities across the Highlands and Islands cut off. The cabinet secretary will know what impact that can have on our rural communities. Patients who had to travel down the A9 and other roads faced issues, folk were cut off from care support in the Highlands and in Orkney, where I was, and people struggled to get to work in the public and private sectors, which has a massive knock-on effect on local businesses.

Farmers were affected, too, some of whom struggled to get to different parts of their farms or some of their more remote landholdings to check on livestock. Many of those same farmers were also busy helping to keep local roads free and helping out in their communities more generally. Is the Scottish Government considering my Scottish Conservative Highlands and Islands colleague Tim Eagle's call for the Minister for Agriculture and Connectivity, Jim Fairlie, to look at how it might reward farmers for their community spirit and their efforts?

**Fiona Hyslop:** I put on record—as the First Minister did at the time—our thanks to everyone involved, including members of the farming community, who are obviously part of their local communities, for their efforts in helping to support their neighbours and colleagues. As the member might be aware, some of that activity is undertaken on a contracted basis. In Aberdeenshire, the amount of such activity that is undertaken by farmers on a contracted basis has increased. However, the voluntary effort, too, was significant.

The patience of so many people over such a prolonged time was a credit to the communities affected. Mutual aid was delivered to neighbouring councils by various local authorities. Transport Scotland provided and co-ordinated mutual aid to Aberdeenshire Council, and it helped Network Rail to make sure that the lines were open by helping signallers to get to where they needed to be.

With the exchange of assets, it is important that everybody pulls together. The public recognition and thanks have been given. There are more established arrangements that already exist in different parts of the country that are more directly led by local delivery partners through their strategic response, and they were working solidly right from the end of December.

### **Bus Provision (Dumfries and Galloway)**

4. **Craig Hoy (South Scotland) (Con):** To ask the Scottish Government when it last met with SWestrans to discuss bus provision in Dumfries and Galloway. (S6O-05382)

**The Minister for Agriculture and Connectivity (Jim Fairlie):** My officials have been in regular contact with Dumfries and Galloway Council and SWestrans. The most recent meeting took place on 9 July to obtain updates on the changes to bus services in the area.

As the member knows, local authorities have a duty to identify where there is a social need for particular bus services, and they can subsidise those at their discretion. The Scottish Government has no powers to intervene on that decision making.

In November, I also agreed to meet Dumfries and Galloway Council to discuss bus services, and my office is awaiting feedback from it to make those arrangements happen.

**Craig Hoy:** I thank the minister for that answer, but I am somewhat shocked that he has not met SWestrans or Dumfries and Galloway Council since 9 July last year. In the meantime, I have held several meetings with SWestrans since the near collapse of bus services following the withdrawal of Stagecoach services right across the region last summer.

Since then, some at-risk services, such as the morning 74 service from Moffat to Dumfries, have been restored, thanks in part to Annandale Community Transport Service and the work of SWestrans. However, serious concerns remain on key routes, including in Annandale and Nithsdale.

The Government is allocating a further £56 million to concessionary travel in the budget, but the problem for many of the communities that I represent is that there is simply no bus for them to travel on, discounted, free or otherwise. Will the Government now commit to properly funding rural bus services to end the social injustice that affects too many of our rural communities, including in Dumfriesshire?

**Jim Fairlie:** As I said in my initial answer, I have written to Dumfries and Galloway Council to set up discussions about what is needed in its area, and I am still awaiting a response. We will continue to look at that.

The member is right to say that the Scottish Government has put £50 million-plus into concessionary travel, but we have also invested £4 million to support local authorities to build business cases for local bus improvements. That is on-going. Our bus fare cap pilot, which will be delivered across the Highlands and Islands Transport Partnership and Shetland Transport Partnership areas, is a commitment that we are giving to bus operators and local authorities to ensure that we can deliver those services. There will be a further round of the plugged-in communities grant fund, which will directly help rural communities.

We are taking a range of measures right across the piece to ensure that we have the engagement and the services that local people want in rural communities. I am determined to ensure that we continue to do more.

#### **Blindwells (Transport Solutions)**

**5. Paul McLennan (East Lothian) (SNP):** To ask the Scottish Government what discussions it has had regarding transport solutions to support the current and future development of Blindwells, East Lothian. (S6O-05383)

**The Cabinet Secretary for Transport (Fiona Hyslop):** For the current development at Blindwells, Government officials are engaging with East Lothian Council and the developer to implement improvements to the A1 trunk road. Those improvements were agreed as part of existing planning permission for up to 1,600 homes.

For future development, officials are supporting the council as it prepares a new local development plan. Officials are also working with the council and other partners on a strategic outline business

case for up to 10,000 homes that has been submitted to the Scottish Government under the Edinburgh and south-east Scotland city region deal.

**Paul McLennan:** As the cabinet secretary knows, housing colleagues in the Scottish Government are engaging with East Lothian Council and the United Kingdom Government on the Blindwells business case, which she referred to, which would see a potential new town for East Lothian. What actions can Transport Scotland and the cabinet secretary take to ensure that transport solutions are progressed in tandem with housing proposals?

**Fiona Hyslop:** The Government is committed to ensuring that infrastructure is considered and understood early, as stated in national planning framework 4. Transport Scotland staff are engaging with the council on the business case for Blindwells, using the normal appraisal and business case process, which will identify what transport infrastructure Blindwells might need and set out a clear plan for how it will be funded and delivered.

#### **Cyclists**

##### **(Visibility and Compliance with Highway Code)**

**6. Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP):** To ask the Scottish Government what action it is taking to encourage all cyclists to ensure that they are visible, particularly during the winter period, and that they comply with the requirements of the highway code. (S6O-05384)

**The Cabinet Secretary for Transport (Fiona Hyslop):** We expect all road users to respect the rules of the road and follow the highway code, and advise cyclists to wear light or fluorescent clothing in poor light and reflective items in the dark.

In 2025-26, the Scottish Government invested a record £48 million in road safety, and a further £2 million was awarded to the bikeability Scotland cycle training programme, which promotes safe and responsible cycling to schoolchildren.

Police Scotland's "Be Bright, Be Seen" campaign in Edinburgh is a great example of partnership working to promote cyclist safety during the winter months, with an emphasis on being visible.

**Christine Grahame:** To put down a marker, I am not demonising all cyclists, only a minority, although probably a growing one. There are far too many incidents of cyclists who do not have particularly effective rear lights—and some who have none at all—and they can be decked out from head to toe in black. On dark and often dreich evenings and mornings, some can hardly be seen until a motorist is almost on top of them

and a collision just averted. I hear what the cabinet secretary says, but would she consider working with Police Scotland on a national campaign of “Be Seen, Be Safe” or “Be Safe, Be Seen” or “Be Bright, Be Seen” or “Do whatever you like, but, for goodness sake, be seen”?

**Fiona Hyslop:** The advice to “Be Bright, Be Seen” is absolutely essential for cyclists and for other road users who are concerned about cyclists who do not have lights or dress brightly, particularly in the winter months. The campaign in Edinburgh has been successful and I understand that it is being expanded to the EH6 area. I will ensure that that is brought to the attention of the strategic partnership group on road safety, which I chair, because it is essential.

I can also tell the member that Road Safety Scotland’s early years and primary learning resources introduce the topic early, because we must encourage good practice as early as possible.

We must look at all the contributory factors, because accidents are a problem but near misses distress people.

### Transport Scotland (Meetings)

**7. Douglas Ross (Highlands and Islands) (Con):** To ask the Scottish Government when it last met with Transport Scotland and what issues were discussed. (S6O-05385)

**The Cabinet Secretary for Transport (Fiona Hyslop):** Transport Scotland civil servants provide the entirety of the official support to me on policy and all matters relating to my portfolio as Cabinet Secretary for Transport. They are responsible to me and deliver Scotland’s national transport needs. The most recent meeting, involving Transport Scotland officials and the Scottish road works commissioner, took place earlier today, and I have had 19 meetings with, or involving, Transport Scotland officials since 5 January, covering operational delivery and policy matters across a range of areas, including trunk roads, ferries and weather resilience.

**Douglas Ross:** Hamish Cullerton and Elizabeth Leslie own and run Highland Cuisine, which is the only food van that has been authorised by Highland Council to operate on the A9. In an article in *The Press and Journal* last year, they were described as

“a welcome sight, serving up a hot meal and a warm welcome to the A9’s weary travellers”.

They are providing a great service to local people—including me, as I often stop there on my way down to Edinburgh—and someone from Tasmania said that Hamish and Elizabeth had

provided them with the best sandwich that they had ever eaten.

However, their problem is that they have not been given permission by Transport Scotland to put up signage to alert people to their food van, which means that drivers either pass by, missing the opportunity to take a break from driving and to get some hot food and coffee, or stop too quickly, which can cause an accident.

I have been in correspondence with the cabinet secretary about the issue and wonder whether, when she next meets Transport Scotland, she could ask for a more reasonable approach so that that food van, which is providing a great service to travellers on the A9, can get the signage that would make it safer for people to stop there.

**Fiona Hyslop:** The member knows that I have some sympathy with the situation, which is yet to be resolved. The concern is that any proposal for signage within the trunk road boundary or on the verge of the road would be problematic, but that would not exclude the possibility of having signage somewhere nearby, with a landowner’s agreement.

In her reply to the member on 24 September, Alison Irvine, the chief executive of Transport Scotland, indicated that Transport Scotland would be happy to consider that being done via the appropriate planning process. She has not heard back from Mr Ross’s constituents, but Transport Scotland stands ready to hear their proposals, which might involve talking to neighbouring landowners as they look for a solution.

Brown signs are for visitor attractions, and we have some concerns about the issue of people wanting to turn right when they are heading north. There are concerns about how to safely allow signage. Understandably, there are rules, but we stand ready to engage on some sort of practical solution, which might involve the use of neighbouring land.

**Kenneth Gibson (Cunninghame North) (SNP):** Transport Scotland knows that, under the new contract, on which CalMac is supposedly accountable to communities, CalMac proposes to impose completely unnecessary cuts on the Largs to Cumbrae ferry service over the busy summer period, allegedly to provide additional maintenance that has for decades been undertaken during the 10 hours in every 24 when the ferry does not sail.

The cabinet secretary previously stopped CalMac from reducing its services to Cumbrae by a quarter, which was very much welcomed. Working with Transport Scotland and CalMac, will she ensure that the latest proposed timetable changes, which could only be detrimental to the

island's economy and which islanders vehemently oppose, are ditched forthwith?

**Fiona Hyslop:** The member has raised the issue previously. Reliability means regular maintenance, and regular maintenance is to be part of the new contract. However, I understand Mr Gibson's concerns regarding the Cumbrae service. The regular maintenance outwith the annual overhaul schedule is intended to reduce unplanned disruption and overruns and improve overall service reliability over the piece.

CalMac is at the beginning of the process. I have been clear that it must work closely with local communities to ensure that any proposals are fully discussed. I will meet CalMac on 28 January to discuss a range of matters including its proposals to introduce scheduled maintenance windows. I reiterate that, at this time, no final decision has been taken in relation to its operations on Cumbrae. I will raise the issue at that meeting on 28 January.

### **Municipally Owned Energy Sources**

8. **Katy Clark (West Scotland) (Lab):** To ask the Scottish Government what steps it is taking to promote the development of municipally owned energy sources. (S6O-05386)

**The Cabinet Secretary for Climate Action and Energy (Gillian Martin):** The Scottish Government is committed to growing community and local energy to ensure that communities across Scotland play an active role in renewable energy development as part of a just transition towards net zero. That includes providing support to local authorities such as the recent funding that has been given to Comhairle nan Eilean Siar, which is exploring opportunities for shared ownership of energy projects alongside community groups.

We also continue to work with Great British Energy on its local power plan to ensure that any support and funding that are provided through that initiative will work for local authorities in Scotland to develop their own energy projects.

**Katy Clark:** The new solar farm in Kilwinning, which was switched on in October, is the first of its kind in Scotland, being both owned and operated by a local authority. I commend the work of the previous Labour administration in North Ayrshire that pioneered the project, which will create enough energy to power 2,000 homes. The income that is generated by the solar farm will be used to fund local services and encourage the development of further local renewable energy projects. North Ayrshire Council is also set to deliver a second solar farm at Irvine.

Will the Scottish Government learn from the North Ayrshire experience? What more can be

done to support councils in developing municipally owned energy sources?

**Gillian Martin:** I am delighted to hear of the success of the project that Katy Clark mentions. Of course, there are many others throughout the country. It is really important that councils share good practice in this area in the same way that they do when they work together at the Convention of Scottish Local Authorities and other forums that they meet in. We have leaders in this space who can encourage and facilitate the learning of other councils, and the Government stands ready to support that work.

**Douglas Lumsden (North East Scotland) (Con):** Now that the cabinet secretary is no longer responsible for approving large-scale energy projects, including municipally owned energy sources, will she do something that she has failed to do so far and meet the campaign groups up and down the country who are seeing their communities trashed with monster pylons, substations and battery storage?

**Gillian Martin:** The Scottish Government will be consulting on the good practice principles, and that will give me an opportunity, as the cabinet secretary who is responsible for the principles, to engage with all stakeholders throughout Scotland on good practice for all energy developments.

**The Deputy Presiding Officer:** That concludes portfolio questions on climate action and energy, and transport. Before we move on to the next item of business, there will be a short pause to allow the front bench teams to change positions.

## Additional Support for Learning Review

**The Deputy Presiding Officer (Annabelle Ewing):** The next item of business is a statement by Jenny Gilruth on the additional support for learning review. The cabinet secretary will take questions at the end of her statement, so there should be no interventions or interruptions.

14:54

**The Cabinet Secretary for Education and Skills (Jenny Gilruth):** National statistics that were published in December show that there has been another increase in the number of children in Scotland with an identified support need and that the support needs identified are becoming more complex.

At the same time, attainment for pupils with an identified additional support need is improving. The proportion of pupils in primary school with additional support needs who achieve the expected level in literacy increased from 41 per cent in 2016-17 to 54 per cent in 2024-25. Similarly, the proportion of primary pupils with ASN who achieve the expected level in numeracy increased from 52 per cent in 2016-17 to 63 per cent in 2024-25. Literacy and numeracy rates for secondary 3 ASN pupils are now both above 80 per cent.

We should never lose sight of the fact that, in Scotland, we acknowledge and give rights to a much wider group of children than other parts of the United Kingdom do. Every looked-after child is deemed to have a support need. Young carers have rights to have their support needs assessed. Every child at school has the right to support, whether for a short-term or a long-term need, and they should receive that support in a consistent, effective and inclusive way. However, those rights are meaningless if the support is not provided, schools cannot cope, teachers are overwhelmed and other pupils' learning is routinely disrupted.

Today, I will provide the Parliament with an update on the work that the Government has been leading, including in relation to the "Additional Support for Learning Action Plan" and the previously agreed review of ASN, which was a direct ask of Opposition parties last year.

Funding matters. Local authority spending on ASN reached more than £1 billion in 2023-24 compared with around £700 million back in 2019-20, when the Morgan review was published. In addition, the pupil equity fund is being used in innovative ways by Scotland's headteachers to respond to increasing demands related to additional support needs. For example, last year, I

visited Fair Isle primary school in Kirkcaldy, where the headteacher was using her pupil equity funding to employ an extra member of staff. That teacher worked with smaller groups of pupils with additional support needs, giving them the tailored input that their learning required. Other examples of PEF inputs include nurture rooms, outdoor learning, music therapy, sensory gardens and extra classroom assistants, to name but a few.

In 2025-26, further funding was provided to bolster the ASN workforce and teacher numbers nationally and locally. I am pleased that that additional funding will continue into 2026-27, subject to the passing of the Scottish Government's budget. Those investments provide the scaffolding that is necessary to increase capacity in classrooms and help teachers and support staff to deliver what children need.

Last year, when we discussed the parameters of a further review into additional support needs, I was grateful to MSPs from across the chamber for their cross-party engagement. A number of helpful contributions were made in that discussion, including recognition that we should build on the previous reviews and a request for a national event to share best practice, on which I will say more later.

There was also a clear ask from Opposition parties for a short, sharp review that would report before the pre-election period. I can announce today that Janie McManus, our professional adviser for education, will lead that review. The rigorous, evidence-informed review will focus on the national and local system conditions that support ASN delivery, the experiences of delivery in schools and how policy is translating into effective practice. The work is intentionally designed to focus on the existing evidence and to take forward feedback from previous reviews, particularly about the capacity and complexity in the system. The priority is identifying what needs to happen next to strengthen delivery. Given that the ask for the review came from Opposition parties, I have written to party spokespeople this afternoon to invite them to a briefing with Ms McManus, to ensure that her review takes cognisance of their views on where improvement can be strengthened.

In November, we held a national data summit, which highlighted that ASN data collection varies across local authorities. Members know that ASN measurements can encompass a wide range of needs, which can be defined and met in a wide range of ways. That is demonstrated by the 2024 statistics, which showed that the overall ASN rate in local authorities ranged from 27 per cent to 52 per cent. It is, therefore, important that we support consistent reporting to ensure that we have an

accurate data set from which to drive improvement.

That is why, in December, I announced a new national programme to improve additional support for learning data. The work will improve the breakdown of data into meaningful categories and strengthen the quality and completeness of school-level recording. It will also include practical support and targeted guidance on categories in order to create a consistent approach across Scotland to the recording of additional support needs. That matters because it will help us to understand the extent of issues and challenges and to identify localised pockets of need.

We also need better support for the teaching profession. In many schools across the country, the ASN cohort in classrooms is more than 50 per cent. The necessary differentiation required in lessons, which has always been a feature of our learning environments, has increased as identification rates have improved and our approach to inclusion has, rightly, broadened.

A key priority, which was identified by teachers, for the new centre for teaching excellence is additional support for learning. I can announce today that, this spring, a dedicated research hub on pedagogy for inclusion will open, with a specific focus on additional support needs. The hub will provide accessible resources and professional learning aligned to the priorities that teachers have identified. Teachers will be able to access the latest research and evidence through briefs from the centre, and they will receive structured support to apply insights to their practice, share findings and learn from colleagues across peer networks. I am pleased that a number of teachers have already been seconded to each hub. Those teachers will act as a point of contact for schools and colleagues, and they will support participation in networks and events.

That work builds on the national support from Education Scotland, which we have funded to deliver a national ASN teacher professional learning programme over the past 18 months. That initiative includes deploying ASN associates to support adaptive teaching in classrooms.

Furthermore, starting this month, the General Teaching Council for Scotland will consult on planned changes to initial teacher education accreditation. Alongside that, the GTCS is working with the Scottish Council of Deans of Education to deliver a national evaluation of ITE programmes in Scotland. That work has the potential to evaluate the impact of ITE, including by providing a more robust assessment of ASN content in ITE, which was a key ask of the Parliament's Education, Children and Young People Committee.

Notwithstanding the focused review, it is important that we learn from previous action on additional support needs. The ASL action plan, which arose from the Morgan review of 2020, is now entering its final phase. The plan has resulted in a number of deliverables. First, we have refreshed the code of practice for supporting children's learning in order to provide clearer guidance on the implementation of the Education (Additional Support for Learning) (Scotland) Act 2004. The draft document will be published for consultation next month, giving stakeholders a final opportunity to engage and contribute their views. The code seeks to address practicalities and common areas of ambiguity that teachers and families have raised. It explains how the law should work in practice, including in relation to identification, planning, co-ordinated support plans and dispute resolution, and it is central to consistent delivery.

Secondly, the first iteration of the ASL national measurement framework was launched last month. The framework will enable reporting on measures that better reflect the achievements and experiences of children and young people with additional support needs. By embedding ASL data in that platform, we will ensure an equal focus on making progress in reducing the poverty-related and ASN-related attainment gaps.

Thirdly, work has been developed and led by Enquire, Scotland's national advice service for ASL, to improve communication. A dedicated web page has been launched on the Enquire website, which now serves as a central hub for all ASL resources. It hosts a suite of downloadable materials, including general information cards for parents, carers and professionals, as well as a series of frequently asked questions that address common issues about ASL rights and processes.

I can confirm that a final update on the ASL action plan and progress report will be published before the end of this session of Parliament. The update will capture and demonstrate the real progress that has been made across a wide range of commitments. We all recognise the growing demand for additional support in recent years, so the report will reflect areas in which on-going work must remain a priority and that will be important to acknowledge as part of our focused ASN review.

There was a clear ask from Willie Rennie—who, I note, is not in the chamber—for the Government to hold a national ASN debate. I am pleased to share with the Parliament that that event is scheduled for 12 March. We will also create a digital space, including an interactive platform, where materials can be uploaded and accessed by participants at the event and the wider system. That will ensure that the event is not a one-off experience but, rather, a catalyst for continuous

improvement, supporting teachers and councils to share updates and build on the good practice that we know is working best.

Our values remain true. As a Government and, indeed, as a Parliament, we are committed to inclusion, equity and ambition for every child. Since 2020, we have made progress. Investment is at record levels, professional learning for teachers has been strengthened, data collation is improving, and understanding and culture are changing for the better. Given that we are taking stock and carrying out a short, sharp review now, the next Government of Scotland will be in a strong position to shape the next phase of ASL policy. That will ensure that we continue to build an education system in which support is timely, consistent and effective, in which staff have the tools and confidence to meet diverse needs and in which children and young people with additional support needs thrive—every day, in every classroom, in every community.

**The Deputy Presiding Officer:** The cabinet secretary will now take questions on the issues that were raised in her statement. I intend to allow about 20 minutes for questions, after which we will move to the next item of business. It would be helpful if members who wish to ask a question pressed their request-to-speak buttons now.

I advise the cabinet secretary and the chamber that Willie Rennie has been engaged online from the outset of the proceedings this afternoon and has pressed his button to indicate that he wishes to ask a question.

**Miles Briggs (Lothian) (Con):** I look forward to Willie Rennie being beamed in at some point.

I thank the cabinet secretary for advance sight of her statement, because the Scottish Conservatives lodged a motion to call for a national review. I welcome the cross-party working and the manner in which the cabinet secretary is taking forward that work.

It is completely unacceptable that parents and teachers are being denied the specialist support that they urgently need. Scottish National Party ministers have not delivered on the promised specialist staff numbers across the country at the very time that we see a decline in dedicated ASN schools. Families are being failed and teachers are being left to cope without the resources that are required to keep children safe and supported in the learning environment. I hope that this is genuinely an opportunity for a new national approach that is focused on outcomes.

During the cross-party conversations that we have had, the cabinet secretary has acknowledged that there is no definition of mainstreaming. That often results in a situation that fails everyone in the classroom, and parents

and teachers have said that they want a new approach. What work will be undertaken in that area—for example, to develop ASN hubs and give all local authorities a definition of mainstreaming?

**Jenny Gilruth:** I thank Mr Briggs for his question and for his welcome of the cross-party working on the issue. I very much hope that he and his colleagues will take forward my offer to engage with Ms McManus on the substantive work that she is leading in relation to the short, sharp and focused review, which was a key ask from Opposition members when we met last year.

Mr Briggs spoke about the denial of specialist support. Staffing rates are hugely important in that regard. That is why, in this year's budget and in next year's draft budget, we have protected funding to increase teacher numbers—we were able to deliver on that last year for the first time since 2022—as well as providing protection for ASN spend, which I recognise is important. That has contributed to us having the second-highest level on record of pupil support assistants in our schools.

The definition of mainstreaming is something that the ASL work on definitions and categories can consider, but I invite Mr Briggs to discuss the matter with Ms McManus in more detail. It is true to say that we have a broad range of categories in ASN at the current time. In discussions with officials earlier, we considered some of the statistics around the social, emotional and behavioural needs category, which is the largest category.

It is important that we look at the definitions in the round. They will all be considered through the data improvement work that I set out in December, but I invite Mr Briggs to pursue those matters further with Ms McManus, as I share his interest.

**Paul O'Kane (West Scotland) (Lab):** I thank the cabinet secretary for advance sight of the statement and for the correspondence relating to joining the group.

A year ago, Audit Scotland bluntly put the challenge in context when it said that the Scottish Government had

“failed to plan effectively for its inclusive approach to additional support for learning.”

That is why, collectively, Parliament called for this further review, but I have to say that I think that many of us would have expected the review to come sooner.

Given that there is so little time left in this parliamentary session, will the cabinet secretary say when, before the dissolution of Parliament, she expects the short, sharp review, as she describes it, to report? How will she ensure that we can have a debate in the parliamentary

chamber ahead of dissolution on the issues contained therein?

**Jenny Gilruth:** I appreciate that Mr O’Kane was not the Labour Party’s spokesperson on additional support needs when the Audit Scotland report was published, but I am glad that he has welcomed the announcement today of the review and the national event, which was a key ask of the Opposition.

Mr O’Kane is right to flag the Audit Scotland report, which I welcomed when it was published last year. I met Audit Scotland following its publication, and I noted that the interesting part of the report for me concerned the lack of data being held centrally in the Scottish Government about the national spend.

I am able to tell Parliament that, in 2023-24, we spent more than £1 billion on additional support needs. However, Audit Scotland was clear that we need further granularity on how that funding, which is being protected at national level, gets into our classrooms. The data work that I announced in December is hugely important in that regard.

Mr O’Kane spoke about the timescale in relation to the reporting of the short, sharp review. My expectation is that the review, which is being led by Janie McManus, will report before the end of this parliamentary session. I again invite Mr O’Kane to the meeting with Ms McManus. I will take on board his points in relation to debates and parliamentary feedback, but I hope that the fact that the report will be published before the end of this parliamentary session gives him some comfort. In our meeting last year, the Opposition was keen for that to be delivered, and that is the commitment that I give again today.

**Jackie Dunbar (Aberdeen Donside) (SNP):** I welcome the Scottish Government’s investment in additional support for learning and teacher numbers, which was announced this week in the 2026-27 Scottish budget. Does the cabinet secretary agree that it is essential that that funding makes its way into classrooms, where it can make the biggest difference?

**Jenny Gilruth:** I thank Jackie Dunbar for her question, which relates quite neatly to the points that Mr O’Kane made previously about the funding that we protect in central Government for additional support needs. I spoke of more than £1 billion of funding in 2023-24, which is the latest data that we have to hand, although I expect that there will be a further update—I hope before the end of this parliamentary session—in relation to the overall spend from local authorities. We also protected funding for teacher numbers in ASN in the budget this year and in the draft budget for next year.

Having the right staffing levels is hugely important in meeting the needs of all pupils, not least in relation to how we meet the needs of those with additional support needs. It is hugely important that that funding makes its way into our classrooms, and I hope that the ASL data work that I intimated and gave an update to Parliament on in December will help to further clarify and support our understanding of that spend.

**Roz McCall (Mid Scotland and Fife) (Con):** I welcome the cabinet secretary’s statement. It is so important that each individual child gets the relevant support that they need to succeed, and we will know that only if the data is collected and collated correctly. In every answer so far, the cabinet secretary has mentioned the new national programme to improve ASL data, but I am concerned that issues in child and adolescent mental health services and a lack of a coherent mental health diagnosis framework mean that we are not fully aware of all the children who need additional support.

How will the cabinet secretary ensure that the data collection and the proposals that come from the review include all relevant children? Will she agree to review the pathways for attention deficit hyperactivity disorder and autism?

**Jenny Gilruth:** I did not quite catch the end of Ms McCall’s question on ADHD and autism, but I will catch up with her following this question-and-answer session to make sure that I have given her an answer on that point.

Ms McCall makes a hugely important point about CAMHS and the interaction that we have between health and education. I am mindful that some such matters sit with health ministers, but we need a much more consistent and strategic approach to supporting children and young people in our schools. We have to reflect that, post-pandemic, the cohort of pupils in our schools has fundamentally changed and, as a Government, we need to update and respond to that change. Part of that work is the short, sharp review that the Opposition has asked for, which we are delivering, but it is also about data identification and using that data to better support children and young people.

I will come back to Ms McCall on the final part of her question, but I hope that that gives her reassurance, because I share her concern about having a strategic approach.

**George Adam (Paisley) (SNP):** Ensuring that teachers feel confident and competent to provide appropriate learning support is key. How has professional learning been enhanced, and what role is Education Scotland playing in that regard?

**Jenny Gilruth:** It is hugely important that the teaching profession is supported in responding to

the increase in recent years of the number of pupils with an identified additional support need. As I mentioned in my statement, the Government has provided additional funding to Education Scotland to help develop, lead and facilitate a national certificate in ASN teacher professional learning.

The funding has also been used to appoint 10 ASN Education Scotland associates, who are focusing on differentiation and adaptive teaching. Those associates will work directly with teachers in our schools, in every local authority area, to help improve knowledge, understanding and practice, with implementation of effective learning and teacher pedagogy for all learners, which is hugely important. Teachers will also be supported more broadly by the work that I announced in relation to the centre for teaching excellence.

**Martin Whitfield (South Scotland) (Lab):** Article 12 of the United Nations Convention on the Rights of the Child gives children and young people the right to have their voices heard in decisions that affect them. The cabinet secretary agrees that ASN data collection is varied. How will teachers, parents and children feed into the report, given that one of its crucial tasks is to look at the experience of delivery in schools?

**Jenny Gilruth:** As I set out, with regard to data, the review will look at existing categories in the recording of ASN. It will also look at the clear and concise national guidance, which we need to look at adapting, and it will explore the feasibility of having a national staged intervention model.

I agree with Mr Whitfield that all of that work requires consultation and engagement. Janie McManus will be leading that work, and I invite Mr Whitfield to engage with the opportunity to meet her. My expectation is that engagement will be led, for example, through the Scottish Assembly of Parents and Carers, which the Government funds, and, of course, through engagement with children and young people, which was a key part of the Morgan review.

**Willie Coffey (Kilmarnock and Irvine Valley) (SNP):** Will the cabinet secretary say a little bit more about how the Scottish Government promotes inclusion in the work that we do on additional support for learning in our schools? How does that compare with the approach that is being taken elsewhere in the UK?

**Jenny Gilruth:** We have a very progressive and inclusive approach to education in Scotland, which is supported by a strong legislative framework. To ensure that that inclusive approach is made a reality in our schools, we must be flexible and adaptable, and we must listen to the education system. Part of today's update has been about

reflecting the need in the education system for the delivery of changed approaches in the future.

Mainstreaming remains a central pillar of our inclusive approach, and I think that it still has collective cross-party support, but, to my understanding, fundamentally, it is about how that is resourced on the ground and how it is delivered.

The approach that we have in Scotland differs from that in other parts of the UK. For example, in England, the legislation is largely confined to supporting only children with disabilities; in Scotland, we have a rights-based approach that takes a much broader view. The Education (Additional Support for Learning) (Scotland) Act 2004 provides that any child or young person with a support need can have that need considered and met. I go back to the points in my statement: it is about how children and young people and their families experience that, so resourcing and funding are key.

**Patrick Harvie (Glasgow) (Green):** I think that it is worth congratulating teachers and young people on the improvements in literacy and numeracy that the cabinet secretary mentioned in her statement, which I am sure we all welcome.

The cabinet secretary acknowledges the consensus that exists on the need to have a further review, but we all want that review to be about solutions rather than just a restatement of the problem. Will the cabinet secretary commit that the review will consider one solution, which is removal of the overly restrictive statutory criteria for co-ordinated support plans? By removing those from legislation, we could help to ensure that more young people can access the support that they need.

**Jenny Gilruth:** I join Mr Harvie in congratulating our pupils on their achievements, particularly those pupils with an identified additional support need. The progress and improved attainment that we see are to be welcomed.

Mr Harvie also spoke about solutions. I do not want to prejudge the outcome of the review that is being led by Janie McManus, our professional adviser, but I encourage him and colleagues in his party to engage with Ms McManus on a solution-orientated focus, which I very much expect to see.

We need to be mindful that we have had a number of reviews in the ASN space. A key ask from the Opposition at the round table last year was that we use the learning from those reviews to inform what comes next, so that learning will not be lost.

Mr Harvie makes a key ask in relation to co-ordinated support plans, which his colleague Ross Greer has been pursuing with me for the best part of the past three years. I share his interest in that

regard. Although there is a statutory footing associated with those plans, there are other ways in which individual needs can be met in schools. It is important to say that we have seen an increase in the number of individual support plans.

I hope that Mr Harvie takes some comfort from the fact that the consultation on the co-ordinated support plans will launch in February. We will publish the updated results over the summer, which will take on board the points that he has made today.

**The Deputy Presiding Officer:** I call Willie Rennie, who is joining us remotely.

**Willie Rennie (North East Fife) (LD):** Thanks to modern technology, I am beaming in from Cupar—to everybody's satisfaction, I hope.

I welcome this positive plan, which contains a welcome set of measures. I met the cabinet secretary's officials this week to discuss the national ASN event, which I think will be a good step in sharing best practice. I hope to meet Janie McManus to discuss the review.

Dealing with pressure in the classroom is a major part of addressing the challenges that we face. The Educational Institute of Scotland ballot on strike action closed just this week. Will the cabinet secretary update us on what further steps she has taken to avert the damaging strike action that might come in as soon as a few weeks' time?

**Jenny Gilruth:** I thank Mr Rennie for his question and for beaming in from Cupar. In relation to his points on the ASN event, I have to give him credit. At the round table with the Opposition, it was Mr Rennie's key ask that we have a national event to share good practice and to use that good practice to elevate the fantastic work that headteachers and teachers are doing to support children with additional support needs, which work I am sure we have all witnessed in our own communities and constituencies. I previously gave examples from my own experience.

Much of that work is being funded through the pupil equity fund, but much of it is being funded through the extra funding that the Government put in place in last year's budget, which will be continued in this year's budget—subject to its being passed—to support more staff in our schools, because we know that that is what makes a difference.

It is not for me to prejudge the outcome of the EIS's ballot, so I will await the results. The Government has set out a clear aspiration for how we might deliver reduced class contact for teachers. I set that out in November. It is now for us to hear the results from the EIS ballot. I am sure that I will speak to the union in due course.

**Rona Mackay (Strathkelvin and Bearsden) (SNP):** I welcome the fact that the Scottish Government is taking steps to address the challenges in recording ASL data in Scotland. Will the cabinet secretary tell us more about the data summit that was held on 12 November, and will she outline how the information that was gathered is helping to drive forward improvements at national and local levels?

**Jenny Gilruth:** The data summit was instructive to all attendees' understandings of the strengths that we have in the system, the type of information that we gather and who gathers that information. It also showed the great differences that we have across the education system in Scotland in relation to how that data is recorded and reported, as well as helping to identify current limitations and gaps.

A review of the categories of need will support us in having a much more comprehensive and consistent approach to national guidance, which will help to support the collection of more accurate data that can guide and support improvement across the system. We know that having a robust data set and additional support needs will help to provide for evidence-based decision making, which will help to support targeted interventions. Ultimately, that will drive improvements at national and local levels.

**Douglas Ross (Highlands and Islands) (Con):** How does the cabinet secretary respond to teachers who tell me that it is increasingly impossible to get it right for every child?

**Jenny Gilruth:** Mr Ross's question is quite broad, so I imagine that he is not speaking only about additional support needs. There are other challenges in our schools post-pandemic. The situation in our schools is increasingly challenging post-pandemic, but there are also financial challenges in them. Schools are filling a gap where other services previously existed.

The advent of the Scottish attainment challenge was part of the Government's response, but we need to reflect on the fact that a decade-plus of austerity has not been good for Scotland's education system and the children and families whom our teachers support every day. We will look at how we can better strengthen our support for ASN. However, there are broader challenges that sit without the ASN category. It is important that we have a budget settlement that delivers on that, which is why I was so pleased that, in this year's draft budget, we were able to protect the additional funding for teacher numbers and ASN.

**Gordon MacDonald (Edinburgh Pentlands) (SNP):** Parents are carers and have the right to be involved in discussions about the additional support for learning options that are available to

their children. Will the cabinet secretary speak further on Scottish Government engagement with families and advise what services are in place for them to access advice and support?

**Jenny Gilruth:** There are a range of different ways in which we help to provide support to parents and carers. That is the point that Martin Whitfield mentioned. It is essential that our families have that support. I spend a lot of my time as cabinet secretary engaging with parents and carers and listening to their views. Improving relationships and communication is a key aim of the ASL action plan and we will continue to prioritise it.

We have increased by £524,000 annual funding to services that provide support and advice to parents and carers. In addition, the parental organisation Connect receives Scottish Government funding of just over £60,000 to host the Scottish assembly of parents and carers, of which more than 350 parents and carers who represent all of Scotland's 32 local authorities are members. They play a critical role in helping to inform policy and in providing advice and challenge to the Government as we drive forward our reform of Scotland's education system.

**Liz Smith (Mid Scotland and Fife) (Con):** When it comes to the collection of data, I recommend that the residential outdoor education sector be involved in the discussions. I spoke to the sector bodies this morning. They acknowledged the help that the Scottish Government has provided, but there is a need to ensure that there is much more data from that sector and that it is involved in the discussions, because it could be immensely helpful.

**Jenny Gilruth:** I thank Ms Smith for her interest in the matter. Following the successful passing of her bill on outdoor education, I very much support the points that she makes and will ask my officials to take them away.

**The Deputy Presiding Officer:** That concludes the ministerial statement on the additional support for learning review. There will be a short pause before we move on to the next item of business.

## UEFA European Championship (Scotland) Bill: Stage 3

15:25

**The Deputy Presiding Officer (Annabelle Ewing):** The next item of business is stage 3 proceedings for the UEFA European Championship (Scotland) Bill.

In dealing with the amendments, members should have the bill as amended at stage 2—that is, SP bill 60A—the marshalled list and the groupings of amendments. The division bell will sound and proceedings will be suspended for around five minutes for the first division, and the period of voting for that division will be 30 seconds.

Members who wish to speak in the debate on the amendment should press their request-to-speak buttons, or enter "RTS" in the chat function as soon as amendment 1 is called. Members should now refer to the marshalled list.

### After section 5

**The Deputy Presiding Officer:** We move to group 1, which is on intergovernmental co-operation on ticket touting. Amendment 1 is the only amendment in the group.

**Stephen Kerr (Central Scotland) (Con):** This is a wonderful Thursday afternoon on what is a momentous day, and a very happy day for many of us on this side of the chamber. We get to talk about football—or, at least, we will eventually get to talk about football, once we have talked about some of the aspects of the bill that I hope the minister might yet reconsider.

I am grateful for the engagement that I have had with Richard Lochhead and for the fully communicative way in which he has piloted the bill. I particularly appreciate the letter that he sent to members of the Constitution, Europe, External Affairs and Culture Committee earlier this week, which I will refer to in my comments.

My amendment in group 1, which is on the subject of intergovernmental co-operation on ticket touting, is a modest procedural amendment that is entirely consistent with what I believe the minister says the bill is trying to achieve. It does not reopen the policy debate on ticket touting, weaken the offence and or delay implementation. It simply asks for clarity about work that the minister has told the committee is already under way.

I recognise that, as the minister says in his letter—which, if the chamber allows, I will quote—

"It is not within the Scottish Government's gift to report on the actions of other governments".

I completely agree, and that is not what my amendment seeks to do. The letter goes on to say that the Government cannot

“guarantee meaningful progress within the proposed timeframe”,

but it has to be said that the timeframe is actually quite large; it is not a narrow, but a very broad, timeframe.

There is something else in the minister’s letter that I acknowledge to be true. He says:

“Legislative decisions rest with those administrations”—

meaning the United Kingdom Government, primarily—in the first instance. I understand and accept that.

However, at stage 2, the minister made it clear—and I absolutely accepted this—that the Scottish Government is in regular discussion with the UK Government and that it has had communication with the Welsh Government, which does not intend to create its own Wales-only legislation, and the Government of Ireland on ticket touting, including online and cross-border activity. He also acknowledged that the position across the host nations is uneven, as things stand, with different legislative and enforcement approaches either in place, or being talked about being put in place.

That evidence is exactly why I believe that this amendment matters. The touting provisions in this Scottish Parliament bill apply to Scotland, but the behaviour that we are trying to stop is not restricted to Scotland. Online platforms and cross-border sellers do not respect devolved boundaries. If enforcement is to be effective in practice, Parliament is entitled to understand how those risks are being managed.

The amendment does not require ministers, including the Minister for Business and Employment, to secure an agreement with other Governments. It does not mandate harmonised legislation, and it does not stray beyond devolved competence. It simply asks the minister, or ministers, to set out the steps that they have taken to seek co-operation and what has resulted from that engagement.

15:30

At stage 2, the minister expressed concern about committing to a report within a fixed timescale if other Governments had not reached settled positions—he says the same in his letter. My amendment directly reflects his concern: the reporting duty is flexible, broad and, I think, realistic. It calls for a report to be published

“within six months of Royal Assent, and”

in any event

“no later than 18 months before the Championship period.”

That aligns with operational planning; it is not a political deadline, and it is intended to be helpful.

The minister also suggested that a post-event review would be sufficient. With respect, that would be too late—it would be like locking the stable door after the horse has bolted. Conducting a review after the event would tell us where we went wrong, but the report that I am proposing is, I think, about gaps that Scottish Government ministers might have identified and which the Parliament would need to do something more about, in conjunction with the UK Government and Parliament.

The Parliament is being asked to approve new criminal offences and enforcement powers on the basis that intergovernmental engagement is under way. In those circumstances, it is entirely reasonable for us, as members of the Scottish Parliament, to ask for a factual account of what engagement would take place before the event. If the engagement is as active as the minister indicated at stage 2—and I have no doubt that it is—producing the report would present absolutely no difficulties for the minister. If there are unresolved issues, it is better that the Parliament knows about them from ministers while there is still time to act.

My amendment 1 is not political—it is practical. It would strengthen transparency, improve preparedness and support the bill’s core purpose. I hope that the minister will look at it again, considering the reasonable interactions that we have had, and that he is minded at this stage to accept my helpful amendment.

I move amendment 1.

**The Minister for Business and Employment (Richard Lochhead):** I thank Stephen Kerr for his constructive and enthusiastic engagement following the amendments that he lodged during and before stage 2. We have met a couple times on this issue. We all share concern about ticket touting and its impact on fans, particularly its propensity to put the price of attending big sporting and other events beyond the reach of the ordinary citizen. We take the issue seriously.

As I set out when Mr Kerr lodged his amendment at stage 2, we are in regular discussion with the Governments of other host nations to ensure that we have a coherent approach to ticket touting. We understand that the Welsh Government and the Northern Ireland Executive have no plans to introduce primary legislation, while the Republic of Ireland has existing legislation that prohibits the practice. The UK Government has indicated that it is still working through how best to deliver the requirements of the Union of European Football

Associations. I reiterate that it is not for Scottish ministers to report on the actions of other hosting Governments, and, as such, we cannot commit to providing a meaningful report to the Parliament within the timeline that Mr Kerr's amendment sets.

**Stephen Kerr:** At the risk of being repetitious, my amendment is not asking for Scottish ministers to report on anything other than the actions that they have taken to interact with the United Kingdom Government and the other Governments that my amendment mentions. I am not expecting the minister to do anything other than that. What I am expecting him to do, though, is to ask ministers to report to the Parliament on the basis of what interaction they have had. It would be a status update to help us understand where there might be gaps or shortcomings. That is my intention with amendment 1—it is simply about parliamentary scrutiny.

**Richard Lochhead:** I do not want to go down the road of being repetitive either. We have been round the houses on this issue a couple times, including at stage 2.

It is my intention to ensure that the Parliament is kept regularly up to date on how discussions are going. However, with regard to the amendment's proposal to place the requirement in statute, the timing of the decisions made by the other Administrations and the issues around that are not within our gift, and we cannot remedy that. There is a possibility that the UK Government could legislate for its jurisdiction beyond the required timeline for reporting, as proposed by amendment 1.

The bill, as amended at stage 2, now includes a requirement to report on the bill's operation, as Stephen Kerr said earlier, including on the ticket-touting provisions. I suggest that that addresses the underlying intention of amendment 1, which is to report back to the Parliament on the issues that arise from the bill.

If any significant developments arise before then, the Scottish Government will ensure that the Parliament is kept suitably informed and regularly updated, as I have previously undertaken to do. That is usual practice, but I will make an extra-special effort to ensure that procedures are put in place, given the issues that members have raised.

I hope that that provides Stephen Kerr with sufficient reassurance not to press amendment 1. Should he do so, however, I encourage members to resist it.

**The Deputy Presiding Officer:** I call Stephen Kerr to wind up and to press or withdraw amendment 1.

**Stephen Kerr:** At no stage would I ever doubt the integrity of the minister in respect of his

intentions, but the truth is that he will not be in his role when the moment comes that parliamentary updates are required. In fact, none of us really knows where we will be, but I think that it is important—

**Richard Lochhead:** I will not be here.

**Stephen Kerr:** Indeed, and I see the Minister for Parliamentary Business and Veterans, who is another one who will not be here. However, some of us do hope to be here.

The whole point of amending the bill to include the report is to ensure that there is no slippage in the level of ministerial interest from the level that Richard Lochhead has shown. Therefore, on this occasion, I will press amendment 1.

**The Deputy Presiding Officer:** The question is, that amendment 1 be agreed to. Are we agreed?

**Members:** No.

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

15:36

*Meeting suspended.*

15:42

*On resuming—*

**The Deputy Presiding Officer:** We move to the vote on amendment 1, in the name of Stephen Kerr. Members should cast their votes now.

The vote is closed.

**Collette Stevenson (East Kilbride) (SNP):** On a point of order, Deputy Presiding Officer. There was a problem with my connection. I would have voted no.

**The Deputy Presiding Officer:** Thank you, Ms Stevenson. Your vote will be recorded.

**For**

Balfour, Jeremy (Lothian) (Ind)  
 Briggs, Miles (Lothian) (Con)  
 Carlaw, Jackson (Eastwood) (Con)  
 Carson, Finlay (Galloway and West Dumfries) (Con)  
 Dowe, Sharon (South Scotland) (Con)  
 Eagle, Tim (Highlands and Islands) (Con)  
 Golden, Maurice (North East Scotland) (Con)  
 Gosal, Pam (West Scotland) (Con)  
 Gulhane, Sandesh (Glasgow) (Con)  
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)  
 Kerr, Liam (North East Scotland) (Con)  
 Kerr, Stephen (Central Scotland) (Con)  
 Lumsden, Douglas (North East Scotland) (Con)  
 McCall, Roz (Mid Scotland and Fife) (Con)  
 Mountain, Edward (Highlands and Islands) (Con)  
 Mundell, Oliver (Dumfriesshire) (Con)

Ross, Douglas (Highlands and Islands) (Con)  
 Smith, Liz (Mid Scotland and Fife) (Con)  
 Stewart, Alexander (Mid Scotland and Fife) (Con)  
 Webber, Sue (Lothian) (Con)  
 Wells, Annie (Glasgow) (Con)  
 Whittle, Brian (South Scotland) (Con)

### Against

Adam, George (Paisley) (SNP)  
 Adam, Karen (Banffshire and Buchan Coast) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Bibby, Neil (West Scotland) (Lab)  
 Boyack, Sarah (Lothian) (Lab)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Brown, Siobhian (Ayr) (SNP)  
 Burgess, Ariane (Highlands and Islands) (Green)  
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)  
 Chapman, Maggie (North East Scotland) (Green)  
 Choudhury, Foysol (Lothian) (Ind)  
 Clark, Katy (West Scotland) (Lab)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Constance, Angela (Almond Valley) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Dunbar, Jackie (Aberdeen Donside) (SNP)  
 Duncan-Glancy, Pam (Glasgow) (Lab)  
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Gougeon, Mairi (Angus North and Mearns) (SNP)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Neil (Airdrie and Shotts) (SNP)  
 Greene, Jamie (West Scotland) (LD)  
 Greer, Ross (West Scotland) (Green)  
 Griffin, Mark (Central Scotland) (Lab)  
 Harper, Emma (South Scotland) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lennon, Monica (Central Scotland) (Lab)  
 Leonard, Richard (Central Scotland) (Lab)  
 Lochhead, Richard (Moray) (SNP)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Gillian (Central Scotland) (Green)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Marra, Michael (North East Scotland) (Lab)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 Mason, John (Glasgow Shettleston) (Ind)  
 Matheson, Michael (Falkirk West) (SNP)  
 McAllan, Màiri (Clydesdale) (SNP)  
 McArthur, Liam (Orkney Islands) (LD)  
 McKee, Ivan (Glasgow Provan) (SNP)  
 McLennan, Paul (East Lothian) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 McNair, Marie (Clydebank and Milngavie) (SNP)  
 Minto, Jenni (Argyll and Bute) (SNP)  
 Mochan, Carol (South Scotland) (Lab)

Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)  
 Robertson, Angus (Edinburgh Central) (SNP)  
 Robison, Shona (Dundee City East) (SNP)  
 Roddick, Emma (Highlands and Islands) (SNP)  
 Rowley, Alex (Mid Scotland and Fife) (Lab)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)  
 Slater, Lorna (Lothian) (Green)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Collette (East Kilbride) (SNP)  
 Stewart, Kaukab (Glasgow Kelvin) (SNP)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Sturgeon, Nicola (Glasgow Southside) (SNP)  
 Sweeney, Paul (Glasgow) (Lab)  
 Swinney, John (Perthshire North) (SNP)  
 Thomson, Michelle (Falkirk East) (SNP)  
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)  
 Torrance, David (Kirkcaldy) (SNP)  
 Tweed, Evelyn (Stirling) (SNP)  
 Villalba, Mercedes (North East Scotland) (Lab)  
 Whitfield, Martin (South Scotland) (Lab)  
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP) [Proxy vote cast by Jackie Dunbar]  
 Wishart, Beatrice (Shetland Islands) (LD)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

**The Deputy Presiding Officer:** The result of the division is: For 22, Against 87, Abstentions 0.

*Amendment 1 disagreed to.*

### Section 22—Power to enter and search

**The Deputy Presiding Officer:** Group 2 is on enforcement powers. Amendment 2, in the name of Stephen Kerr, is grouped with amendment 3.

15:45

**Stephen Kerr:** I am disappointed by the result of the vote on amendment 1, which I felt was a very reasonable amendment. Nevertheless, I will address amendments 2 and 3, which appear in group 2.

Again, the intent is not to weaken enforcement—far from it. Members would be surprised if I was advocating for a weakening of enforcement. With amendments 2 and 3, I am simply trying to make enforcement defensible, proportionate and consistent with well-established principles that this Parliament has applied repeatedly in other regulatory regimes.

At stage 2, the minister emphasised the need for effective enforcement powers to meet UEFA's requirements and to ensure the integrity of the event. I think that the minister, other members of the Constitution, Europe, External Affairs and Culture Committee and perhaps a few others know what my reservations are about a list of demands from UEFA forming the basis of our bill in order for us to be able to host the event. However, I am a realist, and I understand that that is the nature of the organisation—that is how UEFA operates and how it gets its own way. Basically, we are talking about the creation of an

exclusion zone of sorts around the playing venues, which is intended to sanitise those areas by excluding any other commercial activities.

I suppose that I am appealing to the more left-wing members of the Parliament when I say this, although I am not sure that I am capable of appealing to people on the left in any respect. We are, in effect, giving an international business a geographic monopoly in Scotland. I understand that that is the price that we have to pay, but there are some aspects of how that can be achieved in relation to which there is room for some nuance. That is why amendments 2 and 3 matter.

Fulfilling UEFA's requirement to have the cordon sanitaire of a commercial activity-free zone around Hampden, where UEFA gets to do what it likes, is integral to getting the event. I understand that. However, nothing in amendments 2 and 3 cuts across any of that. The amendments seek to ensure that the exercise of those powers is clear, bounded and capable of withstanding scrutiny. It is in the best traditions of Scots law and this Parliament that those principles are debated here again at stage 3, because they are simple safeguards.

Amendment 2 relates to concerns about entry and search powers. It seeks to provide simple safeguards for occupiers when an enforcement officer enters premises. It would give people the ability to ask why entry is taking place and to observe a search, where appropriate, as well as a clear route for reporting an entry that is believed to be unlawful. In his letter to the committee, which others might have seen, I felt that the minister made a case for amendment 2, although it is entirely feasible that his interpretation of his own words differs from mine. He said:

"In terms of the part of the amendment relating to reporting unlawful entry, while Glasgow City Council have a complaints procedure that could be used, if an individual believes that enforcement officers are acting outwith the law, there is uncertainty about whether the appropriate course of action would be to raise this with Glasgow City Council or with Police Scotland. This could create confusion for the occupier and for the enforcement bodies."

My amendment 2 is very clear. If there is a sense of injustice, unfairness or inequity in the way in which an enforcement order has been executed—or, more to the point, if there was no enforcement order—proposed new paragraph (c) of section 22(2) says that, when someone considers an entry to be unlawful, they may

"report the entry to Glasgow City Council."

I felt that what the minister said justified amendment 2.

None of what I am proposing is novel or obstructive. The proposed safeguards already exist in substance in other enforcement contexts,

including consumer protection and trading standards. They reflect basic administrative fairness and good practice. Including them in the bill is a very judicious and wise thing to do.

At stage 2, the minister resisted similar arguments on the basis that enforcement officers must be able to act swiftly and decisively. I agree, but swift action and basic transparency are not necessarily to be seen as being in conflict. I know that the minister thinks that they are in conflict, but I do not think that they are. That would not normally be the way that we would see these things.

An explanation of why an officer is exercising a power does not delay enforcement. Allowing observation, where appropriate, does not compromise an investigation. Providing a reporting route does not second-guess the officers on the ground in the operation—it protects them as much as it protects the occupier by ensuring confidence in the legality of the process. In practice, these safeguards would reduce the risk of disputes escalating and of retrospective challenge, and they would increase public confidence in enforcement activity during what will be a highly visible event globally. That is in everyone's and our country's interests. Quite rightly, as a country, we jealously guard our international reputation and amendment 2 would provide a pillar of sorts to support the reputation that we all prize.

Amendment 3 is even narrower. It concerns the circumstances in which reasonable force may be used. As drafted, the bill permits force when an officer considers it necessary. My amendment would simply tighten that test to cases that involve an immediate risk to public safety.

That language is familiar and well understood by the enforcement bodies and the courts. It reflects the seriousness of authorising force without removing the power when it is genuinely needed. Again, I am not seeking to subvert the intent of the bill, but simply to underpin it with the safeguards that I think are traditionally those that we would expect within the jurisdiction of Scots law.

I know that the minister argued at stage 2 that the existing wording provided flexibility. The difficulty is that flexibility cuts both ways. A broad, undefined threshold invites inconsistent interpretation and increases legal risk. A clear public safety test would give officers certainty, protect against overreach and reassure the public that force is a last resort, not a matter of convenience.

I conclude by saying that it is always worth remembering the context. The powers will be exercised in busy public spaces where there will be traders, residents and visitors who are not criminals in any ordinary sense of the word. Most

will be law-abiding people who are caught up in a temporary regulatory regime, because that is the nature of the bill. In that environment, clarity matters.

Taken together, the amendments would not blunt enforcement, they would sharpen it. They would align the bill with established practice elsewhere in Scots law, reduce the risk of challenge and strengthen the legitimacy of enforcement during the period when the legislation can be applied. I encourage the minister to view them in that light. They are reasonable, proportionate and practical, and accepting them would improve the bill without compromising its purpose or its operation. I urge him to do so.

I move amendment 2.

**Richard Lochhead:** In developing the bill, we sought to take a proportionate approach to meeting the hosting requirements for Euro 2028. As drafted, the bill contains a number of safeguards on the use of enforcement powers that are based on previous experience of major events and were developed by Government officials with input from Police Scotland and Glasgow City Council.

That engagement sought to ensure that the measures in the bill are workable. As I set out at stage 2, I wanted to consider views from Glasgow City Council before making a final decision on what is now amendment 2, which we are discussing at the moment.

Having received those views, I updated the committee on 13 January and made it clear why we should not support amendment 2. Glasgow City Council kindly provided real-life situations in which the requirements that are set out in paragraphs A and B could be exploited to frustrate enforcement action. For example, engaging an enforcement officer in conversation could be used to create time for evidence to be disposed of elsewhere on the premises. Allowing such distractions in law would effectively negate the impact of any enforcement action. I therefore do not consider it appropriate to place that kind of provision in the bill.

I cannot support amendment 3, which relates to when “reasonable force” can be used to enter a premises. Jamie Halcro Johnston lodged a similar amendment at stage 2. I could not support that amendment then and cannot support this one now. As I said at stage 2, enforcement officers must be able to take swift action to tackle offences under the bill, which allows a police constable, or an enforcement officer authorised by a police constable, to use reasonable force in situations where

“the constable reasonably believes that there is a real and substantial risk that delay in seeking a warrant would defeat or prejudice the purpose of taking action”.

If that power could be used only in situations where there is an immediate risk to public safety, that would severely restrict enforcement officers’ ability to take action—including action to secure evidence before it can be destroyed, to investigate crimes or to act swiftly against ambush marketing—which could, of course, undermine the core purpose of the bill. I therefore believe that amendment 3 would make enforcement action under section 24 of the bill unworkable and that there is a risk that that would undermine public confidence in the safety of the event.

However, I was keen to better understand the positions of Police Scotland and Glasgow City Council on the impact of the amendments, so Government officials undertook further engagement with both key partners. To help provide further reassurance to members regarding the issue of enforcement, I wrote to Glasgow City Council on 8 December seeking further information about how trading standards officers carry out enforcement more generally and about the guidance that they follow in doing so. I will, of course, share that response with Parliament and the committee.

I therefore ask Stephen Kerr not to press amendment 2 and not to move amendment 3. However, should he do so, I encourage members to resist both amendments.

**Stephen Kerr:** Of course, I accept what the minister has said and the advice that he is acting on. We should be aware, with our eyes wide open, that the bill protects the commercial rights of an international business. When we talk about enforced entry, we are talking about people being liable to get a knock at the door because they are selling merchandise that has not been sanctioned by UEFA or because of what might be described as “unlawful” advertising in the sense of someone having a banner or something like that on premises within the exclusion area around Hampden.

The intention of amendments 2 and 3 has been to support the actions that are necessary in order for UEFA to stage part of the tournament in Scotland while, at the same time, maintaining this country’s long and proud traditions when it comes to forced entry without a warrant. That has been my motivation in persisting with the amendments.

I accept what the minister has said and, on the basis of what I think has been the good will between us on this bill, I will not press either of the amendments.

*Amendment 2, by agreement, withdrawn.*

*Amendment 3 not moved.*

**The Deputy Presiding Officer (Liam McArthur):** That concludes stage 3 consideration of amendments.

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

I encourage members who are leaving the chamber before the next item of business to do so as quickly and quietly as possible.

## UEFA European Championship (Scotland) Bill

**The Deputy Presiding Officer (Liam McArthur):** The next item of business is a debate on motion S6M-20390, in the name of Richard Lochhead, on the UEFA European Championship (Scotland) Bill at stage 3. Members who wish to participate in the debate should press their request-to-speak buttons. I call Richard Lochhead to speak to and move the motion.

15:59

**The Minister for Business and Employment (Richard Lochhead):** It is a pleasure to address the Parliament this afternoon at this key milestone for the UEFA European Championship (Scotland) Bill. I am sure that football is more on our minds than it has been for a long time, and it is great to be debating a major football event again. The bill is a vital step in enabling Scotland to play its part in hosting Euro 2028.

I thank members for their constructive engagement in getting the bill to this point. In particular, I thank the Constitution, Europe, External Affairs and Culture Committee for its scrutiny and careful consideration. I also thank our stakeholders including the Union of European Football Associations, the Scottish Football Association, Police Scotland and Glasgow City Council, all of which provided evidence to help to inform discussion on the bill.

Scotland is the perfect stage to host three of the world's top sporting events over the next three years—the Commonwealth games in 2026, the Tour de France grand départ in 2027 and Euro 2028—bringing economic, social and cultural benefits to people and businesses right across the country.

I am sure that the passion and dedication shown by players and supporters alike will make Euro 2028 really special. Through hosting it, Glasgow and Scotland will be able to showcase our nation as a welcoming, diverse and energetic country to a global audience.

The championship is predicted to generate socioeconomic benefits of around £270 million in our country. It will provide opportunities for a number of sectors, boosting tourism and supporting our country's culture.

Glasgow will host at least one official UEFA fan zone, extending the experience beyond Hampden park.

The tournament offers a significant opportunity for Scotland to generate social and economic benefits. It will promote our nation as an ideal

place to visit, study, work and invest. We look forward to welcoming Europe in 2028, and to showcasing Scotland as the outward-looking and progressive country that we are.

Hosting international events often involves meeting certain requirements of commercial rights holders. The bill meets specific requirements that are set by UEFA, as the rights holder, and puts in place commercial rights protection measures. We have partly addressed that in discussing the stage 3 amendments. The bill does that by prohibiting the unauthorised sale of championship tickets at more than their face value or for profit. That will support fair access to tickets so that as many fans as possible can enjoy the matches. None of us wants match tickets to be sold at inflated prices. The bill will help to deter that and ensure that action can be taken if it happens.

The bill restricts unauthorised street trading and advertising within designated event zones. In doing that, we want to make things as easy as possible for those who are affected by event zones, which is why the bill makes sure that guidance will be in place and that street traders who cannot trade where they normally would will be offered alternative arrangements. Lastly, the bill provides enforcement powers to implement those protections effectively.

Those measures are consistent with the legislation that the Scottish Parliament passed for Scotland to host Euro 2020 matches. They are time limited, proportionate and targeted, and they will be repealed automatically on 31 December 2028.

In addition to those key areas, amendments that were agreed to at stage 2 have responded to points that the lead committee had made. They will ensure that the civic right to protest is specially protected and they will place a duty on the Scottish ministers to review the operation and effectiveness of the legislation. A report on the findings of the review will be laid before Parliament by the end of 2030. That will ensure that appropriate consideration of the bill's impacts is provided to Parliament.

If the bill is passed today, we will continue to work with delivery partners to implement the provisions to deliver a successful Euro 2028. Glasgow City Council will issue guidance on trading and advertising measures and offer alternative arrangements for street traders who are affected by the restrictions. We will continue to work with partners to ensure that guidance is accessible and that businesses have the right information to help them to plan for the tournament.

Glasgow Life is developing its host city concept, including plans for fan zones and activation sites,

for submission to UEFA later this year. We will work closely with partners to develop regulations relating to event zones where trading and advertising restrictions will apply, and we will continue to engage with businesses and communities as part of that. We will continue to look for opportunities to raise awareness of the bill's provisions and the restrictions that will be in place.

We are working closely with the UK Government and other host nation Governments to ensure that our respective legislative approaches are joined up and effective.

As I said, Euro 2028 is a significant opportunity for Scotland economically, culturally and in terms of our reputation. We hope to see some exciting and iconic moments in Scotland at our famous Hampden park stadium and, hopefully, many of those iconic moments throughout the tournament will involve our national team. Passing the bill means that we can make that a reality. Members from across the chamber recognise the significant benefits of hosting Euro 2028, all the excitement that it will bring and the legacy that it can deliver. Together, we can ensure the successful delivery of the biggest sporting event ever, which will be jointly hosted across the UK and Ireland.

It gives me pleasure to urge members across the chamber to support the bill at decision time.

I move,

That the Parliament agrees that the UEFA European Championship (Scotland) Bill be passed.

16:05

**Stephen Kerr (Central Scotland) (Con):** We have reached the stage 3 debate on the UEFA European Championship (Scotland) Bill, and it is right to recognise that a lot of work has been done on this very short bill. There has been serious and detailed scrutiny at stages 1, 2 and 3. As has been acknowledged, it has all been constructive and the minister has engaged in the process in good faith. That is the way to make good law in a Parliament. As members will expect, the Conservatives will certainly not oppose the bill at this stage; we will support its passage.

However, before I turn to the wider significance of Euro 2028, I want to place something clearly on the parliamentary record, with your indulgence, Presiding Officer. At stage 3, amendment 4, in my name, which sought to extend the charity auction exemption to community-controlled bodies, community councils and schools, was not debated. That was the result of my error during the submission process. I take full responsibility for that mistake. The Presiding Officer's decision not to admit the amendment as a manuscript amendment was taken in accordance with the

rules of the Parliament. I respect that decision entirely. Nevertheless, I wish to put it on the official record that I regret very much that the Parliament did not have the opportunity to consider again the substance of the amendment. Its purpose was straightforward and practical.

In our constituencies and regions, community groups, parent councils, school-connected organisations and all kinds of other local good causes have, for many years, used donated tickets to major sporting events as raffle prizes or auction items to raise funds. That is not sharp practice or exploitation; it is a long-standing and widely understood feature of community life in Scotland. My concern remains that, notwithstanding the bill's intentions, there is a risk that such groups could unwittingly find themselves on the wrong side of the law if they continue what has been common practice for decades. Those are not commercial touts; they are volunteers, parents and local organisers who are raising money for school trips, uniforms, community facilities, football strips and charitable causes.

Having said that, I now turn to Euro 2028's importance as a global sporting event. There can be no doubt about that, and I agree with the minister on it, but the event is also important for Scotland. It will be watched by hundreds of millions—perhaps I am underestimating that number—and Scotland has the privilege of hosting part of it. As the minister is right to say, although there is still a bit of work to be done to qualify, let us be optimistic that there will be a Scotland team in that tournament, and I hope that the team will play in our national stadium.

Being the host of such an event brings obligations. I have elucidated my concerns about the nature of the way in which UEFA and, indeed, other global organisations do their business, but setting that aside, it is an opportunity to present Scotland in the best possible light. We are undoubtedly a welcoming country, and we take pride in that reputation. We are a capable host and a nation that is confident in itself—and rightly so.

It is also an opportunity to unite the chamber, and any opportunity for us to act in a united way is to be embraced. There is a shared hope that Scotland's men's team will qualify, as I said a moment ago, that Scottish players will take the field and that we will have our home team to cheer on. Football matters in Scotland. There was an excellent debate last night, which was brought to the chamber by George Adam, who provided us with his customary entertaining but also passionate exhortation for football and its importance to communities and our country.

Football is such an important part of our history, our culture and our shared identity. We invented the modern game. When I was the MP for Stirling,

I used to be proud to mention, whenever I could, that we had the world's oldest football in the Stirling Smith art gallery and museum. Football is part of our national DNA.

I mentioned that we invented the modern game. There is no doubt that the Scottish interpretation of football is what now shapes the world's thinking about football. We are the country of Bill Shankly, of Jock Stein, of Walter Smith and of Matt Busby. If members will forgive all those generational references—they are in the context of my generation—we are also the country of great figures such as Billy McNeill and John Greig, towering figures who have shaped generations of players and supporters. We celebrate Jimmy Johnstone and Davie Cooper, players who entertained and embodied imagination and the joy of football. We remember Jim Baxter casually playing keepie-up at Wembley in 1967. If we were not alive then, we will have seen the video.

**Bob Doris (Glasgow Maryhill and Springburn) (SNP):** Stephen Kerr has gone through all those illustrious names, so I will put on the record Bobby Dinnie, who was a legendary community coach in north Glasgow, and at Partick Thistle and other clubs. This is not just about those who performed the beautiful game so beautifully but about the coaches and volunteers who bring the young people through into our beautiful game. Bobby Dinnie sadly passed away a few months ago.

**Stephen Kerr:** I am grateful for that intervention. My colleague Brian Whittle said a particularly loud "Hear, hear" to the comment about coaches. This particular football season, in our most senior level of the game, has highlighted the importance of coaching and leadership like no other.

Let me conclude my reminiscence about Jim Baxter on that fateful day for the English at Wembley when we dethroned the world champions. It may just have been in our imaginations that we did that when we won that game, but it meant a great deal to Scots, including my father, who needed very little prompting or excuse to discuss it. That is what football means. Its importance is not confined to the past—it continues to do real good, as was highlighted last night. It encourages physical activity at a time when inactivity is a growing concern, and it brings people together across age, background and community. It now does so in so many forms. We heard from the minister last night about walking football. There is veterans football, women's football, which is a fantastic success, and grass-roots football in all its diversity.

Euro 2028 is an incredible opportunity for us to build on the legacy of the past and create a new legacy around this tournament. It will not be in

terms of infrastructure or international profile alone; it will engage more of our people to play, be active and run about a bit. I am sure that Brian Whittle will talk a lot about that in his speech. However, I am under no illusion about the nature of UEFA as an organisation, and I think that I have made that clear in the debate.

Just a few weeks ago, at Hampden, we saw how 90 minutes of football can become something far more than a football match. It can be a series of moments that people will talk about for decades. My hope is that Euro 2028 creates many more such moments for our country, for our communities and for the rising generation of Scottish footballers yet to come.

16:13

**Neil Bibby (West Scotland) (Lab):** I am glad that Mr Kerr mentioned the importance of women's football at the end of his speech. In addition to all the illustrious names that he and Mr Doris mentioned, I am sure that we would all welcome the contribution to football by Rose Reilly, Julie Fleeting, Erin Cuthbert, Caroline Weir, Rachel Corsie and the many others who have contributed to the women's game.

I am pleased to open the stage 3 debate on the UEFA European Championship (Scotland) Bill on behalf of Scottish Labour and to speak in support of the bill. I also take the opportunity to thank the minister and his team for their engagement on the bill over the past few months, and to acknowledge the work on the bill of members and clerks on the Constitution, Europe, External Affairs and Culture Committee. Scottish Labour has consistently supported the UK and Ireland hosting of Euro 2028. That is why we have worked constructively with the minister and his team throughout the passage of the bill, and it is why Scottish Labour will support the bill at stage 3.

I note that Mr Kerr lodged a number of amendments to the bill and acknowledge that, although they were not agreed to, I believe that they secured important commitments and assurances.

As I said during the stage 1 debate, I know that many of us are looking forward to welcoming this major event to Scotland in 2028. For the younger generation, this will be the first opportunity to experience the Euros here in Scotland. We must also remember that, when Hampden park previously hosted the European championships in 2021, Covid restrictions were in place, so many fans were not able to be in the stadium to watch the matches.

As has been mentioned, the event will give football fans across Europe the opportunity to visit Scotland, perhaps for the first time. It will give fans

an opportunity to explore our culture, our heritage and our rich history, and will provide a fantastic platform to promote brand Scotland.

At stage 1, I mentioned, as the minister did today, the economic benefits that the event will bring. They will be significant and will provide a much-needed boost to the Scottish economy. The UK Department for Culture, Media and Sport estimates that the tournament will contribute £2.4 billion in socioeconomic value to the host nations. I am pleased that Scotland will enjoy a slice of that pie.

It is important that we use our budgets to invest in sport and people. That is why I am pleased that the UK Labour Government recognised the importance of sport by pledging £900 million in funding as part of its plan for change. Although I welcome the increase in the sports budget that the Scottish Government announced earlier this week, it does not go far enough and does not deliver on the Scottish National Party's promise to double that budget in this session of Parliament. That is regrettable.

Scottish Labour has always supported the Euros being held in the UK and Ireland in 2028, because we want more major international sporting events to come to Scotland. Those events will help our economy, raise our international profile and give people living in Scotland the opportunity to witness world-class sporting events on their doorstep. It is for those reasons that we encouraged the Scottish and UK Governments to work together to bring the Commonwealth games to Glasgow in 2026, an event that is now just a matter of months away, and it is why we also fully support the UK Labour Government working with football associations and the devolved Administrations to bring the women's FIFA world cup to the UK in 2035. Such events contribute immense value to our society, wellbeing and economy. They also demonstrate the benefits of the Scottish Government working with the UK Government to bring those major events to Scotland.

As 2028 might feel like a long time from now, many football fans will be looking with envy at those who have managed to secure a ticket for the world cup this summer. Since Scotland qualified for the world cup last year, the cost of tickets has been part of a wider debate about the affordability of the event. We must prevent ordinary fans from being priced out of the game. Part of the reason for our hosting these events is to ensure that Scottish fans can access them without the additional cost of flights and accommodation elsewhere. That is why I believe that we should be looking to host more sporting events here.

Scottish Labour will support the bill at stage 3, as it has done at previous stages, because it is not just about meeting our obligations to UEFA; it is

about the wider goal that we should have of being ready to host major sporting events right here in Scotland.

16:17

**Patrick Harvie (Glasgow) (Green):** I, too, thank the minister for advance engagement on the bill, and I also thank the clerks and witnesses who supported the work of the Constitution, Europe, External Affairs and Culture Committee. My fellow members of that committee are probably fairly familiar with the slightly glazed expression that comes over my face when the pre-meeting football banter begins just before 8.30 every Thursday morning, so I am sure that they understand precisely the level of enthusiasm that I bring to this afternoon's debate.

The bill is a largely technical set of measures relating to the regulation of ticket sales, ticket touting and street trading during the event. On most of that technical content, there is a fairly reasonable degree of consensus across the chamber.

I was pleased that the bill, as introduced, incorporated in advance some of the amendments that my colleague Ross Greer moved during the passage of the UEFA European Championship (Scotland) Act 2020, which sought to achieve more clarity around the use of enforcement powers, and to address the concerns about trading breaches in event zones. I do not have great concerns at the moment about how those enforcement powers are framed in the bill, but it will be important that MSPs and others are vigilant about how they are used in practice. That is why it is good that the bill also includes a requirement for the Government to report on the operation and effectiveness of the act after the games have taken place.

The bill sets out protections for large corporate sponsors, and it has been acknowledged that that is a requirement in order for UEFA to hold its event here. However, it is hugely important that civil liberties—rather than just corporate interests—are protected, and that any restrictions are targeted at commercial activity, not at legitimate protest by citizens. I recognise that the minister, in answering that challenge, agreed with that principle and I hope that we will pay attention to that as the event unfolds.

I am pleased that council enforcement officers will be able to enter residences only by permission or with a warrant granted by a sheriff.

The most recent European championship was held in very different circumstances. The aspects of the bill that I have mentioned should allow us to effectively monitor the human rights impact of the

legislation and the balance of enforcing powers between the police and council officers.

As Neil Bibby alluded to, football should not be seen as belonging to corporate sponsors and big business interests; it should belong to its fans. Beyond the civil rights protections, there is the issue of affordability. There are still concerns about the affordability of tickets and the proportion of tickets being allocated for corporate sponsors, due to their commercial interests, but the bill's restrictions on ticket touting are legitimate. We have already seen world cup tickets being resold at hundreds or even thousands of times their initial sale prices. Football will not be a game for everyone if we allow a market that is based on price gouging in the extreme. There is action on that in the bill; perhaps we can go further.

In my closing speech, I will address some of the wider issues relating to the affordability of these events, which we can tackle outside the formal context of the bill.

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

16:22

**George Adam (Paisley) (SNP):** I feel as though I am talking about football all the time in this chamber, but that is not a bad thing for me—it is an important part of our society and of Scotland. In the debate that we had last night, Stephen Kerr made an important point about what our football clubs bring back to our communities.

Football defines the good days and the bad days in Scotland—it is what we are all about. During the debate last night, I mentioned the fact that the modern passing game was created by Glasgow's Queen's Park. In the original Scotland-England games, way back in 1872, there was a draw. For the next nine years, because we had a passing game as opposed to the more rugby-orientated English game, we won nine of those games. If only things could be like that now, at the tournaments that we are in.

Football gives us that moment—that Kenny McLean from the halfway line moment. Incidentally, in that Denmark game, we had Kenny McLean, John McGinn and Lawrence Shankland, who, along with manager Steve Clarke, all came through the ranks at St Mirren in Paisley. As I always say, all roads lead to Paisley.

The bill is about ensuring that we have what we need to enable Scotland to co-host a major championship. It is about Scotland stepping up and doing the job properly, delivering a major international event in a way that only Scotland can, which includes one that works for our communities, our fans and our country.

Euro 2028 is a massive opportunity for Scotland, both on and off the field and, with the current crop of the Scotland national team, who knows what will happen? As the minister said, the hosting will be a major event not just for Glasgow or for Hampden but for the whole nation. As I have said before, this is an opportunity for us to showcase Scotland on an international stage. It is for the tartan army—the media darlings and best ambassadors that our nation has—to do their thing, be friendly, enjoy themselves and make the tournament one to remember.

Members will notice that I have already got us qualified at this stage. We know how to do this, and we have the experience from other major events. We have got this. Scotland has a proud track record of delivering major sporting events from the Commonwealth games to Euro 2020 to world-class cultural events that welcome people from every corner of the globe.

The bill is about making sure that we meet our obligation as a host nation while doing so in a way that is proportionate, time limited and fair.

One of the core purposes of the bill, as we have already heard, is to tackle ticket touting. Let us be honest—touts do not add any value to football. They do not help fans and they do not help our communities; they help themselves. The legislation makes it clear that tickets should go to fans at face value, and should not be sold for profit. It is about protecting ordinary supporters—the people who save up, plan ahead and just want to see their team play.

The bill also deals with unauthorised trading and advertising around event zones. That is not unique to major football tournaments; it is the same for any other major events, including the Olympics, the Commonwealth games, rugby world cups and even Eurovision. Again, it is not about shutting people out; it is about ensuring fairness and safety and protecting the integrity of the tournament.

I welcome that Glasgow City Council will be required to provide guidance and offer alternative arrangements for affected street traders, because where would we be without the shout of “Hats, scarves and flags” as we go to a game? That matters, because it is all part of our game. We want a festival atmosphere, not a heavy-handed one. Importantly, amendments agreed at stage 2 strengthened civil rights protections, including the right to peaceful protest.

Across Scotland, football is part of who we are. It brings people together across generations, whether it is kids kicking a ball in the park or families gathering to watch a big game. Euro 2028 gives us the chance to showcase Scotland as a modern, confident and welcoming nation and as a

place that can host world-class events while staying true to our values.

16:26

**Alex Rowley (Mid Scotland and Fife) (Lab):** As Patrick Harvie said, the bill is largely technical, and it is difficult to get too worked up about the technicalities.

Stephen Kerr mentioned the constructive approach that has been taken to the bill. I only wish that our politics and our Parliament could take that approach more often. The great Scottish journalist Brian Taylor would say to me, “It’s politics—what do you expect?” Although I massively respect Brian Taylor, I disagree with him on that, and so do the majority of the Scottish people. When we are out and about in our constituencies, people often say, “Why can’t you just work together in the best interests of the people who you represent?”

Moving forward, I hope that all politicians, in seeing the rise of the right, ask themselves, “Why is that happening?” If it is happening partly because, as people say, the rest of us are all the same and we continually squabble, argue and blame one other while things do not get better, perhaps we should allow the approach that has been taken to the bill to rub off on us in the future.

Stephen Kerr talked about some of the great names of the past in Scottish football. I absolutely believe that we must know and learn from our history, but I also like to look forward and try to ensure that, while learning from our history, we can move forward.

How do we support football in Scotland to move forward? There will be excitement this year because we have qualified for the world cup, but we will then move on to the Euros, and I hope that one of the legacies of the Euros will be that we look at how we embed and support football at community level.

Neil Bibby talked about the increase in funding for sport coming from the UK Government and the Scottish Government. We must consider how we empower communities more. When I grew up, people played football on the streets. There were not loads of cars on the streets like there are now. Society has changed since the days when I grew up. In communities across Scotland, I see strong community football growing. That depends a lot on volunteers, including parents and grandparents who give up their time to run local football clubs. It also depends on having sports coaches who are able to support it.

I do not want us to believe that the Parliament can fix everything or that it is just about money. We need to work with local government and look

at coming up with a Scotland-wide strategy that empowers communities and acknowledges that our greatest resource is in those communities.

There are smaller football teams that are struggling that have professional players and coaches who could do more with our schools. I think back to 50-odd years ago when, at primary school, the local teachers would take us up the park and we would get to kick a ball about and play a bit of football. That all stopped in the 1980s and 1990s when we had industrial action and teachers' workloads continued to rise. However, there is a resource in communities up and down Scotland and, if it could be pulled together through politicians being willing to work together with local government, the legacy could be that we had a football team that was in every major competition and that young people had the opportunity to access football and become the greats of the future.

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

16:30

**Patrick Harvie:** Thank you, Presiding Officer. That was quick.

I will acknowledge some of the comments that we have heard. There was one reference to flags, hats and scarves from George Adam. We heard about that issue in the committee pretty much every week that we debated the bill so it would have been wrong for today's debate to pass without mention of it.

At one point, George Adam also mentioned Eurovision. I thought for a moment that the debate would come back into my field of reference but, sadly, the moment passed all too quickly.

Mr Adam and a couple of other members also acknowledged some the issues around civil liberties and human rights—in particular, the right to protest. I reinforce that point. Although I accept, as we all do, that some restriction on commercial activity will be a requirement on us from UEFA, in order that we can host the championship, none of us should want to restrict people's right to protest, including by using, subverting or satirising the logos of the corporate interests that they want to protest against. We will need to ensure that we pay attention to how that is rolled out in practice.

Presiding Officer, I hope that you will give me a little bit of flexibility at this point, because I would like to make some comments about matters that are not formally included in the text of the bill but are still relevant to the event that the bill is about and to the affordability issues that several members talked about.

There is more that we—the Scottish Government, local government, the organisers and others—can do to address affordability. For example, at the previous European championship, which Germany hosted in 2024, with every ticket, fans were offered a free fan pass. That included a 36-hour travel pass for regional public transport in host cities that was valid from 6 am on match day to 6 pm the following day. It covered local buses, trams and regional trains, to encourage sustainable transport use and reduce the costs that supporters faced. It was delivered in partnership with the football associations that allocated tickets.

For Glasgow and the surrounding areas, something like that fan pass would enable fans to get in and out of heavily congested fan zones and Hampden as efficiently as possible. My colleagues in the Glasgow branch of the Scottish Greens are currently campaigning for something like that in relation to large events at Hampden on an on-going basis, but it could certainly be done for the Euros if the political will was there. It is not in the bill and it would not have been appropriate to try to crowbar it into the bill as a legislative requirement, but it is action that we can take ahead of the championship.

Taking such action would also mean that we would need to ensure that we had a public transport system that was capable of serving the greater Glasgow region, particularly when large events such as a championship take place. Having the Government commit money for bus franchising support, which the Greens successfully argued for, also has the potential to ensure that the city and region are ready for large events such as the Euros and for the public transport role that needs to be played to cut down on congestion and emissions. However, we will have to go further and reduce the bureaucratic effort that is involved in putting bus franchising into place. There are arguments for speeding up the process so that those measures can be put in place in time for the Euros if at all possible.

Football—so I am told—has the power to bring communities together. However, to achieve that potential, it must genuinely be available and affordable to everybody. If corporate interests want to run cultural and sports events in order to turn them into mere commodities, we have a responsibility to take back that power and make sure that they are run for everybody.

16:35

**Neil Bibby:** I am pleased to close the debate on behalf of Scottish Labour.

I start by concurring with Mr Harvie on the importance of public transport in getting people to

and from major sporting events. We need to look at that issue in the context of Euro 2028, and it is even more pressing that we have a proper transport plan in place for the Commonwealth games in 2026, which is a matter of months away. We need to see progress on that planning, so I hope that the minister will take it forward with ministerial colleagues. Those are different events, but lessons could be learned from such a plan going forward.

As I said earlier and as many members across the chamber have said this afternoon, Euro 2028 should bring excitement and positivity to the country. It will be an opportunity to bring people together from across Europe through their shared love of our national sport and to welcome people to Scotland. As we have heard, football is in our DNA and is part of our culture. Every weekend, football fans across Scotland go through the gates to watch their local teams win, lose or draw. Fans keep turning up in droves.

The popularity of football in Scotland speaks for itself. According to UEFA, in 2024-25, Scotland recorded significantly higher top-flight attendance per capita than any other league in Europe. Supporters turned out more than 5.3 million times to watch their teams across all Scottish Professional Football League competitions in that season. That is the highest figure in the SPFL era, and a rise of nearly 185,000 on the previous record.

With such encouraging statistics, Scotland is the obvious choice to host a major football tournament once again. We should be looking to build on our success in hosting major sporting events such as the Commonwealth games in 2014 and the 2020 European championship, with the upcoming Commonwealth games this summer and the European championship in 2028. Hosting major sporting events creates opportunities for the future, and there is no reason why Scotland cannot become a destination of choice for sporting fans around the world.

We should be looking to host more events in the future. Although the bill is necessary, and specific to the tournament in 2028, I hope that serious consideration is given in the future to taking a more strategic approach by introducing a framework bill to ensure that we are ready to host events that comply with the requirements of governing bodies such as UEFA in the future. That will ensure that we are ready and able to host, and we can free up valuable parliamentary time to focus our efforts on the day-to-day business of preparing for such major events. Hosting will not only benefit our economy; it will benefit people right across Scotland.

I have spoken out previously, as many members have this afternoon, about the importance of

affordability. Fans being priced out of the game is not right—there should be no barriers to participation by spectating in our sport. However, there might not be a consensus about that. Not everyone has the bank balance of former Tory peer and Reform UK's new Scotland leader, Lord Offord, who on "Question Time" seemed to suggest that it appeared reasonable for football fans to be charged £4,000 for a world cup match day ticket. He has already boasted that he is off to Miami for the world cup, and I assume that he might be taking his yacht with him. He lives in a different world from most hard-working Scots if he thinks that £4,000 for a ticket to watch a football match is affordable. I suppose that, for someone like him—a mortgage-free millionaire who lives in a mansion—it is just pocket change.

For most ordinary Scottish football fans, such prices are simply not affordable. Scotland manager Steve Clarke has quite rightly said that football fans should not get themselves into debt just to go to the world cup this year. Those of us who will not be going to the world cup should feel fortunate that most of us can hop on a bus or train to watch football here on our doorstep in 2028.

With Scotland set to compete in the world cup this summer for the first time in 28 years, there is a feel-good factor in football right now. There is also an exciting title race at the top of the Scottish premiership for the first time in a long time; I know that some members will be enjoying that title race a little more than others.

On that note, I am happy to confirm Scottish Labour's support for the bill.

16:39

**Brian Whittle (South Scotland) (Con):** I rise with a feeling of déjà vu, having once again listened to George Adam talk about football and St Mirren. For the second day running, I am obliged to mention to Mr Adam that I used to coach his beloved St Mirren. I know that that puts him in a bit of a dilemma.

It is a real pleasure to speak in a debate that has such a positive message for Scotland and Scottish sport. We are quite expert at delivering international sporting events and the required legislation and policy, having previously hosted the Euro 2020 championships and the 2014 Commonwealth games, as many members in the chamber have mentioned. We will also be hosting the upcoming 2026 Commonwealth games; the Tour de France is coming; and we have hosted many world and European championships across many sports. It feels to me as though we are going round again.

I have to mention the very welcome tartan army, which travels across Europe and the world and

which has a fantastic reputation. I do not know whether the world is ready to come to Scotland and be hosted by the tartan army; they ain't seen nothing yet.

I add my thanks to the minister and his team for the positive way that he has collaborated and communicated with MSPs and their teams about the bill. If that were always the case in the Parliament, perhaps we would get much more done. In essence, the main discussions have been about dealing with and defining ticket touting; charitable exemptions and selling tickets at auction, which my colleague and friend Stephen Kerr wanted to speak a fair amount about; street trading in the vicinity of the venue; and advertising bans. In general, we are in broad agreement across the chamber on those things, despite some of the amendments not being included in the final bill.

The main issues on which we require more discussion and clarity are the potential laws on the designation and powers of an enforcement officer and concerns about what would be acceptable in defining the use of reasonable force. The additional powers that are being granted to enforcement officers through amendments have been the subject of discussion. The commercial rights of UEFA have been discussed significantly. I know that we have to consider them, but there is a level of unease around that, as has been highlighted by many members in the chamber.

The main thing that I want to talk about is the need to grasp the legacy from major championships, which we have not been good at. I was at the 2014 Commonwealth games every day, and Glasgow was ablaze with sunshine. The world must think that Glasgow is quite close to the Caribbean, because the temperature was in the 20s every day, except for the day that Usain Bolt ran, when there was a deluge. There was an amazing atmosphere. However, we did not do particularly well post the games. I do not think that sport has moved on in the way that it should have done and we have not grasped the huge commercial and other opportunities in the way that we should have.

In 2014, I was doing a little bit of work for one of the companies that was doing the information technology integration, and I helped it to develop its legacy programme. Legacy does not mean buying tickets for kids to watch events. We ran what was called the club together programme, which focused on athletics. A club, a local authority and sportscotland clubbed together to buy 15 hours of professional help for the club, at a cost of £3,000. We were able to measure the outcome of that programme. We know that 3,000 more athletes and 300 more coaches and

administrators were brought into the sport because of it.

That is the kind of legacy that we need to focus on. We need to look at how we work with commercial partners to pull money and opportunities together. Sport has become very expensive, and that is especially the case with football. If we think about the cost of hiring football pitches, we are pricing our kids out of the sport.

My ask of the Government is that we should consider what we mean by the legacy of the major championships that we are hosting, both commercially and socially. Let us maximise the opportunity that hosting major events brings to Scotland.

**The Deputy Presiding Officer:** For the record, your list missed out the international island games, which was hosted by Orkney last year.

I call the minister to wind up the debate.

16:44

**Richard Lochhead:** I am sure that, just recently, I noticed a picture on social media of our Deputy Presiding Officer in a Scotland top. I am disappointed that he is not wearing it for the debate, but perhaps that would not have been appropriate. I know that he is a fan, and it is good to have him chairing the proceedings as we discuss the men's football team.

I commend the comments that have been made about the women's football team and the rise that it has experienced in recent years. Looking forward to major events, let us not forget that Scotland is part of a joint bid for the 2035 FIFA women's world cup.

The debate follows hot on the heels of a couple of related events. Most importantly, last night, we had George Adam's debate on football. Many members from across the chamber spoke about the value of football to Scotland. Members spoke about how it brings local communities together. Alex Rowley used the opportunity to talk about the value of football to our communities, how it is part of our national culture and important to our economy, and how it supports mental health and many other good causes the length and breadth of Scotland.

In today's debate, there has been quite a lot of nostalgia among members. I was raised a 45-minute walk away from Hampden park, so I went to a lot of home matches for Scotland throughout the 1980s. I saw some of Scotland's heroes, such as Kenny Dalglish, Gordon Strachan, Davie Cooper, Charlie Nicholas and too many others to mention. Obviously, I am not as old as Stephen Kerr, so I did not have the opportunity to see Jim Baxter, although I have, of course, seen the video

many times of his keepie-ups during Scotland's famous 1967 victory over the world champions.

This is an opportunity for me to thank others. I thank members for their thoughtful contributions and their constructive approach to the debate. I could not agree more with Alex Rowley about how good it is to have consensus. When something is in the national interest and all the parties come together, it is very powerful, and issues such as this set a good example. Given all the challenges that Scotland and our country face, as well as all the global challenges, perhaps it is more important than ever that we come together when there is opportunity for consensus and to work together in the national interest. We have certainly done that for Euro 2028.

**Neil Bibby:** I agree about the need for consensus on such important issues of national interest. There is a need to acknowledge that co-operation between the Scottish Government, other devolved Administrations and the UK Government is equally important to benefit all of us across the UK.

**Richard Lochhead:** That is an important point. A tournament is taking place across these islands and Ireland. We all want it to be a big success, and we have to work together for that purpose.

I thank the Opposition spokespeople for their constructive engagement, and I thank my colleagues on the committee. I thank the bill team and the policy team in the Scottish Government. I have been in the Government for 17 years and I want to note that they are among the best teams that I have worked with. We should not forget the work that is done behind the scenes by Scottish Government officials—not by ministers, but officials, although ministers play a role, too, of course—to bring major events to Scotland. We are very successful at doing that, and a lot of our success is down to the hard work, dedication and passion of Scottish Government officials, who do not always get recognition for that but who work really hard behind the scenes.

I will quickly touch on a few issues. Neil Bibby and other members mentioned the importance of the tournament being accessible to people, particularly in regard to the pricing of tickets. It is probably worth saying that more than 40 per cent of tickets will be in the most affordable category and that there will be no dynamic pricing. UEFA will provide the official resale platform. We are paying close attention to that issue. I also note that 80 per cent of all tickets will be available to fans of participating teams and the general public.

Patrick Harvie mentioned civil liberties, which has been a feature as we have taken the bill through the Parliament. I know that he and other members welcome the safeguards that are in the

bill. We have listened carefully, and extra protection was put into the bill at stage 2 to ensure that those protections cannot be changed by regulation. We have taken that seriously.

Stephen Kerr mentioned the exemption for charities from the ticket touting provisions. There is, indeed, an exception for charities, which must be registered charities. In his opening speech, Stephen Kerr said that the definition should be widened. Of course, we have to know the definition of a charity, which is why it is official registered charities that are subject to the exemption. In relation to schools, as I said to the committee, there are hundreds of schools in Scotland that already have an association with charities. We have between now and the championship for other schools to have more associations with charities if they, too, want to take advantage of that exception. It is important to make that point.

The purpose of the bill is to make sure that Scotland can host Euro 2028 and unlock all the wider benefits. We are committed to extending those benefits right across the country. Many members mentioned the importance of legacy—we want to ensure that that happens and that we leave a positive legacy for local communities, not only in Glasgow but across the whole country. We are working closely with VisitScotland and others on the tourism benefits and to ensure that Euro 2028 supports our environmental ambitions, from sustainable travel—which Patrick Harvie mentioned—to circular economy principles in line with UEFA's sustainability strategy. A lot of the themes that members mentioned chime with that. The Government and the football associations are committing £45 million for a social impact fund to support benefits to communities across the UK and Ireland; Scotland will have a share of that, too.

Against the backdrop of Scotland's qualifying for the 2026 world cup, which will take place in the next few months, and the sense of excitement for that, we also look forward to 2028 and to Euro 2028 being held here in Scotland. I cannot guarantee that Scotland will be in that tournament, but I have high expectations. What I can guarantee is that I will not be an MSP or a minister in 2028, so I am keen for Scotland to qualify because I will have a lot more time on my hands to go back to Hampden park—or other stadia, depending on how the team progresses through the tournament, if it qualifies. It will be a really exciting time for all members in the chamber, for fans across Scotland and for the whole country.

I thank members for their contributions to the debate and I commend the bill to the Parliament.

**The Deputy Presiding Officer:** On that optimistic note, I conclude the debate on the

UEFA European Championship (Scotland) Bill at stage 3.

## **Biodiversity Beyond National Jurisdiction Bill**

**The Deputy Presiding Officer (Liam McArthur):** The next item of business is a debate on motion S6M-20419, in the name of Gillian Martin, on a legislative consent motion for the Biodiversity Beyond National Jurisdiction Bill, which is United Kingdom legislation. I invite members who wish to participate in the debate to press their request-to-speak buttons.

16:52

**The Cabinet Secretary for Climate Action and Energy (Gillian Martin):** I am pleased to open this debate on the Biodiversity Beyond National Jurisdiction Bill, which was introduced to the United Kingdom Parliament on 10 September last year. I will refer to it as the BBNJ bill—I promise that that is the only acronym that I will use in my remarks.

The BBNJ bill implements the BBNJ agreement, which is a landmark international treaty that seeks to protect marine biodiversity that was agreed under the United Nations Convention on the Law of the Sea. The agreement relates to marine areas that lie beyond the jurisdiction of nations, in what is otherwise known as the high seas, which account for two thirds of our world's oceans. In order to meet the obligations under that agreement, the BBNJ bill introduces measures to ensure that UK law accounts for the conservation and sustainable management of the high seas. The agreement comes into force this weekend, having passed the threshold for the number of ratifications, and the decision-making body known as the conference of parties is due to meet for the first time later this year. That has been the driving force for the timelines that we have been working to.

The Scottish Government supports the aims of that important agreement. We have been working hard with the UK Government over the past few months to ensure that the UK legislation is fit for purpose. The bill contains a number of provisions that fall within the devolved competence of the Scottish Parliament; it is those provisions that bring us to the chamber today.

Specifically, the bill provides for three key things. First, it provides for the sustainable management of marine genetic resources, including the fair and equitable sharing of benefits. Secondly, it provides for area-based management tools, such as those to protect specific areas in the high seas. Thirdly, it ensures that marine licensing takes account of activities in areas beyond national jurisdiction in a way that considers environmental impacts.

Although this Government is very supportive of the aims of the international agreement and is committed to constructive partnership working with UK Government to implement it, the journey to the motion for legislative consent that we are discussing today has not been straightforward and has, at times, been deeply frustrating.

There are two primary reasons for that. First, there was a rushed timeline and, secondly, devolution matters had to be addressed after, rather than before, the introduction of the bill. I will take a moment to set out those challenges, as I think that it is important for the Parliament to be aware of them.

The bill has been progressing through the UK Parliament on a compressed timeline in order to meet the UK's deadline for ratifying the BBNJ agreement, which will enable the UK to participate in the first conference of parties. I make it clear that the Scottish Government has had no control over that. That timeline has exacerbated the challenges that we have faced in ensuring that the bill respects the powers of this Parliament. It is hugely regrettable that the first draft of the bill, which was shared with us only shortly before it was introduced, did not account for devolution. Although we secured some changes prior to the bill's introduction, multiple intensive negotiations were required, alongside consideration of the bill, both here and at Westminster.

Addressing devolution in that way is far from ideal, but, all too often, it has become normal working practice for successive UK Governments. That causes frustration for members, especially members who are on the committees that are charged with detailed scrutiny of the legislation. However, I assure members that I have pressed those points with the UK Government at every step.

A final agreement, which secured the protections for devolution that are necessary for me to be in a position to recommend the bill to members today, was reached just before the new year. I informed the Net Zero, Energy and Transport Committee as soon as I possibly could, on Hogmanay. The measures in question are set out in our most recent legislative consent memorandum. Although the legislative consent process for the bill has been impacted by the factors that I have set out and has been hugely challenging, we have now been successful in securing measures that respect devolution.

It is important to emphasise what the bill will do and why it is necessary. It will protect our shared global environment, and it will do so in a way that involves multilateral working, as partners and co-operators, with fellow nations, at a time when both those things are under increasing threat and need the support of this Parliament.

I move,

That the Parliament agrees that the relevant provisions of the Biodiversity Beyond National Jurisdiction Bill, introduced in the House of Commons on 10 September 2025, and subsequently amended, relating to clauses 2 to 20, 22, 26, the schedule, a new clause after clause 9 (Power to make regulations: Scotland and Northern Ireland), a new clause after clause 9 (Procedure for regulations under section (Power to make regulations: Scotland and Northern Ireland)), a new clause after clause 9 (Consultation: Scotland and Northern Ireland), a new clause after clause 12 (Power to make regulations: Scotland and Northern Ireland (No. 2)), a new clause after clause 12 (Procedure for regulations under section (Power to make regulations: Scotland and Northern Ireland (No. 2))), and a new clause after clause 12 (Consultation: Scotland and Northern Ireland (No. 2)), so far as these matters fall within legislative competence of the Scottish Parliament and alter the executive competence of the Scottish Ministers, should be considered by the UK Parliament.

16:56

**Edward Mountain (Highlands and Islands) (Con):** It seems to be becoming a bit of a bad habit for me to deliver an ill-tempered speech about an LCM. The last time I did so, I referred to a sense of *déjà vu*, because we had been in the same position too often before. Today, it is *déjà vu* of *déjà vu*, or *déjà vu* all over again.

The Biodiversity Beyond National Jurisdiction Bill implements an international treaty about the high-seas marine areas beyond the 200-mile limit. It commits signatories to more sustainable use and protection. I remind the Parliament that the treaty was signed in 2023. It took two years to introduce the bill, and now there seems to be an unseemly race to get it over the finish line this month, apparently to meet well-telegraphed international obligations.

The Scottish Government lodged a legislative consent memorandum two weeks after the bill's introduction. As is often the way these days, it could be called a holding LCM, as it did not set out a substantive position, except in a minority of cases. The triggering provisions relate to new powers for the UK secretary of state that could intrude into Scottish marine management. One might ask how a treaty about extraterritorial waters could trigger devolution issues. The main answer that we got was about the potential impact on Scottish marine-based actors—who, I hasten to add, are not underwater thespians, but the fishing and offshore energy industries and the like.

By late October, no updates had been provided, so we wrote to the Scottish Government. On 7 November, we got a reply that said that Government discussions were on-going but which provided no further substantive detail. We tried again later that month, but the reply was no more illuminating. With the clock running down, we had

the Cabinet Secretary for Climate Action and Energy in to give evidence on 9 December. The committee found it a slightly peculiar evidence session because, on the one hand, the Scottish Government's main line continued to be that it could not show its hand while it was still in negotiations with the UK Government and, on the other hand, the cabinet secretary and officials were perfectly happy, at times, to delve into the detail of what outcomes they wanted in respect of this or that clause.

As the committee said in its report, in a context in which holding LCMs are increasingly becoming the norm, there is no good reason for the Scottish Government to be coy about its main asks of the UK Government and to be inconsistent in sharing them. Those should be a matter of public record.

For the Scottish Government, the story of the bill seems to have had a happy ending—it has obtained the amendments that it wanted, and it can now recommend that consent be given. I put on record that that happened just too late for our deliberations, with the result that the committee is not able to express an informed view on the late provisions.

Asking the Parliament to agree to something without any real chance to reflect on it totally devalues the principles of legislative consent. There might be rare occasions when it is unavoidable, but it seems to the committee that it happens more often than that and the system feels dysfunctional, if not broken.

**Bob Doris (Glasgow Maryhill and Springburn) (SNP):** Will the member take an intervention?

**Edward Mountain:** Presiding Officer, will I get any time back? I am happy to give way to my fellow committee member.

**Bob Doris:** I will ask my committee convener a more general question. He used the expression “déjà vu” in relation to these matters. I agree with my convener on the basis that the sense of déjà vu is a flaw in the LCM process, which is not of the Scottish Government's making. That has to be resolved, but the Parliament has to be a key party to such reforms—it should not just be the Scottish and UK Governments. Does my convener agree?

**Edward Mountain:** I would seldom disagree with my fellow committee member on that and I have a suggestion on why the issue needs to be resolved. I have criticised the Scottish Government's secrecy, but I accept that the legislative consent process often gives it a difficult hand to play. We had a constructive conversation with the Minister for Parliamentary Business and Veterans, who agrees that things really must change.

We most need a rule or a convention that a late triggering amendment stops the legislative clock at Westminster just long enough for the relevant committee here to take stock and gather some evidence on what we are being asked to do. If we are running out of time to sort this out during the current parliamentary session—I feel that we are—for goodness' sake, let whoever is around in May start working straight away with Westminster on finding a workable solution, because short-cutting the committee system in this Parliament does this Parliament and Westminster no favours.

17:01

**Mercedes Villalba (North East Scotland)**

**(Lab):** Marine environmental and biodiversity protection is a worldwide challenge in which boundaries and borders have no relevance, which is why it is so important that the UK plays its part in protecting biodiversity beyond national jurisdiction and honours its international commitments.

The bill is a key part of those commitments, particularly in how it supports our duty of climate action. It is our obligation to other countries, to future generations and to those who are feeling the effects of climate change in the here and now to protect our oceans as a vital source of food, oxygen and carbon storage. That obligation prompted the UK to sign up to the biodiversity beyond national jurisdiction agreement, and it is that obligation that makes the Labour Government so committed to the agreement's objectives.

As highlighted by the Net Zero, Energy and Transport Committee, just 1 per cent of waters beyond national jurisdictions are under environmental protection, which means that our marine environment is particularly vulnerable to degradation by pollution, unsustainable fishing practices and exploitation for profit. All countries have a right to fishing, shipping and research in marine areas beyond their national jurisdiction, which means that all countries have a responsibility to protect those areas. With the bill, the UK Labour Government is stepping up to our responsibility.

The bill will enable the UK to enforce compliance with area-based management tools in international waters. The most prominent of those tools is, of course, marine protected areas. The bill is ambitious in that it requires environmental impact assessments for activities that might impact marine biodiversity in areas beyond national jurisdiction.

**Edward Mountain:** One of the questions that was asked at the committee was about how the legislation is going to be enforced. If I remember rightly, about 30 countries have signed up to it, but

a lot more countries around the world have not. Could the member allude to how enforcement will be carried out?

**Mercedes Villalba:** Edward Mountain makes an important point. It is incumbent on all of us to keep campaigning and encouraging as many member states as possible to sign up so that we can have that international working, which is what is needed, because the ocean is common to us all.

Members will be aware that I have repeatedly raised the issue of the impact of bottom trawling on marine environments and have done so both in the chamber and with the cabinet secretary. That practice is damaging and destructive to both the marine environment and marine life but continues because it is an efficient way to catch bottom-dwelling species such as cod, haddock and shrimp. In common with a number of other practices that I have raised here, bottom trawling continues, despite being wildly destructive to the environment, because it delivers vast profit for a few vested interests. By strictly regulating bottom trawling in areas beyond national jurisdictions—which are, as I said, areas that for the most part have no environmental protection—the bill will have a hugely positive impact on marine life and will strengthen fish stocks in Scottish waters.

The cross-party consensus in support of the legislation is heartening and welcome. However, I take on board the comments by the cabinet secretary and the convener of the Net Zero, Energy and Transport Committee regarding the need for intergovernmental and interparliamentary work. I make clear my support for open and honest communication at all levels in the interests of democracy and accountability, but I urge all members to support the LCM tonight.

17:05

**Gillian Martin:** Given some of the comments that have been made about the other signatories to the bill, it might be useful to say that there are 145 signatories to the BBNJ agreement, including the European Union and the United States of America, and that 81 parties have so far ratified that agreement, including Ireland, France, Denmark, Norway, Brazil and China, with many more expected to do so and the UK due to ratify it on Saturday 17 January.

I thank all those who have contributed to the debate and have recommended consent to the relevant provisions in the bill. I make it clear that agreeing to the motion is an agreement to the effect of the bill and to Scotland playing its full part in implementing and managing it. However, we are not agreeing to this way of managing consent to UK bills, which must not be rushed or put together without thought to devolution. That wastes time,

and we will never agree to a bill that tramples over devolution. I am glad that we have reached the resolution that we have, but that has held things up.

I understand the challenges for the UK Government in grappling with a complex bill within a difficult timescale, and I am fully committed to partnership working to make it effective, but I remain frustrated that we have had to work in this way. I share the profound disappointment that our parliamentary committees have not had the appropriate time in which to scrutinise the Government's position across all clauses of the bill. As I noted earlier, that could not be avoided by the Scottish Government, given that the UK Government's first draft of the bill was shared with us only just before its introduction and did not account for devolution, leading to the need for us to robustly defend devolution not only on behalf of the Scottish Government, but for Scotland as a nation and for this Parliament. That resulted in the need to reach agreement in a staged way, across all provisions, analysing complex clauses and engaging with the UK Government during the rapid passage of its bill.

My officials and I have been in regular contact with the relevant committees to assist their scrutiny as best we can. We have responded to questions, given evidence and proactively provided updates when possible, including my update over the festive recess to advise members that negotiations were over and that we had secured the concurrent powers that we needed. We provided as much information as we could, while also preserving the right for some private space for on-going and constantly evolving intergovernmental negotiations. I recognise that that has been frustrating for the committees involved, but it was important to have a private Government-to-Government space for those negotiations.

I place on record my thanks for the committees' careful consideration and understanding over the past three months, and I reassure members that my ministerial colleagues and I continue to raise those issues with the UK Government and to press for better and earlier engagement on UK bills with devolved impacts. Regarding Edward Mountain's suggestion, I imagine that the Standards, Procedures and Public Appointments Committee or the next Government might want to discuss that more widely with the UK Government, although how well that will go remains to be seen, because we have seen this happen quite a few times.

For now, I am proud that we can be part of an important agreement for the world's oceans. It is an important step forward in the global effort to tackle the twin crises of climate change and

biodiversity loss and in the shared stewardship of our marine environment.

## **Standing Order Rule Changes (Lodging Deadlines for Public Bills)**

**The Presiding Officer (Alison Johnstone):**

The next item of business is a debate on motion S6M-20373, in the name of Martin Whitfield, on behalf of the Standards, Procedures and Public Appointments Committee, on standing order rule changes—lodging deadlines for public bills.

17:09

**Martin Whitfield (South Scotland) (Lab):**

Presiding Officer, this is a fine way to finish our formal chamber business after a long day.

I thank Ruth Maguire, deputy convener of the SPPA Committee, for supporting the motion.

The motion is about the SPPA Committee's first report this year—I assure Parliament that it will not be the last—which recommends standing order rule changes. The report recommends a temporary rule change on the deadline for lodging stage 2 and stage 3 amendments to public bills. It follows the committee's consideration of a letter from the Presiding Officer, on behalf of the Parliamentary Bureau, proposing that we consider an earlier deadline on days before the final lodging day for amendments. We support the proposed change and recommend that the deadline be altered from 4.30 pm to 2.30 pm on any day when an amendment may be lodged, but excluding the final day. We propose that the change should apply to the daily deadline in relation to stage 2, stage 3, reconsideration stage and the budget bill.

The change will enable the legislation clerks to prepare the daily list at an earlier point in the day and, consequently, it will lead to the daily list being circulated to members earlier than is the case at present. Any amendment that is lodged after the deadline will appear on the next day's daily list. I am keen to emphasise that, as the deadline on the final day for lodging amendments will remain at 12 noon, the overall time that is available for members to lodge amendments will not change.

As the bureau suggested, the committee is recommending that a temporary rule be in place until the end of 2026.

**Stephen Kerr (Central Scotland) (Con):** As the member knows, I am interested in innovation in the way that we do things in this place. With just a few weeks left in the current session, I wonder whether the committee might be minded to consider other temporary changes to the rules, so that we can experiment with how we can improve the processes and procedures of this Parliament.

**Martin Whitfield:** I am grateful to the member for his intervention. We are always curious, inquisitive and iterative as regards changes that can improve the functioning of the Scottish Parliament. The member is aware of this, but I reiterate that the offer is always open to members to write to the committee with proposals, which we will consider before responding accordingly.

The bureau suggested that the temporary rule change should apply until the end of 2026, and the committee recommends that. The reason is that, as Stephen Kerr said in his intervention, we are coming to the end of the current session of Parliament and a new session will start in the near future. We believe that the rule change should be subject to interim review at the end of the current session and again at the end of 2026. We support the operation of the temporary rule being reviewed at those two points. We consider that the bureau will be best placed to undertake the interim review at the end of the session, and I look forward to the committee that will follow mine receiving a note on that. The motion proposes that the change take effect from next Monday, 19 January.

I move,

That the Parliament notes the Standards, Procedures and Public Appointments Committee's 1st Report, 2026 (Session 6), *Standing Order Rule changes – lodging deadlines for public bills* (SP Paper 954), and agrees that the temporary rule change to Standing Orders set out in Annexe B of the report be made with effect from 19 January 2026.

**The Presiding Officer:** That concludes the debate on standing order rule changes—lodging deadlines for public bills.

## Motion without Notice

17:13

**The Presiding Officer (Alison Johnstone):** I am minded to accept a motion without notice, under rule 11.2.4 of standing orders, that decision time be brought forward to now. I invite the Minister for Parliamentary Business to move such a motion.

**The Minister for Parliamentary Business and Veterans (Graeme Dey):** Presiding Officer, recognising that this may well be the last time that we do this in the current session of Parliament, given the way that things are shaping up, I move,

That, under Rule 11.2.4, Decision Time be brought forward to 5.14 pm.

*Motion agreed to.*

## Decision Time

17:14

**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-20390, in the name of Richard Lochhead, on the UEFA European Championship (Scotland) Bill at stage 3, be agreed to. As it is a motion to pass a bill, the question must be decided by division. There will be a short suspension to allow members to access the digital voting system.

17:14

*Meeting suspended.*

17:16

*On resuming—*

**The Presiding Officer:** We come to the vote on motion S6M-20390, in the name of Richard Lochhead, on the UEFA European Championship (Scotland) Bill at stage 3. Members should cast their votes now.

The vote is closed.

**The Cabinet Secretary for Constitution, External Affairs and Culture (Angus Robertson):** On a point of order, Presiding Officer. I apologise—I could not connect to the system. I would have voted yes.

**The Presiding Officer:** Thank you, Mr Robertson. We will ensure that your vote is recorded.

### For

Adam, George (Paisley) (SNP)  
 Adam, Karen (Banffshire and Buchan Coast) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Balfour, Jeremy (Lothian) (Ind)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Bibby, Neil (West Scotland) (Lab)  
 Boyack, Sarah (Lothian) (Lab)  
 Briggs, Miles (Lothian) (Con)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Brown, Siobhian (Ayr) (SNP)  
 Burgess, Ariane (Highlands and Islands) (Green)  
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)  
 Carlaw, Jackson (Eastwood) (Con)  
 Carson, Finlay (Galloway and West Dumfries) (Con)  
 Chapman, Maggie (North East Scotland) (Green)  
 Choudhury, Foyso (Lothian) (Ind)  
 Clark, Katy (West Scotland) (Lab)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)

Dornan, James (Glasgow Cathcart) (SNP)  
 Dowey, Sharon (South Scotland) (Con)  
 Dunbar, Jackie (Aberdeen Donside) (SNP)  
 Duncan-Glancy, Pam (Glasgow) (Lab)  
 Eagle, Tim (Highlands and Islands) (Con)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (Ind)  
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Gallacher, Meghan (Central Scotland) (Con)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Golden, Maurice (North East Scotland) (Con)  
 Gosal, Pam (West Scotland) (Con)  
 Gougeon, Mairi (Angus North and Mearns) (SNP)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Neil (Airdrie and Shotts) (SNP)  
 Greene, Jamie (West Scotland) (LD)  
 Greer, Ross (West Scotland) (Green)  
 Griffin, Mark (Central Scotland) (Lab)  
 Gulhane, Sandesh (Glasgow) (Con)  
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)  
 Harper, Emma (South Scotland) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hoy, Craig (South Scotland) (Con)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Halcro Johnston, Jamie (Highlands and Islands) (Con)  
 Kerr, Liam (North East Scotland) (Con)  
 Kerr, Stephen (Central Scotland) (Con)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lennon, Monica (Central Scotland) (Lab)  
 Leonard, Richard (Central Scotland) (Lab)  
 Lochhead, Richard (Moray) (SNP)  
 Lumsden, Douglas (North East Scotland) (Con)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Gillian (Central Scotland) (Green)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Marra, Michael (North East Scotland) (Lab)  
 Mason, John (Glasgow Shettleston) (Ind)  
 Matheson, Michael (Falkirk West) (SNP)  
 McAllan, Màiri (Clydesdale) (SNP)  
 McArthur, Liam (Orkney Islands) (LD)  
 McCall, Roz (Mid Scotland and Fife) (Con)  
 McKee, Ivan (Glasgow Provan) (SNP)  
 McLennan, Paul (East Lothian) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 McNair, Marie (Clydebank and Milngavie) (SNP)  
 McNeill, Pauline (Glasgow) (Lab)  
 Minto, Jenni (Argyll and Bute) (SNP)  
 Mochan, Carol (South Scotland) (Lab)  
 Mountain, Edward (Highlands and Islands) (Con)  
 Mundell, Oliver (Dumfriesshire) (Con)  
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)  
 Regan, Ash (Edinburgh Eastern) (Ind)  
 Robertson, Angus (Edinburgh Central) (SNP)  
 Robison, Shona (Dundee City East) (SNP)  
 Roddick, Emma (Highlands and Islands) (SNP)  
 Ross, Douglas (Highlands and Islands) (Con)  
 Rowley, Alex (Mid Scotland and Fife) (Lab)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)  
 Simpson, Graham (Central Scotland) (Reform)

Slater, Lorna (Lothian) (Green)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Collette (East Kilbride) (SNP)  
 Stewart, Kaukab (Glasgow Kelvin) (SNP)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Sturgeon, Nicola (Glasgow Southside) (SNP)  
 Sweeney, Paul (Glasgow) (Lab)  
 Swinney, John (Perthshire North) (SNP)  
 Thomson, Michelle (Falkirk East) (SNP)  
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)  
 Torrance, David (Kirkcaldy) (SNP)  
 Tweed, Evelyn (Stirling) (SNP)  
 Villalba, Mercedes (North East Scotland) (Lab)  
 Webber, Sue (Lothian) (Con)  
 Wells, Annie (Glasgow) (Con)  
 White, Tess (North East Scotland) (Con)  
 Whitfield, Martin (South Scotland) (Lab)  
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP) [Proxy vote cast by Jackie Dunbar]  
 Whittle, Brian (South Scotland) (Con)  
 Wishart, Beatrice (Shetland Islands) (LD)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

**The Presiding Officer:** The result of the division on motion S6M-20390, in the name of Richard Lochhead, on the UEFA European Championship (Scotland) Bill at stage 3, is: For 114, Against 0, Abstentions 0.

*Motion agreed to,*

That the Parliament agrees that the UEFA European Championship (Scotland) Bill be passed.

**The Presiding Officer:** The next question is, that motion S6M-20419, in the name of Gillian Martin, on a legislative consent motion on the Biodiversity Beyond National Jurisdiction Bill, which is United Kingdom legislation, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

The vote is closed.

**Foysoyl Choudhury (Lothian) (Ind):** On a point of order, Presiding Officer. I am sorry—I could not get connected. I would have voted yes.

**The Presiding Officer:** Thank you, Mr Choudhury. We will ensure that your vote is recorded.

**For**

Adam, George (Paisley) (SNP)  
 Adam, Karen (Banffshire and Buchan Coast) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Balfour, Jeremy (Lothian) (Ind)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Bibby, Neil (West Scotland) (Lab)  
 Boyack, Sarah (Lothian) (Lab)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Brown, Siobhian (Ayr) (SNP)  
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)  
 Choudhury, Foysoyl (Lothian) (Ind)  
 Clark, Katy (West Scotland) (Lab)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)

Dey, Graeme (Angus South) (SNP)  
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Dunbar, Jackie (Aberdeen Donside) (SNP)  
 Duncan-Glancy, Pam (Glasgow) (Lab)  
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Gougeon, Mairi (Angus North and Mearns) (SNP)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Neil (Airdrie and Shotts) (SNP)  
 Greene, Jamie (West Scotland) (LD)  
 Griffin, Mark (Central Scotland) (Lab)  
 Harper, Emma (South Scotland) (SNP)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lennon, Monica (Central Scotland) (Lab)  
 Leonard, Richard (Central Scotland) (Lab)  
 Lochhead, Richard (Moray) (SNP)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Marra, Michael (North East Scotland) (Lab)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 Mason, John (Glasgow Shettleston) (Ind)  
 Matheson, Michael (Falkirk West) (SNP)  
 McAllan, Màiri (Clydesdale) (SNP)  
 McArthur, Liam (Orkney Islands) (LD)  
 McKee, Ivan (Glasgow Provan) (SNP)  
 McLennan, Paul (East Lothian) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 McNair, Marie (Clydebank and Milngavie) (SNP)  
 McNeill, Pauline (Glasgow) (Lab)  
 Minto, Jenni (Argyll and Bute) (SNP)  
 Mochan, Carol (South Scotland) (Lab)  
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)  
 Regan, Ash (Edinburgh Eastern) (Ind)  
 Robertson, Angus (Edinburgh Central) (SNP)  
 Robison, Shona (Dundee City East) (SNP)  
 Roddick, Emma (Highlands and Islands) (SNP)  
 Rowley, Alex (Mid Scotland and Fife) (Lab)  
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Collette (East Kilbride) (SNP)  
 Stewart, Kaukab (Glasgow Kelvin) (SNP)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Sturgeon, Nicola (Glasgow Southside) (SNP)  
 Sweeney, Paul (Glasgow) (Lab)  
 Swinney, John (Perthshire North) (SNP)  
 Thomson, Michelle (Falkirk East) (SNP)  
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)  
 Torrance, David (Kirkcaldy) (SNP)  
 Tweed, Evelyn (Stirling) (SNP)  
 Villalba, Mercedes (North East Scotland) (Lab)  
 Whitfield, Martin (South Scotland) (Lab)  
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP) [Proxy vote cast by Jackie Dunbar]  
 Wishart, Beatrice (Shetland Islands) (LD)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

**Against**

Ewing, Fergus (Inverness and Nairn) (Ind)

### Abstentions

Briggs, Miles (Lothian) (Con)  
 Burgess, Ariane (Highlands and Islands) (Green)  
 Carlaw, Jackson (Eastwood) (Con)  
 Chapman, Maggie (North East Scotland) (Green)  
 Dowe, Sharon (South Scotland) (Con)  
 Eagle, Tim (Highlands and Islands) (Con)  
 Gallacher, Meghan (Central Scotland) (Con)  
 Gosal, Pam (West Scotland) (Con)  
 Greer, Ross (West Scotland) (Green)  
 Gulhane, Sandesh (Glasgow) (Con)  
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)  
 Harvie, Patrick (Glasgow) (Green)  
 Hoy, Craig (South Scotland) (Con)  
 Halcro Johnston, Jamie (Highlands and Islands) (Con)  
 Kerr, Liam (North East Scotland) (Con)  
 Kerr, Stephen (Central Scotland) (Con)  
 Lumsden, Douglas (North East Scotland) (Con)  
 Mackay, Gillian (Central Scotland) (Green)  
 McCall, Roz (Mid Scotland and Fife) (Con)  
 Mountain, Edward (Highlands and Islands) (Con)  
 Mundell, Oliver (Dumfriesshire) (Con)  
 Ross, Douglas (Highlands and Islands) (Con)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Slater, Lorna (Lothian) (Green)  
 Webber, Sue (Lothian) (Con)  
 Wells, Annie (Glasgow) (Con)  
 White, Tess (North East Scotland) (Con)  
 Whittle, Brian (South Scotland) (Con)

**The Presiding Officer:** The result of the division on motion S6M-20419, in the name of Gillian Martin, on a legislative consent motion on the Biodiversity Beyond National Jurisdiction Bill, is: For 82, Against 1, Abstentions 28.

#### *Motion agreed to,*

That the Parliament agrees that the relevant provisions of the Biodiversity Beyond National Jurisdiction Bill, introduced in the House of Commons on 10 September 2025, and subsequently amended, relating to clauses 2 to 20, 22, 26, the schedule, a new clause after clause 9 (Power to make regulations: Scotland and Northern Ireland), a new clause after clause 9 (Procedure for regulations under section (Power to make regulations: Scotland and Northern Ireland)), a new clause after clause 9 (Consultation: Scotland and Northern Ireland), a new clause after clause 12 (Power to make regulations: Scotland and Northern Ireland (No. 2)), a new clause after clause 12 (Procedure for regulations under section (Power to make regulations: Scotland and Northern Ireland (No. 2))), and a new clause after clause 12 (Consultation: Scotland and Northern Ireland (No. 2)), so far as these matters fall within legislative competence of the Scottish Parliament and alter the executive competence of the Scottish Ministers, should be considered by the UK Parliament.

**The Presiding Officer:** The final question is, that motion S6M-20373, in the name of Martin Whitfield, on behalf of the Standards, Procedures and Public Appointments Committee, on standing order rule changes—lodging deadlines for public bills, be agreed to.

#### *Motion agreed to,*

That the Parliament notes the Standards, Procedures and Public Appointments Committee's 1st Report, 2026 (Session 6), *Standing Order Rule changes – lodging*

*deadlines for public bills* (SP Paper 954), and agrees that the temporary rule change to Standing Orders set out in Annex B of the report be made with effect from 19 January 2026.

**The Presiding Officer:** That concludes decision time.

*Meeting closed at 17:20.*

## Correction

Alexander Stewart has identified an error in his contribution and provided the following correction.

*At col 18, para 6, line 1—*

*Original text—*

**Alexander Stewart (Mid Scotland and Fife) (Con):** Clackmannanshire has just received £9.8 million of investment through the local growth fund.

*Corrected text—*

**Alexander Stewart (Mid Scotland and Fife) (Con):** The Forth Valley region has just received £9.8 million of investment through the local growth fund.

This is a draft *Official Report* and is subject to correction between publication and archiving, which will take place no later than 35 working days after the date of the meeting. The most up-to-date version is available here:  
[www.parliament.scot/chamber-and-committees/what-was-said-and-official-reports/official-reports](http://www.parliament.scot/chamber-and-committees/what-was-said-and-official-reports/official-reports)

Members and other meeting participants who wish to suggest corrections to their contributions should contact the Official Report.

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