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Thursday 5 February 2026

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Scottish Parliament

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

General Question Time

Asylum Seekers (Perth)

1. **Mark Ruskell (Mid Scotland and Fife) (Green):** To ask the Scottish Government what action is being taken to ensure the safety of people seeking asylum who are housed in hotels across Perth. (S6O-05467)

The Cabinet Secretary for Social Justice (Shirley-Anne Somerville): Everyone should be able to feel safe and secure in the place where they live.

The United Kingdom Government is responsible for providing all asylum accommodation, including hotels. That includes security and support for people who are seeking asylum. I am deeply concerned that the protests outside asylum accommodation are creating significant fear and alarm. The right to peaceful public assembly and freedom of expression should never be used to justify any form of hateful, violent or otherwise criminal behaviour. We fully support Police Scotland taking appropriate action in response to criminal offences being committed at, or around, such protests.

Mark Ruskell: I warmly thank the cabinet secretary for that answer. It is important that we recognise that there has been an increase in racist hate crimes in the past year and that far-right groups are using the protests to intimidate marginalised people. Although buffer zones around accommodation could provide increased protection from fear and intimidation, that approach alone would not tackle the harmful rhetoric, scapegoating or false narratives being placed on people who are trapped in the asylum system.

Communities have gathered and organised to put on counter-protests and rallies in Perth that show clear solidarity and a refusal to allow people to be demonised and attacked. Beyond buffer zones, what action will the Scottish Government take to tackle the divisive messaging, build on that community solidarity and fight the far right?

Shirley-Anne Somerville: I thank Mark Ruskell for asking that important question, which once again gives the Parliament—with, I hope, full support around the chamber—the opportunity to say that, yes, people have a right to peaceful protest and to freedom of expression, but nothing should happen to anyone living in any of our communities that spreads fear and alarm. Unfortunately, we are seeing more of that.

The Government can take, and is taking, action on the matter, despite the fact that asylum is a reserved matter. The Minister for Equalities, Kaukab Stewart, has done a great deal of work with communities and has increased the funding for community cohesion work. That funds grass-roots organisations to do exactly the type of work that Mark Ruskell mentioned, which is exceptionally important. The Government also recently ran the “We are Scotland” campaign to say how important it is that we stick together on the matter and not be divided.

Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP): The abuse and intimidation that we continue to witness in Perth and across the UK is deeply concerning and should have no place in our society. We know that ending the no recourse to public funds policy is essential for the long-term integration and wellbeing of asylum seekers. In the light of the increasing hostility within our communities, will the cabinet secretary provide an update on the steps that the Scottish Government is taking to challenge the UK Government on that policy?

Shirley-Anne Somerville: No one should be forced into destitution. That includes people who are subject to no recourse to public funds, which is a matter that the UK Government must resolve.

The Scottish Government and the Convention of Scottish Local Authorities are working on an ending destitution together strategy that deals with our work with people who are subject to no recourse to public funds. I was deeply disappointed by the statement in November on asylum reform, which will push more people into destitution and mean that more people have no recourse to public funds. The Scottish Government remains resolute that the UK Government should change its mind on that issue.

Budget 2026-27 (Lochgelly)

2. **Annabelle Ewing (Cowdenbeath) (SNP):** To ask the Scottish Government what the implications of its draft budget 2026-27 are for the provision of a new medical centre for Lochgelly. (S6O-05468)

The Cabinet Secretary for Health and Social Care (Neil Gray): As is set out in the infrastructure delivery pipeline, we are developing a revenue funding model to enable additional infrastructure investment across primary and community care with a network of local care and wellbeing centres, starting with projects in Port Glasgow, East Livingston and East Calder, Cowdenbeath, Lochgelly and the range of sites further listed in the document. We are also working with all boards to develop an NHS whole-system infrastructure plan

to inform future investment priorities across the estate and ensure that the available funding is directed to best effect.

Annabelle Ewing: Of course, I welcome any proposed regeneration in my constituency. With regard specifically to Lochgelly, it is good news for my constituents that a new Lochgelly medical centre is back on the Scottish Government's capital projects waiting list, but they will be dismayed that construction is now not forecast to start until at least 2031, which will be some 20 years after the first promise, notwithstanding the fact that there is a business case and that planning permission is in place. Does the cabinet secretary understand the disappointment that is felt about that? What will he do to accelerate the project, so that Lochgelly gets its long-awaited new medical centre?

Neil Gray: I very much recognise the points that Annabelle Ewing raises. Having visited the existing centre and met her constituents, I feel their disappointment and I understand it. That is why, in the absence of sufficient conventional capital being available in my portfolio and across Government to bring forward those infrastructure investment projects, we have sought to create the revenue-based model to allow for the delivery of the Lochgelly and Cowdenbeath project and the other projects in the system.

The current timeline is an estimate of when the model will be ready, alongside the associated business case and design work, and we are looking to accelerate that timeline, as I stressed to Ms Ewing in the meeting that I had with her recently. The design of a facility tends to be the aspect that takes the longest time to complete, but the business case process will happen concurrently with the development of the funding model, so that the project can be progressed imminently.

Alex Rowley (Mid Scotland and Fife) (Lab): After two decades of broken promises, I am sure that the health secretary will understand why the people of Lochgelly will be hesitant to welcome this project. However, I hope that we are going in the right direction and that it will happen. The other health centre in Fife that is crumbling is the one in Kincardine, but there is no mention of that in any of the documents. Can he tell me what is happening there?

The Presiding Officer (Alison Johnstone): Please answer on the substantive question, cabinet secretary.

Neil Gray: In addition to the progress that is being made in Lochgelly, there is progress for Kincardine. Further down the document from where we list Port Glasgow, East Calder and East Livingston, and Cowdenbeath and Lochgelly, Kincardine is also there in the list of projects in the first tranche of the work to be delivered through the revenue-based model. I am happy to assure Alex Rowley—and, as I am sitting next to the constituency representative for Kincardine, Ms Somerville, I assure her, too—that Kincardine is on the list and that that project will also be delivered as part of the work.

Thrombectomy Services (Scottish Borders)

3. **Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con):** To ask the Scottish Government whether it will provide an update on what work it is doing to improve access to thrombectomy services across the Scottish Borders. (S6O-05469)

The Minister for Public Health and Women's Health (Jenni Minto): Our aim is to deliver a service that provides thrombectomies whenever they are required. NHS Scotland's national services directorate has established a task and finish group to produce options to expand access to thrombectomy across Scotland, including in NHS Borders, and that work is making positive progress. Since 2023-24, we have provided more than £185,000-worth of funding for thrombectomy in NHS Borders, including for the provision of hyperacute stroke nurses. Subject to parliamentary scrutiny, a further £17 million has been allocated to the development of the thrombectomy service in the 2026-27 budget, and that will include continued investment in NHS Borders.

Rachael Hamilton: Essentially, the minister is telling my Borders constituents that, if they have a stroke and need a thrombectomy, they must hope that it happens during the working week. Currently, due to a lack of funding and services, patients in the south-east of Scotland can access that treatment only at the Edinburgh royal infirmary and only from Monday to Friday between 9 o'clock and 3 o'clock. The uplift in the stroke funding is only £1 million, so there is still a deficit, and stroke happens not only on weekdays but on weekends.

Previously, Jenni Minto acknowledged that thrombectomy not only transforms patient outcomes but can save the national health service money, due to reduced hospital stays and lower social care costs. I say to the minister that it is time that she committed to meeting me and the Stroke Association to set out a clear and urgent timetable for expanding thrombectomy services for people in the Borders, because they feel that it is currently an inequitable service.

Jenni Minto: I would be very happy to meet Ms Hamilton and the Stroke Association. I have regular meetings with the Stroke Association and with Chest, Heart & Stroke Scotland. I also regularly meet the leaders for stroke in all the

national health service boards, to ensure that they are as focused as I am and the Scottish Government is on ensuring that, as I said in my initial response, thrombectomy services can be as equitable as possible through the hub-and-spoke mechanism that NHS National Services Scotland is currently working on.

Salmon Farming (Mortality Data)

4. **Ariane Burgess (Highlands and Islands) (Green):** To ask the Scottish Government what its position is on whether voluntary reporting of mortality data in the salmon farming industry provides sufficient transparency and animal welfare protection. (S6O-05470)

The Cabinet Secretary for Rural Affairs, Land Reform and Islands (Mairi Gougeon): More data is collected and published on salmon farming in Scotland than on any other farming sector. There are statutory requirements to report increased mortality, and a voluntary reporting mechanism supports fish health surveillance that is undertaken by the fish health inspectorate. Data is proactively published and is sufficient for regulatory purposes. Although numbers do not protect welfare, statutory protection, industry standards and regulatory powers do, and those are in place.

Official guidance will be introduced to further progress welfare standards. The Animal and Plant Health Agency is responsible for considering potential breaches in welfare legislation, and suspected cases of poor welfare are also referred to the agency.

Ariane Burgess: Given that in 2025 the fish health inspectorate found that more than 400,000 fish deaths had gone unreported across 27 incidents, that gill disease mortality had increased sharply and that companies reported fish culls to shareholders but not to the Government, will the Government commit to mandatory mortality reporting for all deaths before permitting further expansion of salmon farming?

Mairi Gougeon: In relation to Ariane Burgess's point about culling, I would just say that, as with other types of farming, producers sometimes need to humanely cull stock for operational or commercial purposes or to try to achieve better welfare outcomes for the individual fish, instead of considering only progression to the next phase of production.

Right now, the Scottish Government does not collect complete data on the number of fish that are culled at salmon farms, but in exceptional circumstances, culling is required to mitigate the risk of listed diseases that could have significant local or national impact. Culling is primarily a result of operational decisions, and reporting on it is not required for the fish health inspectorate's surveillance programme for aquatic animal disease, unless the cull relates to increased or unexplained mortality.

We require data to be collected for a number of different purposes. We believe that the data that is published, whether it be voluntarily or due to what we require through regulation, is suitable for those purposes.

Edward Mountain (Highlands and Islands) (Con): I congratulate the industry on complying with the recommendation of the Rural Economy and Connectivity Committee's report from 2018 on providing data. The problem is that, for nine years, the industry provided figures for total weight of fish loss, and now they go on numbers of fish lost. Will the cabinet secretary speak to the industry to see whether it can continue to report in the way that it did for nine years and not break what is a sequence of very useful data?

Mairi Gougeon: I am happy to look at that issue further and follow it up with Edward Mountain. The numbers are important, but I will have to consider the issue further.

Non-fatal Strangulation

5. **Sue Webber (Lothian) (Con):** To ask the Scottish Government what progress it has made in the current parliamentary session on preventing gender-based violence in relation to non-fatal strangulation. (S6O-05471)

The Minister for Victims and Community Safety (Siobhian Brown): Non-fatal strangulation is heinous behaviour that is criminal under Scots law and can be dealt with using a range of offences. We resource Police Scotland and the Crown Office and Procurator Fiscal Service, which independently enforce the criminal offences such as assault and domestic abuse that can be used to hold perpetrators to account. We have also ensured that new laws criminalising strangulation in pornography, introduced through the United Kingdom Crime and Policing Bill**,** will extend to Scotland.

We keep laws under review and a public consultation will be published shortly, seeking views on a range of gender-based violence issues, including non-fatal strangulation. That is in line with our programme for government commitment. It will also include specific consideration on how better to record data in the criminal justice system on cases involving non-fatal strangulation.

Sue Webber: I struggled to hear most of that response, but I will do my best.

A Centre for Women's Justice article, posted on its website, said:

"Many survivors describe how they truly believed they were going to die whilst they were being strangled. Some

report such offending as taking place in full view of their children. Not being able to breathe is terrifying".

The bringing in of a stand-alone offence in England and Wales has been welcomed by front-line organisations such as Women's Aid and the Domestic Abuse Commissioner. Why are the Scottish victims still being left behind? What message does the minister think that it sends that victims here get less protection?

Siobhian Brown: I hope that the member is able to look back at my initial response, in which I set out the work that we are currently doing.

We understand that we need to improve our understanding of the prevalence of non-fatal strangulation, and we know that more needs to be done. Alongside our robust Scottish laws, we are clear that more needs to be done to understand the prevalence of non-fatal strangulation. Through the Scottish crime and justice survey, we have taken steps to find out about its prevalence in Scotland, and the initial results will be available for 2026-27. The forthcoming Scottish Government consultation will also seek views on how the matter can best be addressed and how we can legislate in future.

RAAC in Housing Leadership Group

6. **Maggie Chapman (North East Scotland) (Green):** To ask the Scottish Government how it is ensuring that the local authorities involved with the reinforced autoclaved aerated concrete housing leadership group are engaging appropriately and are including residents and RAAC campaigners in their activities. (S6O-05472)

The Cabinet Secretary for Housing (Màiri McAllan): It is my expectation that local authorities will engage with tenants and residents in their area as we work on solutions. As part of last week's RAAC in housing leadership group, I sought an update from local authorities and registered social landlords on the support that they are providing to residents. Their feedback included written communications, including letters, engagement with the Association of British Insurers on behalf of residents, updated communication strategies, regular monitoring and inspections of RAAC, pilot projects, dedicated RAAC staff and regular reporting to their committee and elected members.

Maggie Chapman: Last August, the cabinet secretary attended a public meeting in Dundee, at which an undertaking was given that people who were affected by RAAC and campaigning for a fair resolution would be properly involved in processes and decisions.

However, that has not happened. Dundee City Council has indicated that it will roll out its roof-reinforcing pilot to the rest of the city, but that pilot has started without any consultation. There are serious concerns that just covering up the RAAC will not deal with the issue and could jeopardise mortgages and insurance. Can the cabinet secretary give an update on how communications and engagement are progressing in Dundee to ensure that there is genuine community involvement?

Màiri McAllan: I urge Dundee City Council to continue to ensure that it provides transparent and clear advice and appropriate support for residents who are affected by RAAC.

Maggie Chapman was quite right to mention the public meeting that I attended in Dundee on the topic. One of the commitments that I gave on the Government's part was that I would try to use the new Institution of Structural Engineers guidance specifically on housing in RAAC in Scotland to negotiate a better outcome for those who are looking to buy or sell properties that have been remediated. That was the subject of our leadership meeting last week, and I believe that progress is being made.

Housing to 2040 (Adaptations)

7. **Colin Beattie (Midlothian North and Musselburgh) (SNP):** To ask the Scottish Government whether it will provide an update on action 20 of the housing to 2040 strategy to "streamline and accelerate the adaptations system". (S6O-05473)

The Cabinet Secretary for Housing (Màiri McAllan): During stage 3 of the Housing (Scotland) Bill, I restated our commitment to reviewing the housing adaptations system. That review will consider how the process can be streamlined to enable people who need adaptations to access them quickly and easily. My officials have been working to develop the workstreams to take that forward.

I can inform the chamber that an advisory group of key stakeholders has been established, the first meeting of which will take place on 11 February. Engagements will continue over the coming months, and a report and recommendations are expected to be produced in the autumn.

Colin Beattie: In Midlothian North and Musselburgh, many of my constituents in park homes are living in difficult circumstances as they await progress on this issue. With that in mind, what additional funding has been allocated to support the adaptations system?

Màiri McAllan: I appreciate the point that Colin Beattie makes, and I again point him to the work that we are doing to ensure that a review is undertaken. It is worth putting on the record, in respect of his question on costs, that, in this year's budget, we more than doubled the registered social landlords' adaptation budget to £20.9

million, and our draft budget for the coming financial year maintains that.

The Presiding Officer: We have time for question 8, if we are brief.

National Health Service (Whistleblowing)

8. **Stephen Kerr (Central Scotland) (Con):** To ask the Scottish Government what assessment it has made of the culture of whistleblowing in the NHS. (S6O-05474)

The Cabinet Secretary for Health and Social Care (Neil Gray): A positive whistleblowing culture is essential to patient safety, staff confidence and the effective running of NHS Scotland. All health service staff should feel confident to raise concerns, and I have been direct with NHS boards about the need to protect and support whistleblowers.

Concerns raised by whistleblowers must be taken seriously and investigated thoroughly. Whistleblowing culture is kept under review through staff surveys, engagement with boards, the NHS Scotland whistleblowing policy and the work of the independent national whistleblowing officer, whom I met this week. Those arrangements promote safe reporting, accountability, transparency and learning.

Stephen Kerr: With the exclusive in this morning's *Scotsman* on trying to silence whistleblowers by offering them trips to Disneyland, with the Patient Safety Commissioner for Scotland saying in Parliament this week that people are frightened to speak up because of the culture of cover-up that we have in the NHS, with careers being destroyed and with the bullying and endless cover-ups, Neil Gray must accept that what we have is not working. Will he accept that we need a complete reset of whistleblowing in the NHS and in Scotland's public services, and will he take a lead in making the case for a truly independent office of the whistleblower outside the structure of the NHS?

Neil Gray: I met the independent national whistleblowing officer—the ombudsman—this week to discuss priorities for strengthening the speak-up culture across NHS boards. He was clear with me that the structures that we have in place are robust; the issue that he is concerned about is ensuring that there is follow-up when concerns are raised and that action is taken when complaints are upheld, and I have agreed to work with him on how we ensure that greater scaffolding and ballast are provided in that respect. That is what I will take forward with the national whistleblowing officer.

The Presiding Officer: That concludes general question time.

First Minister's Question Time

12:01

Business Rates Relief

1. **Russell Findlay (West Scotland) (Con):** Businesses across the United Kingdom receive important financial support from Government in the form of rates relief, but when that cash reaches the Scottish National Party Government, it spends it on other things such as its £0.5 billion ferries, its £7 billion benefits bill and its propaganda papers on independence.

Scottish businesses need that cash. They are suffering badly, with hospitality, including pubs, suffering more than most. The SNP has failed to pass on at least £700 million of business rates relief since 2022. Will John Swinney therefore tell us exactly where that money has gone?

The First Minister (John Swinney): The Government, in its forthcoming budget, which will be discussed by Parliament over the next few weeks, is putting forward a package of reliefs worth an estimated £864 million, which enables us to sustain the small business bonus scheme, which has been a hallmark of this Government's approach. It also enables us to offer a 15 per cent relief to retail, hospitality and leisure premises that are liable for the basic or intermediate property rate in mainland Scotland.

Those are just some of the measures that the Government proposes to make sure that we support the business community as it wrestles with the challenges that it faces.

Russell Findlay: He talks about the budget, but the Scottish Beer and Pub Association says that the SNP budget falls well short of what is needed for many pubs across Scotland.

Pubs are closing in Scotland at the rate of one every single week. Almost 300 pubs have been forced to close their doors in the past five years. This week, a new survey revealed that one in seven pub owners are thinking of calling time for the last time.

John Swinney must take action now to stem the flood of pub closures. My party is campaigning for 100 per cent rates exemption for all small and medium-sized hospitality business, but John Swinney has rejected our calls, so more jobs will be lost, and more communities will lose their pubs.

Will John Swinney therefore explain why he is happy to kill off Scotland's pubs?

The First Minister: That is not what the Government is doing. The Government is decreasing the basic, intermediate and higher

property rates to deliver a broadly revenue-neutral revaluation over the revaluation cycle. That will mean the lowest basic property rate for properties with a rateable value up to and including £51,000. What I said earlier about the small business bonus scheme applies in many cases, and that is part of an overall package worth an estimated £864 million.

To reassure Mr Findlay about those issues, I can say that the Scottish Government has made a commitment: once we are clear on the consequential funding—if any comes to us from the changes to pub and hospitality relief that the United Kingdom Labour Government has announced in the past couple of weeks—we will allocate those funds in full to safeguard the future of the hospitality sector. We will do that once we are clear about the amount of money that is involved and the financial implications.

Russell Findlay: That answer was all froth and no beer. [*Interruption*.]

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

Russell Findlay: Scotland's pubs are in the eye of a perfect storm from two anti-business Governments. Labour is hammering businesses with a crippling jobs tax in the form of national insurance increases, while the SNP fails to provide lifeline financial support through rates relief. Businesses are now reeling even more after being hit with eye-watering new rates bills. One Glasgow pub has been hit with a rise of 576 per cent. Those increases are inexplicable and unfair and will cost jobs.

Stephen Montgomery of the Scottish Hospitality Group says that the SNP Government is punishing Scottish hospitality. He backs my party's campaign to halt the devastating new tax rises. John Swinney has the power to act, so will he do so, or is he going to call last orders on Scotland's pubs?

The First Minister: I acknowledge the implications for business of the increase in employer national insurance contributions. I have made the point on multiple occasions in the Parliament that I think that the Labour Government's increases in employer national insurance contributions have been a damaging measure for growth in our economy.

My Government has put in place measures to support the business community as a consequence of revaluation and as part of the support that we already have in place. We will introduce a revaluation transitional relief scheme to protect those that are experiencing the most significant increases in rateable values, ensuring that the gross bills for an estimated 60,000 properties will be lower in 2026-27 than they would otherwise have been. That is part of the Scottish Government's overall support for the business community when it faces challenges.

Russell Findlay: Labour politicians were barred from pubs across the United Kingdom after Rachel Reeves's damaging budget. Now, one of Scotland's leading businessmen is calling for SNP ministers to be locked out from their locals, too. Sir Tom Hunter has described the SNP Government's rates system as being "not fit for purpose." He said:

> "Let's ban every government minister … from their local pub until the business rates are fixed."

I am sure that many punters would raise a glass to that, but we do not want to give ministers an excuse not to buy a round, which is why I have spoken to Sir Tom Hunter. He has agreed to meet me and the First Minister at a pub to hear about Scotland's pub crisis. Will John Swinney join us to settle this over a pint?

The First Minister: I can think of nothing less appealing than having a pint with Russell Findlay. [*Laughter*.] I have a trip to the dentist that would be more preferable than going for a pint with Russell Findlay. [*Interruption*.]

The Presiding Officer: Thank you!

The First Minister: I am terribly sorry if that has been a wounding set of exchanges—I am typically generous in style in the Parliament, but I think that most of the Conservative Party would agree with me: a pint with Russell Findlay is totally unacceptable on any occasion.

To be serious, I accept the significance of the issues. I also take deadly seriously what Sir Tom Hunter says. I engage with him regularly about a whole host of different issues and I welcome his contribution to Scottish public policy and policy debate.

I assure Mr Findlay that, in every circumstance, my Government will do all that we can with the resources that are available to us to support business, to support the growth and development of the Scottish economy—through its success, investment in it and the bringing in of jobs—and to ensure low levels of unemployment. That is because the Government is on the side of business and the economy in Scotland.

Queen Elizabeth University Hospital

2. **Anas Sarwar (Glasgow) (Lab):** John Swinney has repeatedly said in the chamber that the first time that the Scottish Government became aware of infection issues at the Queen Elizabeth university hospital was in March 2018. Does he stand by that position?

The First Minister (John Swinney): I do.

Anas Sarwar: Just like last week, I am going to prove to the First Minister that what he is saying is a blatant untruth, because the Scottish Government document before me makes it clear that he knew before March 2018. It is here, in black and white.

In March 2017, there was

"A higher than expected incidence of Aspergillus".

That is what Health Protection Scotland reported to the Scottish Government. In July 2017, there were positive cases of Stenotrophomonas. That is what Health Protection Scotland reported to the Scottish Government. Evidence of serious warnings to this Government were ignored.

Aspergillus took the life of Andrew Slorance. Stenotrophomonas took the life of Milly Main. Those deaths and many others were preventable, and we now know that the Scottish Government's evidence to the inquiry is incomplete. There were, in fact, 14 alerts to the Scottish Government between 2015 and 2018. Does that not prove that John Swinney is not telling the truth about what he and the Scottish Government knew, when, and what they did about it?

The First Minister: The evidence before the inquiry clearly shows that the Scottish Government was made aware of a water contamination issue at the Queen Elizabeth university hospital only in March 2018. Incidents reported through the hospital infection incident assessment tool prior to March 2018 did not suggest that there were wider problems with the water system at the Queen Elizabeth university hospital. All that evidence is already before the inquiry, and it is right that Lord Brodie be given the time and space to get to the truth for families, without political influence, interference or speculation on the outcome of his conclusions.

Anas Sarwar: It is not speculation; it is Scottish Government documents that prove that what John Swinney is saying is not true.

This was Scotland's newest and largest hospital, and Shona Robison and the Scottish Government got 14 alerts about infections between 2015 and 2018. Warning after warning was sent to the Scottish National Party Government and met with inaction, and people died as a result. Worse than that, the Scottish Government's instinct was to close ranks and cover up.

Nowhere is that clearer than in a senior official—the chief nursing officer—who was appointed by Shona Robison and the SNP saying that she could not understand why Greater Glasgow and Clyde had not just offered the families 50 grand, which is a trip to Disneyland. That is utterly shameful, and it should shame every member in the SNP Government and on the SNP benches—bribes rather than truth and justice.

Enough is enough. The pain that this Government has inflicted on those families is through the roof, so it should finally stop the denials and the cover-up, stop the gaslighting of the families, the whistleblowers and the staff, and, for once, just be honest.

The First Minister: I am horrified by the suffering of the families who have been affected by the losses in relation to the water contamination issues at the Queen Elizabeth university hospital. That is why this Government set up a public inquiry, so that Lord Brodie could undertake an examination of the evidence, look at all the issues and give the truth to the families involved.

Mr Sarwar, for a week, has basically attacked my personal integrity. What Mr Sarwar is doing is unrelenting, and how he is conducting himself is a sign of total desperation.

Mr Sarwar has written a letter to Lord Brodie. I am appalled by its contents. It is direct political interference in the conduct of an independent inquiry, and Mr Sarwar should be ashamed of himself. I will allow—[*Interruption*.]

Anas Sarwar: You should be ashamed—

The Presiding Officer: Let us hear one another.

The First Minister: This Government—

Anas Sarwar: This document—

The Presiding Officer: I am sorry, First Minister. Colleagues, I would be very grateful if we could all hear one another. The people who have gathered to hear proceedings would like to be able to follow them.

The First Minister: This Government has established an independent public inquiry, led by Lord Brodie. We will respect the law and allow Lord Brodie to undertake his inquiry, and we will distance ourselves entirely from the direct political interference that Anas Sarwar is perpetrating in his letter to Lord Brodie. The Labour Party and Anas Sarwar should be ashamed of themselves for their conduct.

Rosebank Oil Field

3. **Gillian Mackay (Central Scotland) (Green):** Drilling for oil and gas in the Rosebank oil field is set to tip Scotland over the edge of climate disaster. This week, we also learned that that work will directly fund a company that is complicit in the illegal occupation of Palestine. Campaign group Uplift has obtained legal advice that says that granting permissions for Rosebank could be a breach of the Geneva conventions. The Scottish Government used to have a clear position on that.

Under Nicola Sturgeon and Humza Yousaf, it was opposed to Rosebank. Under the current First Minister, no one is sure.

Can the First Minister confirm whether he still stands by Parliament's commitment to boycotting Israel? If so, does he agree that the Rosebank oil field should not go ahead?

The First Minister (John Swinney): The Scottish Government's position has been consistent about the necessity for any new developments to be compatible with our agenda and direction on climate action. That is the consistent position, which has not changed in any of the leaderships of the three First Ministers who Gillian Mackay mentioned. That is the test that has to be applied on Rosebank, and that is the test that the courts require to be undertaken in that respect. Of course, that is a decision for the United Kingdom Government.

On the situation in Israel, in my statement in September, I set out to Parliament the steps that the Scottish Government is taking to act on the issue of connection with organisations with a business interest in Israel, and the Government has taken forward those actions.

Gillian Mackay: Previous First Ministers have provided a clear yes or no as to whether they are against Rosebank, and it would be good for this First Minister to do so.

However, warm words are not good enough when climate destruction is funding illegal occupation, and we must put a stop to that. The First Minister must understand why so many of us are frustrated by the news this week. *The National* has reported that, following this Parliament's historic vote last year to boycott, divest from and sanction Israeli companies, the Scottish Government has not commissioned a single briefing from officials on how to implement that action. My colleague Patrick Harvie's questions on the subject from October remain unanswered 17 weeks later.

Is the First Minister's Government truly committed to boycotting Israel and supporting the people of Palestine? If so, when will we see action?

The First Minister: The steps that the Government has taken, following my statement to Parliament on 3 September, involve instructing relevant delivery bodies, such as Scottish Enterprise, where possible, not to provide support for trade between Scotland and Israel, and pausing new awards of public money to defence companies whose products or services are provided to countries where there is plausible evidence of genocide being committed, including Israel. That is the requirement that I placed in our policy in relation to the application of international law. Those steps explain how we are taking forward the position that I set out to Parliament on 3 September, and I hope that that provides the reassurance that Gillian Mackay seeks.

Long-term Unemployment

4. **Rona Mackay (Strathkelvin and Bearsden) (SNP):** To ask the First Minister how the new measures that the Scottish Government has announced to tackle long-term unemployment will support its work to grow Scotland's economy. (S6F-04650)

The First Minister (John Swinney): Scotland's unemployment rate is already lower than that of the United Kingdom, and most people go back into work within six months. However, we are keen to further reduce economic inactivity, because that is a key to growing our economy. Our draft 2026-27 budget puts £90 million into devolved employability services, so that more people can get the support that they need to move into work.

We also know that childcare is a key to helping parents work. That is why, in August 2027, every primary school child in Scotland will have access to a breakfast club, which will support families, boost wellbeing and remove barriers to employment. To ensure that families know what help is available, we are launching a new marketing campaign, aimed at parents, that will make it easier for those who are at risk of poverty to find and access support.

Rona Mackay: While the Scottish Government is helping people into work, Labour's policies at Westminster are costing jobs. The rise in employer national insurance contributions is damaging employment opportunities across the country, while Westminster's fiscal regime continues to cause hundreds of job losses in Scotland's industries. In the face of that, can the First Minister say any more about the Scottish Government's work to boost growth, create jobs and help people into work?

The First Minister: By targeting investment and providing tailored support and a focus on skills, we are determined to create pathways into work for thousands of people. The £90 million that was announced by the Deputy First Minister earlier this week will provide £40 million to support parents who are most at risk of poverty into training and employment; £5 million for specialist services to help disabled people to access sustainable work; and £39 million for the all-age approach, which supports people who are furthest from the labour market towards employment.

The Government is also giving consideration, in the formulation of the child poverty delivery plan, which will be set out to the Parliament before we

rise for the election, to further measures that will support individuals to access employment, as part of our work to tackle child poverty.

Medical Workforce (Stress, Anxiety and Burnout)

5. **Brian Whittle (South Scotland) (Con):** To ask the First Minister what the Scottish Government's response is to reported warnings that a significant proportion of the medical workforce is experiencing stress, anxiety and burnout. (S6F-04651)

The First Minister (John Swinney): I am deeply grateful for the continued efforts of all our national health service workers in the face of sustained demand. It is thanks to their hard work and the focus and investment from this Government that we are seeing downward trends across nearly all waiting list indicators. That is having a real impact on people's lives, with more operations, long waits down for seven months in a row and the number of general practitioners going up.

None of that would be possible without the commitment of our hard-working NHS staff, and we take their health and wellbeing very seriously. That is why a dedicated work-related stress policy, developed in partnership with unions and employers, is due to be published shortly, and it is why we continue to invest each year in national wellbeing programmes to ensure that staff can access rapid and compassionate psychological and emotional help if needed.

Brian Whittle: This week, research from the Medical and Dental Defence Union of Scotland suggested that as many as 66 per cent of doctors in Scotland had experienced burnout or were living with its effects. That comes after the General Medical Council found last year that a third of doctors had considered leaving the profession and more than half of doctors in training were at risk of burnout.

Both the Royal College of Emergency Medicine and the Royal College of Midwives point to safe staffing levels as being essential for patient safety. Despite writing that into law, the Scottish Government is continually failing to meet those levels, leaving NHS staff caught in a vicious cycle of stress-related illness.

When will the Scottish Government deliver safe staffing levels as promised, to take the pressure off staff, give them the time to deliver the care that they want to give, and genuinely look after those who look after us?

The First Minister: I recognise the importance of the issues that Mr Whittle raises, because upon those issues depends the effective delivery of services in the national health service. The steps that the Government takes to support staff are important.

I set out in my earlier answer details of our investment in the wellbeing of staff. We have also had an expansion of the number of staff who work in the NHS. There are more staff working in the NHS now than there were when this Government took office. There has been an increase of more than 27 per cent, with more nurses and midwives and more medical and dental consultants.

Those commitments to expand the number of staff are important and help us to deliver results, including the sustained reduction in NHS waiting times and the increase in the number of procedures that are being undertaken. I express my gratitude to the staff of the NHS for all that they contribute to make that possible.

Carol Mochan (South Scotland) (Lab): Our hard-working NHS staff always do the best that they can, but they are being driven to burnout. Protecting the wellbeing of staff is a vital part of ensuring that patients get the care and support that they need, but we are facing a workforce wellbeing crisis. What tangible action will the First Minister take in response to the issue of staff who are thinking about retiring early and leaving Scotland's NHS—because of burnout, and not because they wish to? We really need their skills, and we should value their experience.

The First Minister: I agree with the point that Carol Mochan makes. I want staff to feel fulfilled in their work and to be able to make their contribution. The evidence is that that is happening, because we are seeing an increased level of activity in the national health service and a sustained reduction in long waits, which I promised the public that I would deliver and I am delivering for people. That has been possible only because of the commitment that has been made by staff and the resources that have been put in by the Scottish Government.

I stress the fact that wellbeing support is in place across all health boards to make sure that staff feel well supported. That is an important priority for the Government.

Domestic Abuse Services (Highlands)

6. **Rhoda Grant (Highlands and Islands) (Lab):** To ask the First Minister what action the Scottish Government is taking to ensure the long-term financial and operational stability of specialist domestic abuse services in the Highlands. (S6F-04638)

The First Minister (John Swinney): We remain steadfast in our commitment to preventing and eradicating violence against women and girls and have allocated more than £30 million through the Scottish budget to that vital work in 2026-27. That

includes around £1.25 million allocated to services in the Highlands through the delivering equally safe fund for the next financial year to enable recipients to continue their work to prevent violence and support survivors. As noted in our equally safe delivery plan, we are committed to developing a flexible and stable funding model that reflects the ambitions of the equally safe strategy.

Rhoda Grant: The First Minister will be aware that women's aid groups in the Highlands have moved from a service-level agreement to a procurement process with Highland Council, which has left them facing significant cuts. Not only do they face cuts in council funding, but their multi-agency risk assessment conference funding and refuge funding are also at risk, and nor do they have in place Scottish Government funding for next year.

A cross-party group of MSPs has requested an urgent meeting with Highland Council but has had no response. With domestic abuse on the rise, will the First Minister confirm Scottish Government funding for those groups, and will he intervene with Highland Council to protect those specialist services?

The First Minister: I recognise the significance of the issue that Rhoda Grant raises. The Government is providing funding directly to Inverness Women's Aid, to the tune of £219,000.

The issues that Rhoda Grant raises with me are around programmes and services that are funded by Highland Council. I am aware that, as Rhoda Grant said in her question and as I have learned from colleagues, cross-party representation has been made to Highland Council on the issue. In the light of the representations that have been made to me, I will ask the relevant minister to write to the leader of Highland Council to request engagement with cross-party MSPs on that important issue.

Pam Gosal (West Scotland) (Con): Like the Highlands, my area of West Dunbartonshire faces an ever-increasing number of incidents of domestic abuse. It has been reported that the total number of women and children who experience domestic abuse in West Dunbartonshire and ask for help rose by 7.59 per cent to 1,729 in just one year. Those are shocking figures. They make West Dunbartonshire the local authority with the second-largest number of recorded incidents per 10,000 people.

At the same time, services that offer vital support are starving for funding. When I brought that up during the Equalities, Human Rights and Civil Justice Committee meeting on Tuesday, the Cabinet Secretary for Finance and Local Government blamed misogyny and not her own Government's shortcomings.

Can the First Minister guarantee that services in the Highlands, in West Dunbartonshire and across the country will receive the funding that they deserve?

The First Minister: There is provision in the Government's budget for funding to tackle domestic violence and the abuse that women and girls suffer, and that is to the tune of more than £30 million.

In my answers to all questions about violence against women and girls, I have made no secret of my view that the behaviour of men has to be confronted. It is completely legitimate for that argument to be made in Parliament or in parliamentary committees.

I say to Pam Gosal that an important opportunity is coming up in the next few weeks to vote to provide resource to women's aid organisations and to tackle domestic violence. That will happen only if Parliament supports the Government's budget. I will certainly be voting for the Government's budget and I encourage others to do likewise.

The Presiding Officer: We move to constituency and general supplementary questions.

Peter Mandelson

George Adam (Paisley) (SNP): It has been revealed that Peter Mandelson was selling our economy down the river during the financial crisis. Our First Minister, then the finance secretary, was working all hours to protect Scotland's economy and the people of Scotland while the Labour Party's "old friend" was undermining him at every step of the way and leaking sensitive information to Jeffrey Epstein. Is the First Minister aware of any impact that that Westminster scandal has had on any Scottish financial institutions?

The First Minister (John Swinney): I am absolutely appalled by the revelations that have come out in recent days about Peter Mandelson's involvement in sharing information at the height of the financial crisis with Jeffrey Epstein, a convicted paedophile. He did that as a serving Government minister, which was, somehow, overlooked when he became Keir Starmer's nominee to be the United Kingdom's ambassador to the United States.

At the time of the financial crash, I was taking decisions as finance secretary to ensure that investment in housing could be sustained when private investment had stopped. Those were direct financial decisions that affected the livelihoods of people in Scotland and I am appalled that we were being undermined at the same time.

I have asked my permanent secretary to explore whether there was any risk to the strength of decision making in the Scottish Government and I have also asked to know that in relation to the engagement that I had with the United Kingdom ambassador to the United States last year, when I was acting to protect the Scotch whisky industry.

That is an absolutely atrocious set of circumstances and an appalling judgment by the Prime Minister, and it is dreadful that Scotland and the United Kingdom have been exposed to such weakness as a consequence of that poor decision making by the Prime Minister.

Peter Mandelson

Murdo Fraser (Mid Scotland and Fife) (Con): Given everything that the First Minister has just said, none of which I would disagree with, does he have any regrets about staying in Washington DC in September last year at the residence of the disgraced former UK ambassador, Peter Mandelson, in the light of everything that was known about his relationship with the convicted paedophile Jeffrey Epstein? [*Interruption*].

The Presiding Officer: Let us hear Mr Fraser.

The First Minister (John Swinney): I was not responsible for the appointment of Peter Mandelson as the ambassador to the United States. It was the foolish and inept decision of the Prime Minister to appoint Anas Sarwar's "old friend" as the ambassador to the United States.

When I go on overseas trips, I have a choice about where I stay. [*Interruption*].

The Presiding Officer: I am really keen that we have the opportunity for optimal scrutiny, but that cannot occur if members are shouting.

The First Minister: The first people to complain if I had chosen to spend public money on staying in a hotel, rather than in the British embassy, would have been the Conservative Party members in this Parliament.

To give them all total and complete information, when I went to Lusaka in Zambia, and when I went to Lilongwe in Malawi, I stayed in the British high commissioner's residence to ensure that I was being careful and prudent with the public purse, as people expect me to be.

While Conservative members are shouting and bawling at me about the whole issue, I remind them that one of their colleagues is using artificial intelligence and wasting hundreds of thousands of pounds of public money asking pointless parliamentary questions. That is Douglas Lumsden and they should all be ashamed of themselves. [*Interruption*].

The Presiding Officer: I am sure that members do not intend to behave in a way that delays proceedings and prevents other members from scrutinising the Government.

Glasgow Airport (Drop-off Charges)

Neil Bibby (West Scotland) (Lab): Earlier this week, operators at Glasgow airport announced that they are increasing their passenger drop-off charges from £6 to £7 for just 15 minutes. Those exorbitant charges will not just hit working people, their friends and their family who are trying to go on holiday; they will affect residents in the nearby streets north of Paisley, who say that their streets are being congested by airport traffic. When the First Minister stands up to respond, he will be standing in the same spot that he stood in in 2009, when he cancelled the Glasgow airport rail link. Does he finally regret his decision to cancel that project, given the detrimental impact that it has had on our economy, residents and passengers?

The First Minister (John Swinney): The Government faces hard political and financial choices at times, and we take them—that is what responsible Government is all about. The hard reality in the aftermath of the financial crash, during which Anas Sarwar's "old friend" Peter Mandelson was leaking information to Jeffrey Epstein, was that we faced hard choices about our capital budget and I, as the minister responsible for finance, had to make them.

The decisions about charges at Glasgow airport have been taken by a private company. However, people can rely on this Scottish Government taking the wise and considered decisions to invest in our economy, as we have done through countless rail links around the country—the Levenmouth railway, the Airdrie to Bathgate railway and the Borders railway were all delivered by this Government, and we are determined to carry on with that record.

National Health Service Staff (Immigration Rules)

Clare Haughey (Rutherglen) (SNP): I remind members that I am a practising NHS nurse. This week, the United Kingdom Labour Government admitted that it does not know how many NHS staff will be affected by its proposed changes to immigration rules. Once again, the Labour Party is harming our health service in its blind pursuit of Reform policies. Does the First Minister agree that people deserve answers from Anas Sarwar on whether he supports Keir Starmer's plans to slam the door in the face of the workers who are keeping our hospitals and care homes running, and can he confirm that his Scottish National Party Government will oppose those Labour plans and stand up for our valued NHS staff?

The Presiding Officer: Questions should be on devolved matters.

The First Minister (John Swinney): There has been a 77 per cent drop in the number of health and care visas that have been granted by the Home Office. That will have a direct effect on our health and care system. In the last survey that I saw, 26 per cent of social care workers had come from other countries.

We face challenges in finding the volume of available labour that we require in our system. That is despite the fact that we have increased health and social care employment. The measures taken by the UK Labour Government are therefore directly damaging to the operation of our health and care system. I assure Clare Haughey of the Scottish Government's determination to make sure that we reverse those policies.

Rape Crisis Centres (Funding)

Sharon Dowey (South Scotland) (Con): Recently, I met staff at the STAR Centre, a rape crisis centre in Kilmarnock that supports survivors aged 13 and above across Ayrshire. Despite covering a large area, the centre has fewer than three full-time members of staff. The centre cannot meet demand and finds it a challenge to advertise its service widely because of its concern that survivors will be stuck for months on the growing waiting lists. By contrast, other centres across Scotland that support significantly lower populations employ several times more staff. That raises serious questions about how funding is allocated.

Will the First Minister explain how the Scottish Government calculates and allocates funding to rape crisis centres, why there is such a stark disparity in staffing levels between centres that provide the same service and what immediate action will be taken to ensure that the STAR Centre receives the funding that is needed to meet demand?

The First Minister (John Swinney): The funding that goes to that organisation comes through the equally safe programme. Sharon Dowey raises a fair point, but I cannot give her a definitive answer as to the disparity in allocations. I will look into the comparative position for the organisation that she has put to me, and I will ask Ms Somerville to write to her to explain the rationale. I will be happy to discuss the issue further in the light of her reply.

Centre for Contemporary Arts, Glasgow

Paul Sweeney (Glasgow) (Lab): The First Minister will be aware that the Centre for Contemporary Arts in Glasgow announced that it was going into liquidation this week, leading to the loss of 39 jobs directly. Tenants and freelancers will also be affected. Creative Scotland, the public body that owns the building—it has done so for the past half century; the CCA has been a fixture in the Glasgow arts scene—has failed to intervene in the situation, which does not square with the Government's fair work commitments on consultation, dignity at work and worker protection.

I ask the First Minister to intervene directly with Creative Scotland and order it to set up a successor organisation to re-employ those workers and reopen that critical cultural organisation in the heart of Glasgow—a city that has already suffered greatly, and continues to suffer, from the fire at the Glasgow School of Art and its aftermath, and from wider issues of regeneration on Sauchiehall Street. I hope that he will commit to doing so.

The First Minister (John Swinney): Creative Scotland has engaged with the Centre for Contemporary Arts over a long period of time to try to find a solution to the centre's financial challenges. When the CCA became insolvent, Creative Scotland was not able to issue any further payments under the CCA's multiyear funding award, which would not have been an appropriate use of public money. However, the Scottish Government, through Creative Scotland, will continue to engage on the issue and to work, as Creative Scotland is currently doing, to find a new operator for the building as soon as possible, recognising the cultural significance of the CCA to Glasgow.

It is one of those cases in which the rules on public finance and the ability to deploy them when an organisation becomes insolvent put a real obstacle before an organisation's ability to operate continuously. There is work under way through Creative Scotland to find alternative routes, and I hope that that bears fruit. Ministers will keep Mr Sweeney informed of developments.

Women Against State Pension Inequality (Compensation)

Clare Adamson (Motherwell and Wishaw) (SNP): Since 2015, I have been supporting WASPI women in my constituency of Motherwell and Wishaw. WASPI campaigners from across Scotland have come to the Parliament today—some of them are in the public gallery—and they are rightly challenging the Labour Government's latest U-turn, which denies WASPI women compensation for a second time. Labour Party politicians—some of whom are in the chamber today, too—tweeted photos of themselves showing support, standing shoulder to shoulder with WASPI women, only to betray them once in power.

At this time, when more than two Scottish WASPI women a day are dying without

compensation, what assurance can the First Minister provide to WASPI women that the Scottish National Party Government will stick to its principles and continue to stand by their side, unlike the so-called Scottish Labour Party?

The First Minister (John Swinney): I reiterate my strong support for the WASPI women, and I congratulate Clare Adamson on, and thank her for, the absolutely tenacious way in which she has constantly pursued the issue. The repeated betrayal of WASPI women by the United Kingdom Labour Government is appalling. The fact that so many Labour politicians promised WASPI women before the election that they would have full application of the compensation schemes but have now deserted those WASPI women after the election tells us all that we need to know about the opportunism of voting Labour at any election.

Aberdeen Royal Infirmary

Liam Kerr (North East Scotland) (Con): For more than two years, Aberdeen royal infirmary has reported worsening ambulance stacking caused by spiralling waiting times. Last week, further delays were caused when a patient sprayed CS gas into the eyes of a nurse and a security guard, resulting in the ARI being locked down altogether. Figures show that police are called to the ARI every other day to deal with assaults and disturbances. At the heart of all that are exhausted, dedicated staff and patients waiting in agony, bearing the brunt of a lack of Government action. When will the First Minister finally get a grip of the situation at the ARI and personally intervene to help those hard-working staff and long-suffering patients?

The First Minister (John Swinney): The Cabinet Secretary for Health and Social Care is actively engaged with NHS Grampian on the issues at Aberdeen royal infirmary. We work in partnership with the Scottish Ambulance Service, which is resourced to ensure that the needs of patients are met. On a majority of occasions, Scottish Ambulance Service emergency incidents are managed without any need to transfer patients to hospital, but, when a transfer is required, there is a need for that to be efficient and sustainable. These issues are at the heart of the engagement between the Government and NHS Grampian to improve the situation at the ARI.

Integration Joint Boards (Voting Rights)

Joe FitzPatrick (Dundee City West) (SNP): This week, I joined disabled people, third-party organisations and colleagues in welcoming the first disabled people's cabinet, which was hosted by the First Minister. I was appalled to learn that the Labour Party has quietly lodged a motion to annul the changes that this Scottish National Party Government is trying to make to voting rights on local integration joint boards. Those changes would give disabled people, unpaid carers and people who use social care packages a vote on the services that affect them. Not content with stripping disabled people of their benefits, the Labour Party is trying to silence their voices when it comes to local services. Will the First Minister join me in calling on the Labour Party to back those voting rights for disabled people, carers and other people with lived experience, and to reverse this shameful betrayal?

The Presiding Officer: Please answer on matters of devolved responsibility.

The First Minister (John Swinney): I was deeply grateful to the disabled people who met the Cabinet on Tuesday. We had a substantial and thought-provoking conversation about the challenges and issues that disabled people face. One of the clear requests of disabled people was for them to have a voice on integration joint boards and to be able to exercise that through voting rights. That is what the Government is providing for.

I am lost for words that the Labour Party is opposing us on all that. It is another lesson that people have to be very careful about voting for the Labour Party: whether it is about women against state pension inequality or disabled people, they can rely on the fact that the Labour Party will let them down.

Scottish Prison Service Policy (Judicial Review)

Douglas Ross (Highlands and Islands) (Con): This week, the Scottish Government is in court arguing that evil men should continue to be housed in the female prison estate. The First Minister wanted as much information as possible about that in the public domain, which is why he released the written case. In that written case, the Government's defence of its position is to make the comparison that a mum taking a baby boy into a changing room is, somehow, the same as male murderers being in the female prison estate. Is the First Minister genuinely happy that that is the defence that his Government is making, and is he content to spend public money on that court case?

The First Minister (John Swinney): That court case is live and is being heard at the moment. What the Government is doing, as any responsible Government must, is ensuring that the policy position that is applied complies with all our legal obligations—all of them—including those under the Scotland Act 1998 and the European convention on human rights.

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

Point of Order

12:47

Edward Mountain (Highlands and Islands) (Con): On a point of order, Presiding Officer. During general question time, I raised a question on aquaculture. It would have been fair of me to note that I have an interest in a wild salmon fishery—I do so now.

The Presiding Officer (Alison Johnstone): Thank you, Mr Mountain.

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

12:48

Meeting suspended.

12:49

On resuming—

Royal Burgh of Rutherglen (900th Anniversary)

The Deputy Presiding Officer (Liam McArthur): I ask those leaving the public gallery to do so as quickly and quietly as possible.

The next item of business is a members' business debate on motion S6M-20393, in the name of Clare Haughey, on the 900th anniversary of Rutherglen as a royal burgh. The debate will be concluded without any question being put.

Motion debated,

That the Parliament recognises that 2026 marks the 900th anniversary of Rutherglen receiving the status of Royal Burgh via Royal Charter from King David I of Scotland; understands that although Rutherglen's story began long before 1126, its recognition via the first Burgh Charter gave it special trading rights and a place of importance in medieval Scotland, and that through centuries of change, Rutherglen has continued to play a key role in the region's development; notes that the milestone is being celebrated throughout the year via a series of heritage, art, wellbeing, environmental and sporting events organised by the community-led Rutherglen 900 project; further notes that the project has been built on collaboration between local people, local organisations, schools, community groups and volunteers, who are working together to honour the town's rich cultural legacy and bright future; appreciates the great sense of community within the town that the Rutherglen 900 project reflects, supported by the wide range of organisations and bodies that do great work to support residents; thanks all of those who are involved in planning and promoting the 900th anniversary celebrations, and wishes all those who live and work in Rutherglen all the best for the occasion and the future.

12:50

Clare Haughey (Rutherglen) (SNP): I am delighted to have secured this debate to mark the 900th anniversary of Rutherglen's being granted royal burgh status by King David I, which gave it special trading rights and underlined its importance in medieval Scotland.

I have the tremendous honour of representing Rutherglen, my home town, where I was brought up, where I brought up my own family and where I still live. I could say a great deal about our town but fear that I will only be able to scratch the surface in the time that is available to me.

Rutherglen is one of those places where, everywhere that you turn, you see something of its fascinating history. My constituency office is situated on Rutherglen's Main Street. It is a particularly wide street because it was the place to be to trade horses from the 1600s onwards. As time passed, fairs were held there 12 times a year.

A few steps from my office is Rutherglen old parish church, which has been a site of Christian worship for at least 1,400 years and is believed to have been a site of druid worship before that. John Menteith betrayed William Wallace there in 1305, and the Parliament of Scotland also sat there. In its boundary walls is a statue of Dr James Gorman, who treated Ruglonians long before the national health service was established, often for little or no charge, and during some of Lanarkshire's worst mining disasters.

A few more steps take you to the town hall, which was completed in 1862. Civic leaders decided that a new one was needed after significant population expansion. Near the town hall is the mercat cross, a 100-year-old replica of the original to which the covenanters nailed their 1679 declaration of Rutherglen.

Behind my office runs King Street, where Rutherglen castle sat at the junction with Castle Street. Built in the 13th century, the castle's 5-feet-thick walls made it a crucial stronghold during the wars of independence, during which it was besieged several times by Robert the Bruce.

I remember our colleague Jamie Hepburn speaking about his home town of Cumbernauld during a members' business debate and joking about how many towns claim to have links to Mary, Queen of Scots. Not wishing to disappoint in that regard, I can say that Mary led a march to Rutherglen castle in 1568 to round up her supporters before her journey west. A year later, the castle was burned to the ground by the Earl of Moray, to punish the Hamilton family for supporting Mary at the battle of Langside.

I could spend all afternoon talking about Rutherglen's history—from Gallowflat tumulus, a second century Roman burial site, to the coracles that travelled up and down the Clyde to and from Rutherglen in the 12th century, or the steamships that were built there in the 19th century, or how James Watt designed a bridge for the town before his tinkering with steam engines allowed its steel, chemical and textile industries to flourish.

The historic areas near the centre, such as Bankhead, Burnhill and Gallowflat, have changed hugely over the years and the village of Burnside has expanded greatly. Post-war developments on farms and estates in Blairbeth, Cathkin, Eastfield, Fernhill, Spittal and Springhall are now well-established communities. Each place has its own distinct identity but is firmly and proudly part of Rutherglen's story.

I also remember Mr Hepburn mentioning the legendary broadcaster Magnus Magnusson. He married the journalist Mamie Baird in Wardlawhill parish church before living in Calderwood Road for many years. After growing up in the town, their daughter Sally became a renowned broadcaster and she set her novel "Music in the Dark" in a Rutherglen tenement.

In a list of notable Ruglonians, I could also include actors Robbie Coltrane, Janet Brown, Scott Kyle and Stan Laurel, the poet Edwin Morgan, fashion designer Jonathan Saunders and musicians such as Midge Ure and Audrey Tait. John Logie Baird lived a few hundred yards from where Cee Cee TV Security Solutions now displays a beautiful vintage television in its shop window. Infamously, he once fused all the lights in the town, which hastened his departure from his job at the local power station.

There is a wheen of sports people from Rutherglen, from Steve Archibald, who went from Fernhill Athletic Football Club to Barcelona, to Sadie Smith, Rutherglen Ladies FC's captain, who battled against the odds even to play at a time when women's football was banned in England and was deemed quite unsuitable in Scotland. Again, that could be a very long list. Ruglonians have truly made their mark on the world.

When the 900th anniversary of our town's burgh status was approaching, a real desire grew to mark the occasion—to take the chance to reflect on who we are, where we have come from and where we are going. Rutherglen 900 was born as a community-led initiative that was built on collaboration between local people, organisations, schools, community groups and volunteers. I thank that large community network, which includes Healthy n Happy Community Development Trust, CamGlen Radio, heritage organisations, schools, artists, sports groups and local residents who are keen to give back to their community.

I am delighted to have the opportunity to thank each and every person who has given up their time to organise the wonderful programme of events that will mark our town's milestone year. I thank them for all their efforts—not just this year, but every year and, indeed, every day—to support local residents. I urge anyone listening to the debate to visit the Rutherglen 900 website to see the depth and breadth of the programme that they have put together. There truly is something for everyone. Our town will host walking and vintage bus tours that will highlight local landmarks and explore Rutherglen's radical history of social activism, and there will be a community picnic; a sing-along event; multiple talks and exhibitions; sporting events; a live comedy, dance and music event, including the town's very first mela; and an inaugural book festival.

There is also a packed schools programme, with events for children and young people in every month this year. It was an absolute treat to hear

the debut performance of “Song of Rutherglen” at the Rutherglen 900 launch event in the town hall last Friday, which was beautifully sung by pupils from each local school. If members are in the right place at the right time, they might even bump into Rutherglen 900’s official mascot, Dougie the pigeon, which was designed by Emma from St Anthony’s primary school.

Whether you call it Rutherglen, Ruglen or Ruggie, there is a lot happening in our town this year, as always, and there is much to celebrate about her people and organisations, who make it such a great place to live and work in. I am thoroughly looking forward to all the opportunities that we will have over the next year to celebrate, to reminisce and to look to our town’s future. Rutherglen is ready to welcome all who would like to join us.

12:57

Annie Wells (Glasgow) (Con): I congratulate Clare Haughey on bringing this debate to the chamber. I really enjoyed her speech about the history of Rutherglen.

It is a privilege to speak in this debate about the 900 years of Rutherglen—my dad would call it Ruglen—which is one of Scotland’s oldest royal burghs and a town with a proud and distinct identity. Rutherglen is not a place to talk about in the abstract; it is a place that people know well and remember, and it is a place that I knew well when I was growing up. Over the years, I have spent a great deal of time in the town, visiting schools, meeting community groups and speaking with local traders, and in my youth I spent time in some of the pubs on and off Main Street. I have seen at first hand how Rutherglen has changed, adapted and endured.

I have many fond personal memories that are rooted in the area. Many of my friends lived in Rutherglen and I often find myself recalling with affection times spent in and around the town in places and on streets that I knew well. During the late 1980s and early 1990s, I would head to the video shop on Main Street with friends and then walk through Overtoun park. There was a great sense of community and character in the town.

When I was married almost 34 years ago, I had my wedding reception at the nearby Kings Park hotel, because we knew that place well and it represented both Glasgow and Rutherglen, where we were from. More recently, I have enjoyed simply taking walks around the area and reflecting on how the town has evolved. Familiar streets have changed, but the character and warmth of the community have remained.

Today, as Ms Haughey said, Rutherglen continues to be shaped by independent businesses and local employers who have chosen to invest there. Long-standing firms remain a familiar presence, while small cafes, family-run shops and service businesses along Main Street and the surrounding area continue to provide not only jobs but connection and community. Those businesses are run by people who care deeply about the town and its future.

I recently had the opportunity to visit Rutherglen high school to see its eco project, which is led by pupils who are passionate about sustainability and improving their local environment. What impressed me most were not only the ambition of the project but the pride of the young people who took part in contributing positively to their community. I believe that we need to take pride in our communities, and we see that abundantly in Rutherglen, Burnside and Cambuslang. It was a powerful reminder that Rutherglen’s future is being shaped by young people who care deeply about where they live.

As we have heard, Rutherglen has also produced an extraordinary amount of talent over the years, across sport, culture, business and public life. That is no accident. The town has strong links to figures such as Stan Laurel, who is one half of the most iconic comic double act in history: Laurel and Hardy. I used to play one and my dad the other. Members can decide which one each of us played.

Paul Sweeney (Glasgow) (Lab): That connection with Stan Laurel shows the closeness between Ruglonians and Glaswegians. Stan Laurel cut his teeth on the boards of the Britannia Panopticon music hall in Glasgow’s Trongate. From the original construction of Glasgow cathedral to the shared relationship between our transport systems, or even the 21-year experiment that Rutherglen had as part of Glasgow District Council, there is an indelible link between the city of Glasgow and Rutherglen. Long may that flourish, particularly through projects such as the Clyde gateway.

Annie Wells: Rutherglen and Glasgow have joint connectivity. We are not that far away from each other, and it is good that we can work together on certain projects. We have heard that Glasgow is 850 years old this year, so Rutherglen has beaten us by 50 years. However, as a regional MSP, I can take a bit of credit on behalf of both places.

Rutherglen has also been associated with brilliant comic talent closer to home, including Janet Brown. She is well known for her unforgettable impression of Margaret Thatcher. I promise to take that in the good-humoured spirit in which it was intended, even as a proud Tory.

All of that reflects a town that nurtures ambition, resilience and a strong sense of belonging. As we mark this remarkable anniversary, it is clear that Rutherglen's story is not only one of history but one of on-going contribution, pride and potential. I wish the town a happy 900-year anniversary.

13:02

Bob Doris (Glasgow Maryhill and Springburn) (SNP): I congratulate Clare Haughey on securing the debate celebrating the 900th anniversary of Rutherglen as a royal burgh.

My goodness, I am glad that I am not living 900 years ago. Clare Haughey has put on record the intrigue, treachery and treason that have taken place in Rutherglen. I am sure that the place has moved on considerably from those medieval times.

Clare Haughey is a real champion for Rutherglen. That came out quite clearly in her speech. She spoke passionately about the community-led Rutherglen 900 project. I was pleased to hear Clare talk about the Healthy n Happy Community Development Trust and Camglen Radio being part of the community-led project, as those are a couple of organisations that I know quite well from my days as a regional MSP.

Clare Haughey also went through a list of famous people from Rutherglen. I was scoring out my list of people I was going to name-check as she went on. Bobby Murdoch was on the list as well, and he is one that she did not mention.

Also, who was Nellie Hunter? I did not know until a couple of hours ago that Nellie Hunter was a suffragist from Rutherglen. There will be an exhibition all about Nellie Hunter at the library and heritage centre in just a few days' time. That is the point of celebrating our history—to find out about those histories that are lost through time, as those stories of remarkable people are the social fabric of all communities. I am delighted that such events are taking place in Rutherglen.

My connection with Rutherglen goes back to 2007, when I became a regional MSP for Glasgow. I fulfilled that role until I became a constituency MSP for Glasgow Maryhill and Springburn in 2016. Let me be clear: I am not saying that Rutherglen is part of Glasgow. Heaven forfend that I should say that. Some people say that it is part of Lanarkshire, but the people of Rutherglen are, first and foremost, Ruglonians. They are welcome, inclusive and passionate Ruglonians. Unless things have changed, they would still view themselves as Ruglonians.

I want to give some personal reflections on my time in Rutherglen. I well remember my monthly surgery in the King Street cooncil buildings in the town over the years. I also recall the regular Scottish National Party meetings at St Columbkille's church hall, where we would have to compete with the Irish dancing and the occasional hooley. I hope that that is all still going strong.

After those branch meetings, if I was very lucky, I would have a pint at Dr Gorman's pub. I understand that it is no longer Dr Gorman's—good luck to the new owners, but that is a backward step as far as I am concerned. I used to go there with the late Councillor Gordon Clark—it was his local. I was saddened by Gordon's recent passing, and I want to put on record in this place the contribution that he made to public life and to the Rutherglen community over many years, including 10 years as a councillor.

My highlight as a regional MSP who covered Rutherglen was always my annual attendance—I would have been in trouble if I didnae go—at Landemer day, with the late Gordon Clark and many others, some of whom are also, sadly, no longer with us. I would like to mention Councillor Clare McColl and Councillor Anne Higgins, who are no longer with us. Friends across all parties will have their own memories of people who are no longer with us.

I always had a wonderful time at Landemer day, which was supported by the people of Rutherglen in their thousands each and every year. It was always a passionate, vibrant and lovely demonstration of Rutherglen's civic pride and creative endeavour.

I had not known that Landemer day recommenced only in 1974, having fallen into abeyance in 1926. I learned that in preparation for today's debate. I am pleased that it has bounced back so strongly since the Covid-19 pandemic.

It is important that all communities celebrate such landmarks. Not that long ago, I led a members' business debate on the 50th anniversary of Summerston, where I stay, and the church that I go to in Maryhill will be celebrating its 50th anniversary. However, what is important is not the number of years for which a community has been in existence but how the people in the community knit together in such a beautiful, wonderful, vibrant and diverse way.

That is how I think about Rutherglen. It was a privilege to represent it for a short period of time. Those who represent it today, including Clare Haughey, are lucky and privileged to do so. Happy birthday to Rutherglen.

13:07

Monica Lennon (Central Scotland) (Lab): I congratulate Clare Haughey on securing the debate. It has been lovely to hear the contributions

so far. Everyone has been so enthusiastic about Rutherglen and the many things that it is famous for. The longer you sit here, the more likely you are to think of something else that is worth mentioning.

I will add to the list the Scottish Catholic International Aid Fund, which was founded in Rutherglen. In recent months, there was a wonderful mass in St Columbkille's church in Rutherglen to celebrate SCIAF's anniversary. That is another reason to celebrate the wonderful town that is Rutherglen.

Of course, 2026 is the year of Rutherglen. The calendar of events and projects that Rutherglen 900 has pulled together is a testament to its communities. Rutherglen 900 is a grass-roots endeavour, although funding and support are being provided by Clyde Gateway, South Lanarkshire Council, local businesses and—I hope—the Scottish Government. I am sure that the cabinet secretary will be most welcome at all the events. In particular, the book festival jumps out at me.

As Annie Wells and Clare Haughey have said, the events celebrate Rutherglen's past and retell it for a new generation. The involvement of children and young people, especially through the schools, means that the project will have a lasting legacy. It is not simply a case of coming along to some events and then moving on. The educational work that is being done is striking.

Efforts have also been made to capture the oral history of Rutherglen through the time capsules and the oral history podcast, an episode of which Michael Shanks, the local MP, recorded at Burgh primary school in the past few weeks. All those things will help to ensure that the stories that we tell one another will be safely passed on to the next generation.

It is a pity that we will not see Bob Doris partake in some Irish dancing, but you never know. If the organisers are listening—[*Interruption*.] The cabinet secretary agrees. It is not too late to add that to the programme.

We often discuss challenges and difficult issues in the chamber, but this is an opportunity to think about all the things that make our communities vibrant, all the great work that goes on and all the unsung heroes. It is a chance to bring people together for a happy occasion. Whether you are from Rutherglen, South Lanarkshire, Glasgow or beyond, this is a cause for national celebration. Rutherglen is a community with a deep, enduring place in our national story. I hope that everyone will feel welcome to come to Rutherglen to take part in these events or just to discover Rutherglen for the first time.

Members have mentioned some of the fantastic organisations that are at the heart of Rutherglen 900, including the Healthy n Happy Community Development Trust. I wish a fond farewell to Brendan Rooney, the chief executive, who is retiring. Bob Doris also mentioned Camglen Radio and Rutherglen Heritage Society.

When I went along to the annual general meeting of Rutherglen 900 last year, I was pleased to see some former town planning colleagues of mine who live locally. They are very active on the heritage side and in bringing together the volunteers.

Clare Haughey: I thank Monica Lennon for giving me the opportunity to put on record our joint thanks and the community's thanks to Robert Brown, formerly of the Scottish Parliament, who chaired the Rutherglen 900 committee, and all the other committee members, who have worked hard over the past year. I hope that Monica Lennon will share my congratulations to them.

Monica Lennon: Absolutely, and if I had stuck to my speaking notes, Councillor Robert Brown would have been one of the first people I would have mentioned. When I became a South Lanarkshire councillor in 2012, Robert Brown was the first person to say hello and greet me as a fellow councillor, and we used to sit together on the licensing committee. I was pleased to see Councillor Brown expertly chair the AGM a few months ago. I know that he is completely dedicated, as are all the committee members.

A big thank you to all the volunteers, everyone who is sponsoring events and local businesses. I hope that everyone has a good time, and I look forward to hearing whether the cabinet secretary will partake in any of the events.

13:12

The Cabinet Secretary for Constitution, External Affairs and Culture (Angus Robertson): I am grateful to Clare Haughey for lodging the motion and securing the debate. I commend her as an outstanding member of the Scottish Parliament for Rutherglen and Cambuslang and for taking the opportunity to highlight what is a tremendous year of celebration for Rutherglen on its 900th year. As we have heard, it is a celebration for Rutherglen recognising its past, its present and its future ambitions. It is fantastic to hear that the Rutherglen community is pulling together to create a year-long festival of events, exhibitions and performances to mark this special milestone.

I thank the various speakers, including Annie Wells, Bob Doris and Monica Lennon, for their valuable and interesting contributions. In the spirit of cross-party agreement, I would be absolutely

delighted to second Monica Lennon's motion that Bob Doris perform dance. I am not quite sure whether it will be modern dance or Irish dance—other forms of dance are available.

Monica Lennon: Contemporary dance.

Angus Robertson: We hear the Parliament updated from a sedentary position, Presiding Officer, that it will be contemporary dance. When the dates are confirmed, I am happy that my office will be in touch with Monica Lennon's to make the necessary arrangements for both of us to attend that event.

Monica Lennon: As dance partners.

Angus Robertson: She has raised it to being dance partners. This is going in directions that are not included in my speaking notes or in my diary commitments, but I say yes to that.

As others have, Monica Lennon pointed to different individuals in Rutherglen and to organisations founded and present in Rutherglen over the past 900 years. She highlighted the Scottish Catholic International Aid Fund. As the cabinet secretary responsible for external affairs and, through that, international development, I know that that organisation is a key partner for Scotland, and I know about all the good work that it does internationally, although I was unaware of its connections to Rutherglen.

I thank Monica Lennon for her contribution, and I thank Paul Sweeney for his intervention. He always has something to add when it comes to the history of different places in Scotland.

Monica Lennon: Another fantastic organisation has come to mind: Classrooms for Malawi, which is also based in Rutherglen. Over the years, we have joined forces on the issue of period dignity, and I know that it appreciates the cross-party work in the Parliament that led to the Period Products (Free Provision) (Scotland) Act 2021. Does the cabinet secretary recognise the good work that it does in his portfolio?

Angus Robertson: I do. It also underlines something that is true for Rutherglen as well as the rest of Scotland, which is that, in the fabric of our communities, what happens in them is also outward facing: our communities look to other places in the world.

All members in the debate drew attention to the importance of volunteers, Scotland's third sector and those who have contributed to Rutherglen's public life over the years through community-led activities, festivals and events. As we have heard, Rutherglen shines as a great example of the community working together to honour its rich history and bright future by creating a programme for a wonderful year of celebrations, led by the community, with events ranging from heritage to the arts, wellbeing, environmental and sporting activities, and much else besides. Thousands of Scotland's cultural and arts groups rely on dedicated volunteers, whose time and effort make those events so successful. It is great to see celebrations bringing together people, organisations, schools and volunteers across Rutherglen, and it is nice that so many people were recognised across the chamber for having made a contribution.

Speaking on behalf of the Scottish Government, we value the significant contribution that volunteers make to cultural activity in our communities. The vast majority of community-level cultural initiatives are driven by committees of dedicated volunteers, and many community-based cultural events rely on the practical support of volunteers to succeed. I add my voice to those around the chamber who have put that on the record during the debate.

I have been struck by the range of events that are on the programme for Rutherglen 900 and that are already under way. Edinburgh celebrated its 900th anniversary two years ago. Although I am the member of the Scottish Parliament for Edinburgh Central, no competition is implied with my colleague Clare Haughey, who led the debate. Rutherglen and Edinburgh became royal boroughs at about the same time, and I have some experience of what can be done with a 900th anniversary. I have taken the time to have a look at the programme of events in Rutherglen this year, and there is something for absolutely everyone. Mention has already been made—and I will add my pointer to it—that there is an amazing amount of information on the Rutherglen 900 website. If anyone who is listening to or watching this debate wants to know what is on and when, I urge them to visit that website, as all the information is there. I think that I am right in saying that the web address is rutherglen900.com.

The variety of what is on offer and the enthusiasm behind it reflect a key strength of the community. As we have heard, the Rutherglen 900 project held a successful launch event at Rutherglen town hall on 29 January, which was only a few days ago. The launch featured live bagpipe playing, historic photographs, school artwork and the debut of the "Song of Rutherglen", which was performed by local children from all 10 primary schools. It also included an appearance by Dougie the pigeon, the newly designed town mascot. [*Interruption*.] Let the record show that there was whooping in the chamber at the mention of Dougie the pigeon.

Another success was the sold-out performance of "Bloom", a mixture of dance, music and video projections, which was part ceilidh and part

Japanese dance, reflecting the diversity of the Rutherglen community. The performance was described as “beautiful” and “mesmerising”. I also note the 900 origami peace cranes, which is a novel art project that was developed by the rotary club of Rutherglen and women from the Nurture Educational and Multicultural Society in Cambuslang. The cranes represent peace, hope, harmony, community and future happiness.

Paul Sweeney: There are so many projects to discuss, but one that particularly springs to mind in the discussion about skills—and heritage skills in particular—is the restoration of the Overtoun park bandstand, which was destroyed in 2024. It is welcome that funding is being committed to restore it, but it shows the critical nature of Scotland’s skills in that area of conservation. In particular, the recent loss of Ballantine Castings shows the importance of architectural ironwork skills. I hope that that can be brought to bear in the restoration of Rutherglen’s Overtoun park bandstand in the coming months.

Angus Robertson: As ever, I agree with the general points that have been made. On the issue of castings, I am satisfied that efforts have been made to ensure that there will be no loss of intellectual property, history or heritage.

Clare Haughey: In relation to skills and heritage, I note that the Rutherglen boundary stones are being recreated in a college in Glasgow, which is helping to develop stonemason skills for the future.

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

Angus Robertson: That is fantastic. Those of us who are part of the on-going debate about skills in the heritage sector know how important stonemasonry is, so that is excellent to hear.

I am looking at the clock and realise that I am over my time, so—[*Interruption*.] Was that a request for an intervention from Bob Doris? It will have to be very short.

Bob Doris: It was a comment from a sedentary position, so I apologise that I am now saying this in an intervention. During my research, I found that stonemasons from Rutherglen put in the foundation stones when Glasgow cathedral was built, assuming that Wikipedia is right.

Angus Robertson: Well, that is now on the record, so it must be true.

I appreciate that I am over my allotted time, but I will make some brief final comments. In recognition of the importance of the volunteer-led efforts that I have described, the Scottish Government is continuing to invest in inclusive volunteering through the volunteering support fund, in which £2.2 million is being invested between 2025 and 2027. The fund helps organisations to recruit additional volunteers for volunteering projects, and it focuses particularly on supporting individuals who face barriers to volunteering, such as those from black and minority ethnic communities, disabled people and those with long-term health conditions. By prioritising diversity, the fund aims to broaden the volunteer base in the sector.

Projects that have been funded in the area include Camglen Radio, a 24/7 community radio station that serves Cambuslang and Rutherglen, with the core aim of addressing inequality, promoting inclusion and improving wellbeing by giving local people a voice. The project includes targeted outreach sessions to engage underrepresented groups in the area.

Another VSF grant will help Project 31 to support people living in Cambuslang and Rutherglen, particularly children, families, parents, carers and older people. The project delivers a significant amount of outdoor activity that is free at the point of contact, which ensures that people are not prevented from participating by the impact of poverty.

I congratulate Clare Haughey on securing the debate and Rutherglen on its 900th anniversary celebrations, and I pay particular tribute to the community of volunteers who have made it all happen.

The Deputy Presiding Officer: That concludes the debate. In order to allow Bob Doris time to get to his next contemporary dance class, I suspend the meeting until 2 o’clock.

13:22

Meeting suspended.

14:00

On resuming—

Portfolio Question Time

Climate Action and Energy, and Transport

The Deputy Presiding Officer (Liam McArthur): Good afternoon. The first item of business this afternoon is portfolio questions, and the first portfolio is climate action and energy, and transport.

Strathclyde Regional Bus Strategy

1. **George Adam (Paisley) (SNP):** To ask the Scottish Government what interaction it has had with Strathclyde Partnership for Transport regarding the Strathclyde regional bus strategy. (S6O-05475)

The Minister for Agriculture and Connectivity (Jim Fairlie): I very much welcome the significant achievement by Strathclyde Partnership for Transport in the development and publication of the Strathclyde regional bus strategy. It provides a strong platform for its consideration of the new powers that were introduced by the Transport (Scotland) Act 2019.

I last met Strathclyde Partnership for Transport in March, when it updated me on its consultation and the strategy at that time, and my officials have been in regular contact with SPT throughout its development and publication. The most recent meeting that my officials attended on that topic took place on 24 November, when SPT's next steps following approval of the strategy were discussed.

George Adam: The minister will be aware that the bus service in Paisley is primarily provided by the operator McGill's Buses. The management of McGill's might be busy with politics at the moment, but my constituents have had buses cancelled at the last minute and there have been on-going price increases from a company that has little interest in our community. That has to change. Does the minister agree that SPT's proposals are currently the best way forward for my constituents?

Jim Fairlie: As the member is aware, private companies have control of those bus routes, following the deregulation by Mrs Thatcher. I am pleased to see that SPT is at an early stage in developing its proposals for improving bus provision in Paisley and the wider Strathclyde area. As part of the franchising process, SPT will be undertaking early engagement with various stakeholders, including neighbouring local authorities and operators, when they begin developing their plans. I understand that SPT has already presented to its partnership board a costed programme and a timeline for delivering its franchising proposals.

Energy Projects (Community Engagement)

2. **Douglas Lumsden (North East Scotland) (Con):** To ask the Scottish Government whether the Cabinet Secretary for Climate Action and Energy will engage with community groups affected by new energy projects now that she is no longer responsible for energy consent decisions. (S6O-05476)

The Cabinet Secretary for Climate Action and Energy (Gillian Martin): It is essential that communities feel able to engage with our planning and consenting systems. The Scottish Government has recently taken steps to make it easier for communities to participate, but I recognise that more needs to be done. That is why I have tasked officials with taking forward plans to establish a forum to hear directly from communities as the strategic plans that will shape the need for future energy infrastructure are developed.

Separately, members will also be aware of on-going work to refresh the good practice principles for community benefits from onshore renewable energy, including our consultation last year, the results of which we published in October.

I have asked my officials to organise an opportunity for me to engage directly with community representatives on the policy refresh, and I will keep Parliament updated on those plans.

Douglas Lumsden: My constituents are at their wits' end. For months, the Government has refused to meet community groups that are seeing their communities trashed by pylons, battery storage and substations, but it is happy enough to meet companies such as Scottish and Southern Electricity Networks. Now, we learn that the ability to submit comments to the energy consents unit by email has been stripped away. That is a cynical manipulation of the planning process and an attempt to shut down my constituents. Taking that ability away is not making the process easier, so will the cabinet secretary commit to allowing constituents to email their comments to the ECU, so that their voices can be heard?

Gillian Martin: I will take that suggestion away. However, I want to make it clear that regulations relating to electricity transmission and distribution networks are reserved to the United Kingdom Government. That is why I was pleased that we reached an agreement with the UK Government on the Planning and Infrastructure Act 2025, which recently afforded new powers to the Scottish Government to make regulations to mandate developers to engage with local communities and stakeholders. That has been voluntary up until

now, and I think that that requirement will make a material change.

As I have said, I will take the member's suggestions away.

The Deputy Presiding Officer: I have a number of supplementary questions. I will try to get through as many as I can, but they will need to be brief.

Paul McLennan (East Lothian) (SNP): It is vital that we continue to balance the need to deliver net zero with the need to protect our natural environment, tourism and rural communities. Can the cabinet secretary say any more about the need to strike that balance, and how that will inform the strategic spatial energy plan?

Gillian Martin: The Scottish Government jointly commissioned the National Energy System Operator to produce the first SSEP for Great Britain. NESO is engaging with a wide range of groups on the development of the next plan, and the preferred pathway option will be consulted on in the next year.

I am keen to hear directly from Scotland's communities about how those plans might affect them and how we can learn from their experiences to ensure that future plans build in effective engagement from the earliest possible stage. The Scottish Government will continue working with NESO and partners to ensure that the SSEP not only aligns with devolved powers and planning mechanisms, but delivers benefit for Scotland's people and communities, and supports the just transition.

Sarah Boyack (Lothian) (Lab): Given that Berwick Bank has now been approved, what is the Scottish Government doing to work with the developer and local communities to reduce the project's impact on seabirds, to deliver local manufacturing and job opportunities, and to enable links to community heat networks? I am happy to get a written update, but those are practical things that the cabinet secretary needs to be leading on.

Gillian Martin: Sarah Boyack mentioned a lot of things in her question and, as she has suggested, I will write to her with more detail on them. On the issue of the impact on seabirds, in particular, I believe that the developer is engaging with the environmental non-governmental organisations on that. More widely, we will be able to put together a marine restoration fund and do strategic work to deal with all the pressures impacting on seabird populations, and we will be able to use some of the money that has come from the development of Berwick Bank to fund the project more widely.

Foysol Choudhury (Lothian) (Ind): Members of the public must now submit their views on major projects through the energy consents unit portal. However, last week, a constituent said that the portal crashes when the traffic is high and times out when people are submitting their views. What is the Scottish Government doing to ensure that these malfunctions do not recur?

Gillian Martin: I thank Foysol Choudhury for bringing that to my attention. If his constituents are having issues with the mechanisms that are there, I will take that back to my officials and get them to ensure that the system is robust for the future.

Finlay Carson (Galloway and West Dumfries) (Con): Given that the energy consents unit has removed the email and online routes for objections, leaving postal submissions as the only option for community groups such as Hands Off Our Hills or the Glengap Community Group, which is objecting to the proposed Lairdmannoch energy park, what assurances can the cabinet secretary give affected communities that they will still be able to participate meaningfully in the process to ensure that local democracy is not undermined by this disgraceful decision?

Gillian Martin: We want to make sure that people are able to put their points of view forward. I have indicated that we have done some work with the UK Government on affording ministers new powers to make regulations mandating that developers engage with lowland communities. I think that it is good—

Finlay Carson: They are objections.

The Deputy Presiding Officer: Mr Carson, you have asked the question. Can we listen to the answer?

Gillian Martin: Thank you, Presiding Officer. It is only fair that I am given the chance to answer.

Finlay Carson: Answer the question.

The Deputy Presiding Officer: Mr Carson.

Gillian Martin: I will write to the member. He might read that instead of not listening to me.

Skye Reinforcement Project

3. **Jamie Halcro Johnston (Highlands and Islands) (Con):** To ask the Scottish Government what discussions it has had with communities, developers and other stakeholders regarding wide loads and any increased traffic movements on the A86, A889, A82 and A87 linked to the Skye reinforcement project and the Glen Mor workers camp at Fort Augustus. (S6O-05477)

The Cabinet Secretary for Transport (Fiona Hyslop): Community engagement for the project is the responsibility of Scottish and Southern Electricity Networks. Transport Scotland, BEAR Scotland, SSEN and their contractors meet regularly to discuss the Skye reinforcement project

and its effects on the roads and local community. Any wide or abnormal loads must be approved by Transport Scotland in advance. So far, no applications for abnormal load movements have been submitted for the project.

Jamie Halcro Johnston: Some of these roads are narrow and in poor condition, and they are all heavily used by tourists, with tour buses and camper vans being a very common sight. They cut through the heart of communities, where schoolchildren, older folk and pedestrians often have to walk across them. Of course, they are already busy routes for local cars and lorries, but now there is the prospect of a series of large loads operating along the routes, with all the delays and dangers that they might bring, and those who live alongside these roads and those who use them regularly are worried.

Last month, despite my invitation, the cabinet secretary would not agree to come to the Highlands and hear from local communities impacted by those projects. If my constituents come to Edinburgh—to this Parliament—will she agree to meet them and listen at first hand to their concerns?

Fiona Hyslop: With regard to responsibilities, a planning condition was imposed on the Skye reinforcement section 37 consent for a traffic management plan to be produced by SSEN and approved by Highland Council. That is where those responsibilities lie.

Highland Council is responsible for the local roads and local impacts. I understand that there are issues in relation to some of the trunk roads. The member asked about wide and abnormal loads on trunk roads, which would come to Transport Scotland for consent; we understand that one such application has been made, and Transport Scotland will respond in due course to Highland Council's request.

As for meeting the member's constituents to discuss local roads and the local impact of the conditions set by the independent Highland Council, I am not sure how appropriate it would be for me to do that. I get requests all the time to visit lots of communities all over Scotland, and the member can understand that that is not possible. If the member's constituents were to come here and I had permission to meet them, that might be possible; however, I am often not in Edinburgh but elsewhere, because when I can do so, I get out and about across Scotland.

If the member wants to follow up in writing about particular concerns, I will see what locus Transport Scotland has to engage more directly and practically. However, I do understand that the needs of communities must be understood.

The Deputy Presiding Officer: I will need shorter responses, cabinet secretary.

Sustainable Transport (Fife)

4. **David Torrance (Kirkcaldy) (SNP):** To ask the Scottish Government what measures are in place to deliver sustainable transport improvements across Fife, including active travel and public transport upgrades, in support of net zero targets. (S6O-05478)

The Cabinet Secretary for Transport (Fiona Hyslop): Significant Scottish Government investment is supporting a range of measures to deliver sustainable transport improvements across Fife, which are helping to advance national net zero targets. That includes continued investment in active travel, with more than 14km of new pathways, including the river park routes project in Leven, the delivery of the Levenmouth rail link and national cycle network route 76 between Earlsferry and Anstruther. That is complemented by bus infrastructure investment in Mr Torrance's constituency of Kirkcaldy, as well as Dunfermline city station enhancements, public electric vehicle charging and place-based projects that encourage modal shift. Those investments sit alongside wider public transport enhancements to improve connectivity and reduce emissions across the region.

David Torrance: Scottish zero emission bus challenge funding of £680,000 has supported the introduction of six zero-emission electric buses in Kirkcaldy. Those vehicles are helping to reduce transport emissions, improve local air quality and support progress towards Scotland's net zero ambitions. What assessment have ministers made of the role of ScotZEB in accelerating progress towards Scotland's net zero targets?

Fiona Hyslop: The Scottish zero emission bus challenge fund has played a significant role in accelerating Scotland's progress towards net zero by supporting the rapid decarbonisation of the bus sector to zero emissions. It has supported the demonstration of new business models, reducing the need for taxpayer subsidy, and the development of charging infrastructure to help vehicle decarbonisation in the future more generally.

Through the fund and its predecessor, the Scottish ultra-low-emission bus scheme, the Scottish Government has supported the deployment of around 800 zero-emission buses and associated charging infrastructure. ScotZEB has leveraged £3.20 for every £1 of public investment.

Scotland currently has more than double the proportion of its public sector bus fleet operating at zero emissions that England, outside of London,

has, which demonstrates the impact of that investment.

Moray FLOW-Park Project

5. **Tim Eagle (Highlands and Islands) (Con):** To ask the Scottish Government when the Cabinet Secretary for Climate Action and Energy will meet with campaign groups regarding the Moray FLOW-Park project proposal. (S6O-05479)

The Cabinet Secretary for Climate Action and Energy (Gillian Martin): As stated in previous responses, the project remains at an early stage. I recognise the strong public concerns and the importance of meaningful engagement with local communities and the fishing industry by the developer.

As part of the standard process, the developer is encouraged to engage with stakeholders and the wider community. Although no marine licence applications have been submitted by the developer, any future application would be subject to the relevant rigorous regulatory processes, including any formal public consultation.

Tim Eagle: I get the same answer every time I ask the question, despite widespread public opposition to the plan. The Moray FLOW-Park is a great example of how to get something the wrong way round. Everyone knows that the proposal is not in the right place, if it is even needed, yet a distant company asked for money and Scottish Enterprise stepped up without even thinking about whether it should talk to local people, fishermen or the council, all because of one report.

We do not need to wait for an application after another £1.87 million of public money has been spent. We can stop this now and start new talks. Given all that the cabinet secretary must now know, will she pull the funding and say to the company not to push forward with an application?

Gillian Martin: Tim Eagle will get a similar answer, because there has not been an application. When Scottish Enterprise—[*Interruption*.] When Scottish Enterprise gives advice to any developer, of any project, that has no implication for the planning process. Scottish Enterprise does not need planning permission to be in place before it can engage with developers or with any companies. It makes its own decisions about when to give funding and for what reasons. It does that without ministerial direction.

The Deputy Presiding Officer : Can we make sure that we listen to the questions and responses with a degree of courtesy, however much we may disagree with them?

Tim Eagle: On a point of order, Presiding Officer. I respect the chair—I always do—but it has become normal practice here that we ask a question on behalf of our constituents and never get an answer. I think that you are seeing some frustration with that, because we get the same answer time after time.

The Deputy Presiding Officer : Thank you for your point, Mr Eagle. As I have made clear to the chamber in the past, reactions to what is being said are natural. When the sedentary interventions continue thereafter, that is where there is a problem.

Budget 2026-27 (Transport)

6. **Gordon MacDonald (Edinburgh Pentlands) (SNP):** To ask the Scottish Government how the draft Scottish budget 2026-27 aims to invest in and deliver for Scotland's transport sector. (S6O-05480)

The Cabinet Secretary for Transport (Fiona Hyslop): In 2026-27, the transport portfolio will invest nearly £4.3 billion to maintain and enhance Scotland's transport network. That includes record investment of £2.7 billion in public transport to fund bus and rail services, concessionary travel for more than 2.4 million people and lifeline ferry and air services.

Our investment will support new ferries, port upgrades and the replacement of ScotRail's intercity fleet. We are piloting a bus fare cap across the majority of the Highlands and Islands, have removed ScotRail peak rail fares for good and intend to remove peak fares for islanders who use northern isles ferry services. We will invest £1.2 billion to maintain and improve the trunk road network. We will progress major projects such as dualling of the A9 and the A96 and enhance road safety to reduce injuries and fatalities.

Gordon MacDonald: Parking at Curriehill railway station in my constituency has reached capacity at peak times. What investment is planned for rail park-and-ride facilities that are accessible to Pentlands constituents?

Fiona Hyslop: The capacity issue is evidence of the popularity of rail travel in the member's constituency. I think that Curriehill station is owned by Network Rail and managed through leasing with ScotRail. I am not aware of Network Rail's or ScotRail's plans in that area. That issue does not feature directly in the Scottish Government's plans and there is no funding allocation for it.

However, the Scottish Government remains open to considering business cases that are submitted by third-party promoters such as the South East of Scotland Transport Partnership to address identified transport issues in their area. Such a business case would have to be assessed across a number of factors to address any problems that are identified.

Sue Webber (Lothian) (Con): The proposed budget reduces the rail infrastructure improvement and rolling stock projects budget by 16.5 per cent. Will the cabinet secretary outline how that will impact the ability to procure new rolling stock and infrastructure improvements, particularly in relation to the procurement of new trains to replace ScotRail's high-speed train fleet?

Fiona Hyslop: It will have no impact whatsoever. That reduction is a result of the previous year's extensive investment, particularly in East Kilbride electrification and construction of the Levenmouth rail line. That year saw a particularly high level of investment.

As members can imagine, rail investment covers long periods and, in terms of the overall planning for rail, we are on target. In control period 7, £4.2 billion is being invested in our rail service, and a lot is happening. I am pleased to say that procurement is progressing as it should be.

Fife to Edinburgh Trains

7. **Murdo Fraser (Mid Scotland and Fife) (Con):** To ask the Scottish Government whether it will provide an update on what progress has been made in dealing with the issue of short-formed trains on services between Fife and Edinburgh. (S6O-05481)

The Cabinet Secretary for Transport (Fiona Hyslop): I fully appreciate that the short-forming of some trains has been impacting passengers travelling on services between Fife and Edinburgh for some time. The reliability of the ageing fleet that serves Fife can affect its availability for services, and ScotRail usually chooses to operate a shorter train instead of cancelling a service altogether.

To rectify those issues in the longer term, we are investing in replacing the trains that serve Fife and in electrification of the line, which will bring significant benefits to the area. In the meantime, ScotRail is undertaking a programme of improvement works on its high-speed trains, which will conclude in May 2026. Those improvements are expected to have a positive impact on the availability of trains serving passengers in Fife.

Murdo Fraser: I have been raising that issue for years and the situation never gets better. We had short-formed trains running just yesterday on the Fife to Edinburgh service. I have been promised for years that the situation is going to get better, but it never does.

I last raised this question on 16 January last year, when the cabinet secretary's response was more or less word for word what she has just told me. She said:

"I absolutely sympathise with the situation, which is not acceptable for passengers."—[*Official Report*, 16 January 2025; c 46.]

She is right that this is not acceptable for passengers, so could she please tell my constituents in Fife when the situation will get better?

Fiona Hyslop: I hope that the member will acknowledge that there have been improvements. There was a particular issue in September last year, but the situation varies from month to month. Investment, particularly in engineering works, has improved the passenger experience and reduced the number of incidents, but I know that short-formed running can cause distress and concern whenever it happens.

The reason why you heard a similar answer is that, as I just said, the procurement of future rail services is taking place according to plan. Current improvements to high-speed trains will make a difference. I have been talking about the May 2026 timeframe for some time, and it is closer now.

There is clearly frustration for Murdo Fraser and for Annabelle Ewing, who has also consistently raised the issue. I understand that and I hope that I can give you assurance that an end is in sight and improvements are coming. Electrification will bring big changes to Fife services.

The Deputy Presiding Officer: I remind members always to speak through the chair.

We have a number of supplementary questions. I will try to take them all, but they must be brief.

David Torrance (Kirkcaldy) (SNP): Can the cabinet secretary remind members how train services in Fife, and between Fife and Edinburgh, have been improved, thanks to actions and investment by the Scottish National Party?

Fiona Hyslop: The most obvious improvement is the Levenmouth rail link, which represented a £116 million spend that reopened that service after decades, with new stations at Leven and Cameron Bridge, which are connected by two trains an hour.

I referred to the £342 million investment that will deliver an electrification programme for Fife. Just the other week, I inspected the works on the Haymarket to Dalmeny line. I know that they have caused disruption for people and that that disruption will continue until such time as the line is electrified. We will be replacing diesel trains in Fife with battery electric trains, which will provide greener and cleaner services and will improve the punctuality and, importantly, the reliability of ScotRail services in Fife.

Sarah Boyack (Lothian) (Lab): Does the cabinet secretary accept that commuting by train is critical if we are to give people the choice not to use their cars? Will she focus on the issue of timescales, which affects not only trains from Fife to Edinburgh but those from the Borders to

Edinburgh? Those key commuting links need extra capacity, and we must ensure that that is delivered as soon as possible.

Fiona Hyslop: I have just referred to the announcement of the £342 million investment. We are also electrifying the Borders railway line, which will provide new trains. Through our integration of track and train, the planning for that allows us to get best value for the public purse, and that approach will absolutely improve things for the Borders and Fife.

There is an ambitious programme for the railways in Scotland. We are pushing ahead with electrification, which is one way in which we can work towards net zero and encourage people to choose trains, as the member suggested.

Annabelle Ewing (Cowdenbeath) (SNP): I have listened carefully to the cabinet secretary's comments and she will know that I have been raising this subject for many years. My constituents want to know by what date there will be no more short-formed trains on the line.

Fiona Hyslop: As I said in my answer to Murdo Fraser, I know that Annabelle Ewing has consistently and persistently raised that issue.

I made the point that May 2026 will see an improvement. The member's question was specifically about when the end will be. I know from my experience that electrification will help to eliminate short-forming. I am not the train operator and will refer to Transport Scotland and ScotRail to confirm what I have said, but I know from experience that it was electrification that finally ended short-forming on the Glasgow to Edinburgh line.

The Deputy Presiding Officer: Question 8 was not lodged, so that concludes portfolio questions on climate action, energy and transport. Before we move to the next item, there will be a brief pause to allow front-bench teams to change.

Ecocide (Scotland) Bill: Stage 1

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is a debate on motion S6M-20606, in the name of Monica Lennon, on the Ecocide (Scotland) Bill at stage 1. I invite members who wish to speak in the debate to press their request-to-speak buttons.

14:26

Monica Lennon (Central Scotland) (Lab): I begin by declaring a financial interest, which is listed in my entry in the register of interests: I have received in-kind support from Stop Ecocide International.

Today, we have a historic opportunity to join a global movement and take the first step towards introducing ecocide law in Scotland. The bill recognises a simple truth: the most egregious acts of environmental destruction must be treated as the serious crimes that they are. Scotland must be more ambitious. The aim of the bill is to prevent mass environmental destruction by introducing severe penalties, including a new offence under criminal law. That is a deterrent that is designed to change corporate culture and to send an unmistakable signal that Scotland values our nature above illegal profit.

There is a growing international recognition that existing laws are insufficient to protect our planet. The bill has received wide-ranging support from the public, businesses, workers and experts, echoing a trend that has been seen in Belgium, in France and far beyond.

I am deeply inspired by the work of Polly Higgins, the late Scottish lawyer and environmentalist. Polly understood that, to protect nature, we must change the rules. By criminalising ecocide, Scotland would show solidarity with those nations that are most affected by climate change and biodiversity loss. As Polly once said, it is a

"simple law to protect the Earth".

I agree. It is a necessary guardrail for our fragile planet, not just globally but locally.

This year, 2026, is the year of green activity, an initiative that was recently launched by Unison to underscore the movement of workers who demand greener and safeguarded workplaces and communities to live in.

Today is the culmination of stage 1 scrutiny. I thank the Net Zero, Energy and Transport Committee and the other committees involved for their diligent work. I am encouraged by the cross-party support for strengthening environmental law, and I warmly welcome the Scottish Government's support for the general principles of the bill.

I acknowledge the committee's concerns regarding the limited time that is left in this parliamentary session. To that end, my bill officials and I have been working intensively with the Scottish Government to draft amendments that address the themes that were raised during the evidence sessions. We are committed to consulting key stakeholders to ensure that their expertise fully informs stage 2.

I turn to the offence. The bill defines ecocide as causing "severe environmental harm" that is either reckless or intentional. Severe harm means harm that is either widespread or long-term. Critically, the bill allows for both individuals and organisations to be convicted. Penalties are significant: individuals could face up to 20 years in prison, and, for organisations, there is no limit on fines. Furthermore, the courts will be empowered to require compensation to repair or mitigate the damage caused.

I want to be clear on two points that were raised during scrutiny. First, on permits, I note that the bill would not criminalise legitimate licensed activities. It is not designed to target businesses that are operating responsibly under current regulations or to impact planning decisions. Members should think of it as a regulatory pyramid, with ecocide law overarching at the top.

Secondly, on the existing law that we have in Scotland, some people have asked whether we can simply amend the Regulatory Reform (Scotland) Act 2014. I do not believe that that is sufficient. The 2014 act deals with strict liability, but ecocide requires a stand-alone crime with a high threshold and corresponding penalties.

Last month, the United Kingdom Government published a national security assessment that identified ecosystem collapse as a direct threat to security and prosperity. That report, which was produced by the UK intelligence community, adds to the evidence base for the need to have an apex environmental law. I will probably return to that in more detail in my closing remarks, as I respond to colleagues' questions about particular suggestions for amendments.

Our purpose today is not to resolve every technical detail but to agree on the general principles of the bill, so that we may proceed to stage 2. The committee's main concern is time, not principle. I reassure members that the work to address concerns is well under way, for which I am extremely grateful to the cabinet secretary, her officials and the Parliament's non-Government bills unit. To allow that work to continue at pace tomorrow, we can say yes today and take this urgent step towards preventing environmental destruction for generations to come.

I move,

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

The Deputy Presiding Officer: I call Edward Mountain to speak on behalf of the Net Zero, Energy and Transport Committee.

14:32

Edward Mountain (Highlands and Islands) (Con): I congratulate Monica Lennon on introducing the bill. I know that she has put a huge amount of work into it, and we have had a good discussion at stage 1. I thank all those who engaged with the committee during our scrutiny of the bill and, in particular, the committee members and our clerks for their hard work and diligence during the process.

The committee agreed from the start that this is a debate worth having. There is a case to be made for strengthening the law. We heard views that the current legal framework lacks an apex offence for serious environmental damage, with penalties to match. We heard about the potential deterrent effect that the new offence might create and how it might influence corporate behaviour for the good, even if prosecutions are rare. We heard views that it would be one way—not necessarily the only way—to keep pace with revised European law.

However, the committee also found two other things. First, the evidence as to whether there is much of a gap in the law is finely balanced. Regulators and prosecutors told us that the existing powers—in particular, section 40 of the Regulatory Reform (Scotland) Act 2014—appear to be more than capable of addressing quite serious harm. They struggled to identify examples of cases that would clearly have met the proposed ecocide threshold.

Secondly, and even more importantly, our scrutiny found significant concerns about the clarity and workability of definitions of key terms in the bill such as "severe environmental harm", "widespread" and "serious adverse effects". Prosecutors and regulators emphasised the importance of legal certainty, especially if prosecution could mean a huge fine or a long spell in prison. Doubts were raised about whether some of the current drafting has the legal certainty that is required.

There was also a concern about unintended consequences. I referred to the potential deterrent effect as an argument for the bill. It could affect risk appetite, but there is another side of the coin. The bill does not provide a defence of carrying out permitted activities or exercising lawful functions, such as approving a planning application. We heard serious concerns about that. We heard that the bill could have a chilling effect on decision makers.

Then there are the practical challenges of enforcement, such as those of establishing the thought process in complex corporate cases, of getting right the detail of employer liability and of allowing alternative convictions if the jury is not persuaded that the conduct was bad enough to justify a finding of ecocide. There is also the fact that the current section 40 offence has barely been used at all. Why is that? That needs to be looked at.

If the Parliament agrees to the general principles of the bill, those issues are not going to go away. The committee was not unanimous on the general principles, but all of us agreed that if the bill reaches stage 2, evidence will need to be taken on those matters—including views from experts on the wording of the proposed amendments. Most of us doubted that there was sufficient time left to get it right and ensure that we have a robust, workable law on the statute book. It is fair to say that I am concerned about where we go from here.

There are two bits of unsolicited advice that I give to the members in the next parliamentary session, from somebody who will not be here in May. First, please let us not have members' bills on complex, controversial issues introduced so late in the parliamentary session. It is unfair on the member in charge of the bill and on the lead committee. It is not where we should start from if we want to make good law.

Secondly, let us not have another Net Zero, Energy and Transport Committee, with its near-impossible remit—it is far too wide and diverse and there are far too many issues to keep on top of. At a point at which some other committees might be winding down, as a committee, we are busier than ever, with the scrutiny of the draft climate change plan coming to a head, loads of important subordinate legislation, legislative consent memorandums on other matters, and the latest issues on ferries—to mention nothing about the Railways Bill.

If the Ecocide (Scotland) Bill proceeds, I will, of course, respect the will of the Parliament and try to adhere to whatever deadlines are set. However, I want to be crystal clear that it will be a serious challenge to scrutinise the bill in the time that remains, to make good law and to make sure that it is effective. Personally, I do not believe that it is a challenge that we can achieve.

14:37

The Cabinet Secretary for Climate Action and Energy (Gillian Martin): I am grateful for the opportunity to contribute to the debate on Monica Lennon's Ecocide (Scotland) Bill at stage 1. The protection of our natural environment is essential and, as such, it is an important priority for the Scottish Government. Last week, the Parliament passed the Natural Environment (Scotland) Bill, which strengthens the law for the first time in important areas, providing a framework for statutory targets.

The Scottish Government has supported the general proposal to introduce an offence of ecocide for the most extreme, wilful and reckless cases of harm. The offence should be understood as something new, standing above the existing offences that relate to environmental damage. It is a particular type of new offence, which is not designed to address behaviours that occur regularly. Rather, it is an offence that is designed to cover the most serious actions—those that, at the very least, we would not expect to occur more than once in a generation and those that we hope will never occur. The actions would have to be so serious that there would need to be a commensurate legal provision to match them. It is hoped that the existence of an ecocide offence on the statute book would further discourage the incidence of what are extreme, serious and—thankfully—rare incidents.

Through the development of the bill, I have had useful, positive discussions with Monica Lennon, who came to me relatively early after her decision to lodge her proposal. She has developed her thinking on an ecocide offence. The public consultation that was carried out by Monica Lennon when she was developing the proposal received wide public support, and many environmental organisations have supported the development of the bill.

I have been clear throughout the process that, as drafted, the bill has some significant flaws. In particular, I have raised concerns about the point of incompatibility with the European convention on human rights and the interaction with permitting systems and the reporting duty. The NZET Committee's stage 1 report is admirably thorough in setting out not only the concerns that I raised at stage 1 but the committee's own concerns and the issues that were raised in evidence. The committee makes a range of recommendations, many of which involve seeking reassurance from the member in charge of the bill, the Scottish Government or both.

Although the committee remains positive about a new higher-level environmental offence, a majority of the committee concluded that there is no realistic prospect of the concerns being addressed before this session of the Parliament ends, notwithstanding what the convener just said. On that basis, the committee recommended that the bill should not proceed any further.

I have considered the committee's report very carefully. As I already set out to the committee,

there are areas where the bill merits amendment—I have said that from the get-go. We are already well prepared on those issues. We have been working on potential amendments, should the bill proceed, and are in regular conversation with Ms Lennon on that. However, Ms Lennon must adequately consider ahead of stage 3 the remaining issues that the committee raised. No doubt she will address some of the convener's comments in her closing speech.

On that basis, the Scottish Government will continue to support the general principles of the bill in the debate. I and my officials will continue to work with Ms Lennon and the non-Government bills unit to ensure that we support the committee's consideration of the bill at stage 2.

I turn to a couple of specific issues that the committee report raised. The report discusses the overlaps between the proposed new ecocide offence and the offence of committing significant environmental harm under section 40 of the Regulatory Reform (Scotland) Act 2014. That issue has been considered throughout stage 1, including in the Scottish Government's memorandum, which was part of the evidence that I gave to the committee.

It is important that the bill and the new offence of ecocide offer something additional to that body of existing environmental law. Further clarity is required on whether the interaction between the offences should be reflected in the bill. A review of the section 40 offence might be appropriate in the future, although the scope of such a review would depend on the Parliament's consideration of the bill. That would be something for the next session of the Parliament.

Douglas Lumsden (North East Scotland) (Con): Does the cabinet secretary agree that the changes would have to be so substantial that it would only be right for the committee to take more evidence on what the amendments could do to the bill?

Gillian Martin: I respect what the convener said in that regard. As he pointed out and as I know as the former convener of two committees, a judgment is made on behalf of committee members about what additional evidence a committee might want to take. It is up to the committee to make that decision, so I will demur from giving my point of view on it.

The report discusses the bill's potential impact on the planning system and permitted activities. I have given further thought to that and discussed it with the Minister for Public Finance, Ivan McKee, following the evidence that the committee received from local authorities, and I am well placed to lodge amendments at stage 2. However, I would be happy to work with any member who is similarly considering amendments on that, including Ms Lennon, members of the committee or members in the wider Parliament.

Other issues that the stage 1 report raised include definitions in the framing of the offence, the bill's treatment of cumulative harm, omissions and courses of conduct. The report also makes some recommendations about the provision of guidance. Those matters were discussed during stage 1 evidence gathering and, although the committee raises concerns that they are not fully resolved, I am confident that we can reach satisfactory positions to guide consideration at stage 2. The Government is willing, as is Ms Lennon—she has stated that already—and I hope that other members will be involved in that, should they wish, and that they will engage with both of us.

I take seriously the concerns that the committee raised. I am very grateful to the committee members for their consideration of the bill. I have to say that I agree with Edward Mountain. I took a member's bill through the Parliament in the previous session and I started it early. My advice, as well as Mr Mountain's, is that, if members start early, such issues will not arise.

14:43

Douglas Lumsden (North East Scotland) (Con): We have reached the crunch time of our parliamentary session, when bills such as the one that we are debating simply do not have the time and space to be debated properly and implemented correctly.

I pay tribute to the member in charge for her tireless work in the area. I have enjoyed the conversations that we have had in and outwith committee, so I thank Monica Lennon for that.

Many people in the north-east will pin their hopes on the bill when they see the environmental damage planned by companies such as Scottish and Southern Electricity Networks. I thought that the bill would stop that damage and that I would vote for the bill. Such projects cause damage on a huge scale. However, the more evidence I heard, the more I came to the conclusion that the bill would not prevent them. On the example of substations, who would be liable? Who would be responsible? Would it be companies such as SSEN or, if they had planning permission, would it be the planning authority? Would it be the councillors who granted the planning permission? Would it be the Scottish Government, which set the planning framework? I do not feel that those questions were answered.

At committee, we wrestled with the question of permitted actions, and I do not think that we had time to get to the bottom of it. The committee's report on the bill raises the issue of the clarity of

definitions of key terms in the bill. Terms such as "widespread" and "long-term" are insufficiently robust. The committee also felt that the approach to those who would be liable for ecocide was too narrow, and there were concerns about incompatibility with the ECHR.

As a member of the committee and having heard all the evidence, I agree that the bill is not in a place whereby we can take it beyond stage 1. Laws that we already have in place could be amended to create an ecocide offence. For example, amending section 40 of the Regulatory Reform (Scotland) Act 2014 would work better. The fact that we are a Parliament that can make new laws does not mean that we should necessarily pass new legislation. As parliamentarians, we have the important tasks of keeping our legislation and laws up to date and relevant while keeping things relatively simple.

I am genuinely surprised that the Government, having read the committee's report, has chosen to ignore it and support the bill. If the bill is agreed to at stage 1 today, we will, as a committee, have to take more evidence on it. Significant amendments will be required, and we have only 21 sitting days of the current session left.

Monica Lennon: I declare an interest as a fellow member of the committee, although I was recused from scrutiny of the bill.

I recognise that, like other committees, the committee has a high workload. However, does the member feel reassured by me and the cabinet secretary that work on the amendments has already started? The memorandum that the cabinet secretary sent to the committee in September set out the Government's thinking. I have been working on the bill for a long time, and I will work rapidly to ensure that we have a small but streamlined set of amendments. Does the member trust that I, as one of his fellow committee members, will not waste valuable parliamentary time but will work to ensure that he can vote on a bill that his constituents in North East Scotland also support?

Douglas Lumsden: I absolutely trust that Monica Lennon would not waste any parliamentary time, but we have to respect the deadlines and timescales that are set out in our standing orders. The more quickly stage 2 amendments are lodged, the more quickly we will be able to start taking evidence on their impact. However, with only 21 sitting days of the session left, I feel that the committee is already trying to do too much, and I do not think that we will be able to do the bill justice.

The bill seeks to introduce unlimited fines and a maximum penalty of 20 years in prison, so Parliament has to get it right. It has to be good law, and it is for that reason that, regrettably, I cannot support the bill at stage 1. I feel that it is severely flawed, through no fault of the member in charge of it, and the evidence that we took during the committee's evidence sessions highlighted those flaws. The best route would be a review of the existing penalties, to be carried out in the next session of Parliament. I hope that I and Monica Lennon will both be back here in that session, so that we can get on with that.

14:48

Sarah Boyack (Lothian) (Lab): I, too, thank Monica Lennon for her work on the bill and for introducing it in Parliament. I know just how much work is required to introduce a bill in our Parliament. I also thank the expert witnesses who gave evidence to the committee, the stakeholders and all our parliamentary staff.

As members who have read the committee's stage 1 report will know, there are key issues that need to be considered in relation to the drafting of the bill and its potential impact. The bill would create a new crime and there would be consequences for intentional or reckless severe environmental destruction, with the court being able to impose an unlimited fine, a prison term of up to 20 years, a compensation order or a publicity order.

Monica Lennon has made the key argument that the European Union environmental crime directive will see EU states strengthening their legislation and increasing their penalties, and it is vital that we do not fall behind other countries but send a clear message that ecocide is not acceptable.

There were several key issues on which the committee took evidence that suggested that we need a joined-up approach to section 40 of the Regulatory Reform (Scotland) Act 2014 if the bill is to be passed. There was clear support for increased penalties, and the fact that the cabinet secretary has been working with the member on key areas where the bill needs to be amended is important.

The cabinet secretary made an important point at committee when she said that she hoped that the bill would never have to be used, because it would mean that such a severe event had occurred. However, the fact that we would not want to use legislation does not mean that we should not have it in place, because the deterrent effect is important. Therefore, the comments made by witnesses to the committee that we need an "apex" to our environmental crime legislation are also right.

The key issue, which has already been mentioned, is that there is a striking lack of prosecutions and convictions under section 40 of

the 2014 act. However, Professor Campbell Gemmell said that we should not assume that the lack of a section 40 prosecution does not mean a lack of environmental harm being caused, and he made the observation that the number of public complaints has doubled while the number of prosecutions has significantly declined. That needs to be considered.

Edward Mountain: Will the member take an intervention?

Sarah Boyack: I apologise, but I have only four minutes.

That is important, because the potential impact of deterrence would have to be backed up by guidance and training for those involved in reporting instances and those involved in prosecutions. That would mean more joined-up work and adequate resources for the Scottish Environment Protection Agency, Environmental Standards Scotland, NatureScot, the Crown Office and Procurator Fiscal Service and the police.

I agree with committee colleagues that the bill needs to be amended, but the fact that work has already been done between both the member in charge of the bill and the cabinet secretary is important. Useful points were made about joined-up thinking during committee meetings. For example, it was suggested that there could be an alternative conviction provision to avoid a gap between existing legislation and new ecocide legislation. Therefore, it is important that we are already having constructive discussions.

More guidance for regulators on the definition of ecocide, such as ecological criteria, scientific indicators and practical examples, is important, because we need to ensure that those who exercise power and control in organisations are held to account. Issues such as contractor-subcontractor relationships also need to be flagged at the next stage.

I agree with what was said in the discussions that the committee had about the bill's application to properly consented activities. Again, the concerns from key sectors will be addressed not only through amendments to the bill but through guidance from Government.

Although the committee members did not all agree that the bill should progress to stage 2, I do not think that we should kick it into touch. It will need work, but that is not an argument for our voting it down today.

14:52

Mark Ruskell (Mid Scotland and Fife) (Green): I thank Monica Lennon for bringing forward Scotland's first ever ecocide legislation. I was delighted to be at the launch of her bill in Edinburgh a couple of years ago. We also both took time in Reykjavik, at the Arctic Circle assembly, to meet international law makers who are pushing for this change globally.

This is a truly a global green movement for change, which reflects that humanity is living through the Anthropocene—a period of lightning-fast destruction caused by just one species on this planet. It is therefore right that an offence of ecocide is reflected in law, and it should be a criminal offence of the highest order to intentionally destroy our environment and our common future.

I am pleased that the Scottish Government has accepted that principle and that it wants us to join the flotilla of countries that are embedding ecocide into their domestic legislation, but how we achieve it in Scotland in a way that dovetails with our existing laws is important. The Scottish Greens will be backing the general principles of the bill, but I am aware, through the evidence that we have taken in committee, that major amendments will be required if the bill is to pass stage 3 in the weeks ahead.

Adopting an ecocide offence cannot be a one-size-fits-all approach across the world, and Scotland's framework of environmental law is relatively well developed, stemming from the decades that we spent in the European Union. An ecocide offence in Scotland makes sense. It would sit at the apex of our legislation with the strongest penalties available where there has been severe widespread long-term environmental damage that has been intentionally caused.

Section 40 of the Regulatory Reform (Scotland) Act 2014 also provides a way for higher penalties to be issued to those who cause some of the worst forms of environmental harm. Increasing the penalties under section 40 would provide another way to incorporate the principle of ecocide into Scots law and would align with the provision in the EU environmental crime directive.

Unlike some members, I do not see the provisions in Monica Lennon's bill and an enhanced section 40 of the 2014 act as being direct alternatives. However, the Crown Office and Procurator Fiscal Service told the committee about the challenges of pursuing a prosecution under ecocide legislation rather than section 40 of the 2014 act and the choices that prosecutors would face in that regard. They would have to make trade-offs between the lower likelihood of a successful prosecution and the severity of a maximum sentence and a higher burden of proof under Monica Lennon's bill's version of ecocide. Clarity needs to be provided on how both options can co-exist and on how prosecutors and juries

could navigate between the two pieces of legislation.

I note the cabinet secretary's response to the committee, which was issued last night.

Edward Mountain: Will the member take an intervention?

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

The Deputy Presiding Officer: There is a bit of time.

Edward Mountain: Given the concerns that you have raised, do you believe, as I do, that, if the bill proceeds, it is really important that we get any amendments in early, so that we can take evidence on them and know whether they are any good?

The Deputy Presiding Officer: Always speak through the chair.

Mark Ruskell: I agree with our convener. We almost need a form of expedited process. I am not talking about a change to standing orders; I simply mean that we need a way of looking at the evidence that will come to the committee, the amendments and the views that we will receive on those amendments. I am looking forward to that process, although I think that it will involve some late nights.

It has been hard for the committee to get its head around the breadth of the bill that Monica Lennon has put before Parliament. This is really challenging stuff. At stages 2 and 3, we will need to get our heads around whether there is a consensus on key areas of the bill that need to be changed.

In her response to the committee's stage 1 report, the cabinet secretary says that the opportunity for further reform of section 40 of the 2014 act in this session has passed. However, she will be aware that my colleague Ross Greer moved amendments at stage 2 of the Natural Environment (Scotland) Bill to increase the penalties under the RRA, and I am sure that that is an area that Green MSPs will want to address in some form at stage 2. We cannot allow perpetrators of environmental crime—especially those who have been reckless and have damaged the environment through neglect—to get away with ecocide because the crime may be too difficult to prosecute under the bill's provisions.

In my closing speech, I will turn to some other aspects of the bill and the evidence, but I reassure Monica Lennon that Scottish Green MSPs will be voting for her bill at stage 1 at decision time.

The Deputy Presiding Officer: I call Liam McArthur to open on behalf of the Scottish Liberal Democrats.

14:57

Liam McArthur (Orkney Islands) (LD): I join others in congratulating Monica Lennon on getting a bill to this stage, as I know only too well that, irrespective of the complexity of the bill, it takes an awful lot of work, commitment and effort to do so. As a signatory of the bill, I echo the sentiments of the NZET convener—this was a debate worth having and that needed to be had. I thank the committee for the work that it has done in allowing that debate to take place and in testing the evidence that has been received. I put on record my thanks to all those who have given evidence.

The bill has highlighted what happens in the current legal landscape and has identified the sorts of crimes that we mean when we talk about ecocide. In doing so, it has confirmed what appears to be a worrying lack of action to date in addressing those crimes. I will turn to that shortly. As the convener acknowledged, the bill aims not just to punish but to deter. Although there are some issues there, I think that that is a desirable dual purpose.

The evidence that was provided to the committee showed that there was broad support among stakeholders for the idea that instances of serious environmental harm ought to be dealt with through commensurate criminal penalties. That view is shared by Scottish Liberal Democrats. In that context, I note the evidence that the committee received from the Crown Office and Procurator Fiscal Service, which suggested that, in recent years, the existing legislative provisions have been sufficient in dealing with cases of serious environmental crime, while other legal and regulatory experts pointed to areas of the criminal law that could be applicable.

There has already been quite a bit of discussion about section 40 of the 2014 act, but I find myself in agreement with what Mark Ruskell said. One of the issues that will need to be teased out if the bill progresses to stage 2 is how, in practice, we ensure that we do not have overlaps in the system that end up creating confusion, which would work against the aims that we all want to be achieved.

I do not underestimate the complexity of striking that balance. I find myself in some sympathy with the convener, not least because of some of the interactions that we have had at the Conveners Group on the work pressures on committees at this stage in the parliamentary session.

I note the views of the cabinet secretary and the support of the Government at this stage, and I note the confidence and the willingness of Monica Lennon as the member in charge to work at pace to try to address the issues that have been raised by all speakers to date. On that basis, the Scottish

Liberal Democrats are prepared to support the bill at stage 1 to allow it to progress.

The Deputy Presiding Officer: We will now move to the open debate. There is a small amount of time in hand at this point, but we will see how that goes.

15:00

Bill Kidd (Glasgow Anniesland) (SNP): I commend Monica Lennon for introducing the bill and for her tenacity in getting it to this stage.

The word "ecocide" is from the Greek "oikos", which means home, and "cide", meaning killing—so it means killing our home, also known as planet earth. Today, the issue could not be more pressing. In an era of accelerating climate breakdown, biodiversity loss and environmental injustice, doing everything that we can to protect our environment—our planet—is not optional but essential.

The modern understanding of ecocide is, sadly, rooted in real and devastating modern history. During the Vietnam war, as an act of war, the USA sprayed more than 19 million gallons of the herbicide agent orange over south Vietnam to deliberately destroy crops and starve the so-called enemy—everybody. The results were devastating, affecting millions in Vietnam, and US veterans, through cancers, birth defects and long-term ecological harm, forcing the world to confront and seek to define the crime of ecocide. That question has echoed through international law ever since. Despite numerous efforts to codify and legislate against the crime of ecocide, notably in the drafting of the Rome statute of the International Criminal Court, getting it on the statute books seemed to be very difficult for us.

However, the campaigns and momentum for the formal recognition of the crime of ecocide have only grown since then, thanks in large part to the much-loved late Polly Higgins, Scottish barrister, author and inspirational environmental lobbyist—and a good friend. Polly presented a definition of ecocide to the United Nations International Law Commission in 2010 that reads:

> "Ecocide is extensive loss, damage or destruction of ecosystems of a given territory … such that the peaceful enjoyment of the inhabitants has been or will be severely diminished."

Pope Francis referred to that definition in his call for ecocide to become a crime in 2019. I am sure that, when she looks down on us today, Polly will be proud of where her legacy is taking us.

In 2024, the European Union adopted its revised environmental crime directive, strengthening criminal sanctions for serious environmental harm. That directive has marked a significant step forward and lends weight to the argument that environmental accountability now has unprecedented political and legal support.

The direction of travel is clear. The time to act is now—not tomorrow, not at some undefined point in the future, but now. Today, Scotland can join the growing recognition. International examples reinforce that message. Kazakhstan adopted an ecocide law, following the major environmental atrocities that took place there, including catastrophic damage linked to the destruction of the Aral Sea. Importantly, Kazakhstan is not alone. Belgium has now included ecocide in its criminal code. Beyond Europe, countries such as Brazil and Mexico are actively exploring similar legal approaches.

Scotland will not be acting in isolation; we will be joining a growing global movement that recognises the need to protect ecosystems through strong and enforceable law. Closer to home, discussions on ecocide are also taking place within the United Kingdom. In 2023, Baroness Boycott—that is her real name—tabled a private member's bill, which sadly fell at the previous UK election. Let us not let that happen here. Scotland has an opportunity to lead, show ambition and set a clear example of how environmental protection and justice can be embedded in our society.

I understand that some concerns have been raised about implementation and enforcement, which is reasonable. Those concerns deserve serious consideration. However, I also note that, although the Law Society of Scotland acknowledged the overlap with section 40 of the Regulatory Reform (Scotland) Act 2014, it has also made it clear that there is scope for adaptation, which would allow the bill to sit within the existing framework without being unduly complex or onerous. It believes that the clear focus of the bill makes that possible.

I am pleased to support the bill and hope to promote the work of Polly Higgins going forward.

The Deputy Presiding Officer: I reiterate that there is a bit of time in hand, so I am able to be a wee bit generous. If that time gets used up, I will let members know.

15:06

Richard Leonard (Central Scotland) (Lab): In the coming weeks, I will be leaving this Parliament for the very last time. When I was first elected 10 years ago, I vowed in coming here to leave the world better than when I found it. I am not sure that I have done that, but I believe that Monica Lennon, who was first elected in the same election as me, in the same region as me and from the same party as me, can say that, in that time, she has made a difference by taking on period poverty and stigma,

and now with this bill, by taking on those guilty of causing severe environmental harm.

The bill will make criminal accountability for intentional and reckless environmental destruction not a theoretical consideration but a legislative reality. That is precisely what the Parliament was founded to do—to legislate, to act and to leave the world better than when we found it. So when I hear members of this Parliament or read of the British Association for Shooting and Conservation—the gun club—speculating on unintended consequences, I say to them: what about the deliberate, the calculated and the intended consequences of the wilful polluters, of the species destroyers and of the nature wreckers?

Bob Doris (Glasgow Maryhill and Springburn) (SNP): I have no truck with the shooting lobby, but as a member of the Parliament who is on the committee that is scrutinising the bill, is it right that we scrutinise potential unintended consequences? Would that not be our job as legislators?

Richard Leonard: The point that I am making is that there has been talk in briefings that we have received about unintended consequences. The overarching purpose of this bill is absolutely crystal clear, which is why we should pass it at stage 1.

For me, this modern question of ecocide is part of an old socialist tradition that goes all the way back to William Morris, whose concern for the natural world was integral to his philosophy of socialism. He warned, a century and a half ago, that commerce and the pursuit of profit would

"blacken rivers, hide the sun and poison the air",

not least because of the unequal distribution of wealth and power—an inequality of power that we still have to address.

For the avoidance of doubt, this ecocide bill before us is not intrinsically anti-capitalist or anti-business or anti-development—it is simply about justice; it is about corporate accountability. This is about establishing a principle of absolute liability. The whole point of the legislation is not that it will be a stick, but that it will be a carrot that will deter bad behaviour; that it will not be an incentive for judicial action, but a disincentive for criminal behaviour.

So to those who are opposing this ecocide bill, I am bound to ask, "Which side are you on?", because you cannot be on the side of nature, conservation and the common good and be an ally of the polluter and the corporate criminal at the same time.

Of course we need proaction, not simply reaction. Of course we need prevention, not simply criminalisation. Of course we need global co-operation. Ecocide laws are being adopted across the world.

We already know that much damage to our ecosystem is irreversible, that it is threshold dependent, that it can have a long gestation period and that when our ecology becomes overloaded over time, it snaps. That is why, in my view, this ecocide law should, rightly, address long-term harms that are cumulative.

Let us all be clear that we are talking about creating a law that would be additional to existing laws—one that the Law Society recognises as distinctive—and that it is needed. When we are told that there have not been many prosecutions under current law, such as section 40 of the Regulatory Reform (Scotland) Act 2014, I say that just because there have not been many prosecutions, that does not mean that there have not been many environmental crimes committed.

So I welcome the proposed ecocide law as a proportionate and dissuasive measure. It is a great privilege to speak in this debate this afternoon, because now is the time and now is the hour.

15:11

Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP): I am pleased to speak in support of the bill, because, at its heart, the legislation is about justice: justice for our environment, justice for our communities and justice for future generations, who will inherit the consequences of the choices that we make today. I thank the member in charge, Monica Lennon, for bringing the bill forward, and I thank the Net Zero, Energy and Transport Committee for its scrutiny.

Too often, environmental harm is treated as an unfortunate side effect of progress—something to be managed after the damage has already been done. However, for many communities across Scotland, environmental harm is not abstract, and it is certainly not evenly shared. It shows up in polluted air, degraded land and contaminated water, and in the loss of local livelihoods and green spaces that people rely on for their health, wellbeing and sense of place. That is why the Ecocide (Scotland) Bill matters. It asks us to draw a clear moral and legal line that the large-scale destruction of our natural environment is not just regrettable but unacceptable.

Crucially, the bill recognises that environmental destruction is inseparable from social injustice. Communities that experience the worst environmental harms are often those that are already facing economic disadvantage, poor health outcomes and political marginalisation. Whether it is industrial pollution, extractive practices or reckless development, the costs are borne locally while the profits flow elsewhere. We

just have to look at the devastating and lasting impact of the collapse of the coal industry in my constituency of Carrick, Cumnock and Doon Valley, which required restoration work costing upwards of £160 million of public money. Not only did we lose the industry, we lost habitats and species. The bill begins to rebalance that equation by placing responsibility where it belongs: on those who make the decisions that cause the severest of harms.

Environmental justice is about more than protecting landscapes; it is also about protecting people. Clean air should not be a privilege and safe water should not depend on our postcode. Access to a healthy environment should be a basic right and not a luxury. By establishing ecocide as a serious apex offence, the bill strengthens the tools that are available to prevent harm before it happens, rather than asking communities to pick up the pieces afterwards.

The bill also sends a powerful message about the kind of economy that we want to build. A just transition cannot be built on environmental sacrificial zones or on the assumption that some communities are expendable. The bill supports a future where economic activity is compatible with ecological limits and where innovation, investment and job creation are aligned with long-term wellbeing rather than short-term gain.

For Scotland, this issue is also about leadership. We have often said that we want to be at the forefront of progressive environmental policy. The bill gives further substance to those ambitions by embedding accountability and prevention at the highest level of decision making. It challenges all of us—Government, business and public bodies alike—to act with care, foresight and responsibility. As we have already heard, that will put us in line with other countries around the world that have introduced ecocide laws.

The climate and nature crises demand urgent action. They demand courage, clarity and a willingness to rethink the rules that have allowed environmental harm to persist for far too long. Supporting the bill is an opportunity to say that justice in Scotland means social justice and environmental justice together, not one at the expense of the other.

Thankfully, instances of ecocide are, indeed, rare, with estimates that it happens only once in every 10 to 20 years, but the impact on our planet and people means that those instances must be treated as being much graver than a simple regulatory breach.

I urge members across the chamber to engage constructively with the bill, to listen to the communities that have long called for stronger protection and to recognise that safeguarding our environment is safeguarding our shared future. We should support the bill at stage 1 and make it workable via early amendments.

The Deputy Presiding Officer: I call Bob Doris.

15:15

Bob Doris (Glasgow Maryhill and Springburn) (SNP): I did not realise that I was next, Presiding Officer.

I start by commending Monica Lennon on her efforts to introduce her bill and get us to this stage. As a member of the Net Zero, Energy and Transport Committee, I heard an impassioned plea from the member for the creation of an ecocide offence that would be a new criminal offence for the most serious environmental harms. Various environmental organisations clearly agreed with Ms Lennon on the need for that.

However, it is also reasonable to acknowledge that much of the evidence to our committee suggested that legislation might not be required or, at least, that there were other ways of achieving the same outcome. For instance, we heard that amending existing legislation, particularly section 40 of the Regulatory Reform (Scotland) Act 2014, might be a more co-ordinated and obvious route to having a specific offence of ecocide. I still believe that that is a distinct possibility.

That said, the committee was also concerned about a lack of prosecutions for offences that would fall short of ecocide, depending on how it is defined, using current section 40 provisions under the 2014 act. Our committee wants to see a “short, targeted review” of those provisions, examining whether there are procedural, evidential or resource constraints. In her contribution, Sarah Boyack talked about resource constraints, which are perhaps limiting the legislation’s effectiveness.

It is important to note that environmental offences under section 40 can lead to a fine of up to £40,000 or five years in prison, but that provision has not been used. We should not pretend that the bill will fill a gap so that environmental crimes in our communities will suddenly get a higher tariff. We have the powers to police and prosecute environmental crimes, but the prosecutions are not happening. Environmental harm is already a criminal offence, which could be added to in order to take account of a more serious form of environmental damage. The bill before us could introduce unlimited fines and up to 20 years in prison, so the threshold is much higher. Intent to cause environmental harm would have to be shown, and recklessness might have to be demonstrated. That is quite right, given the significant tariffs if a prosecution is successful.

One question is whether, following a review, we should reform the 2014 act and legislate as required, or legislate now for the new stand-alone offence. That is a reasonable question to ask. However, there is a wider question, which is why the heck this Parliament has not done proper post-legislative scrutiny of the 2014 act in the first place. That would have informed us in a much more substantial way ahead of considering this legislation.

We have to look at whether there is a benefit to a stand-alone ecocide offence. There perhaps is some advantage. Some witnesses, as well as the member in charge of the bill, passionately believe that a stand-alone offence would offer a greater deterrent. They have also talked about the offence being at the apex of a suite of potential prosecutorial pathways. They have argued that the new offence might help us to align with the revised EU environmental crime directive. Amending section 40 of the 2014 act could do the same thing. You pays your money and you takes your choice as to what the best pathway is to securing what we all want to see.

As has been referred to, we all acknowledge that amendments are required in order for this bill to progress. The committee was concerned about the possibility of prosecutions, which take place under an ecocide offence, not succeeding. The threshold should be high—it is very high, because of the punishment that can be dispensed—and, therefore, a prosecution might fail. That is a distinct possibility if we pass the legislation. In such circumstances, obvious environmental offences might not be punished at all.

The committee believes that a court or jury should be able to

"convict of the section 40 offence on an ecocide prosecution".

There should be a transferability between the new law, if it comes in, and section 40. Drafting any such amendment would require consultation with the Crown Office and environmental regulators, and such an amendment would be required, because the Crown Office described the possibility of a "double-or-quits situation"—whether to go for the prize of the big offence of ecocide or to go for an offence for which a conviction can be secured. It should not be an either/or situation.

If the bill is to proceed, it is self-evident that there will need to be much heavy lifting at stage 2 on matters such as potential prosecutions for permitted activities, planning consents, concerns over liability, cumulative harm—I do not quite agree with Mr Leonard on cumulative harm, but we will agree to disagree on that—and what "severe" means. In addition, what do we mean by "widespread" and by "long-term"?

Richard Leonard: Will the member take an intervention?

The Deputy Presiding Officer: The member is about to conclude.

Bob Doris: I apologise, Mr Leonard, but I cannot take the intervention.

My point is that the bill is well intentioned and it might have a positive impact, but it would take a lot of work at stage 2 to flush out all those issues. I say to Monica Lennon that she has my good will, if not my absolute support, this afternoon.

The Deputy Presiding Officer: Thank you, Mr Doris. We move to closing speeches.

15:21

Mark Ruskell: I thank Monica Lennon and Bill Kidd for raising the legacy of Polly Higgins, who reminded us all that, to protect nature, we must change the rules. Elena Whitham also pointed to the chronic environmental injustice that many communities in Scotland have faced for generations. Such injustice was seen in William Morris's day. He wrote very eloquently about the injustice stemming from the industrial revolution, and we are still dealing with much of that legacy here today.

It is important that we consider ecocide on a national and a global basis. Bill Kidd is right to point to the need to embed the issue of ecocide in international treaties. On my social media every day, what I see happening in Gaza constitutes ecocide—it is a systematic destruction of Palestine's environment.

Those are bigger issues but, regarding what we have before us this afternoon, I note that there has been widespread support for the bill, particularly from Scotland's environmental regulators, who would have to work with and make sense of the bill within the existing framework of environmental law.

A number of members have referred to section 40 of the Regulatory Reform (Scotland) Act 2014. The question of why we do not have more prosecutions has been asked. I do not know—perhaps it is because we are not seeing that level of environmental damage or because of the complexity and difficulties around bringing prosecutions under that measure.

However, I agree with Bob Doris that we need post-legislative review in this area. It is important that there is a "short, targeted review", as the committee concluded, of whether the reasons are to do with resource constraints or other problems. Even though we are very late on in the session, I am looking for the Scottish Government to commit to having that review. If that means looking at the

provisions of the bill and embedding something into it to require such a review, we should look at doing that. We cannot ignore what we already have on the statute books.

A number of members, including the cabinet secretary, have mentioned their hope that there would not be any ecocide prosecutions. I agree—I hope that we will never have a prosecution for ecocide in Scotland. That points to the power of the bill. It is a preventative and deterrent bill. Sarah Boyack spoke strongly on that point. I would have loved to hear Sarah Boyack speak in last week's debate on my Greyhound Racing (Offences) (Scotland) Bill, which is also about deterring harm and damage.

The committee heard evidence that having an ecocide offence in legislation would help to change the culture in corporations. I would have liked to have heard more on that, and if Monica Lennon has more evidence, it would be good to hear it. However, we are starting to hear more corporate voices. Tessa Clark, the chief executive officer of Olio, and the CEOs of six Swedish multinationals have come together to say, "Look, we are the ones who are responsible and we think that ecocide should be embedded in law." I would like to hear more corporate voices, because when the corporate sector backs the bill, we are on to something.

A number of members have talked about the need for a major change in the bill, which Monica Lennon has already acknowledged. The required change is about providing an exemption for those who already have a permit. We know that our existing habitats regulations and environmental assessments are working within the licensing systems that we have. The Government tried to introduce powers to effectively allow a major change to those regulations through the Natural Environment (Scotland) Bill, but that was stripped out of the bill. I feel confident that the systems that we have, with Environmental Standards Scotland and others gauging and reforming the licensing system, give us a robust way to go forward, and there should be a permit exemption in the bill.

I am running out of time, but I go back to a point that the committee convener, Edward Mountain, raised with me. I think that it is important for Monica Lennon to come to the committee with some clear, agreed positions on amendments with the Scottish Government. I would like to see additional written evidence and reflection from the Crown Office and Procurator Fiscal Service, from regulators and from others. There is a danger that we will run out of time for the bill, but I am confident, in agreement with Richard Leonard, that Monica Lennon will leave Scotland in a better place at the end of this session if the bill gets through.

15:25

Katy Clark (West Scotland) (Lab): I am pleased to close the debate on behalf of Scottish Labour and to thank our colleague Monica Lennon and her staff for all the work that they have undertaken to bring forward this important bill. I also thank the committee members, clerks and all the stakeholders who have been involved in scrutinising the bill ahead of the stage 1 debate, and I thank those who have campaigned for it.

Today, the Parliament is being given the opportunity to support the general principles of the bill and to take a clear stance in defence of our environment. We recently passed the Natural Environment (Scotland) Bill, which rightly set targets in relation to environmental protection, but those targets will be meaningless if they are not backed up by action.

As members have made clear in the debate, ecocide is a serious threat to our environment that we must act to prevent. Monica Lennon is correct to say that we must be more ambitious. Ecocide is the destruction of our natural environment by human beings through deliberate or negligent acts. We have already seen various examples of potential ecocide internationally, from the use of chemical agents in warfare to mining, fracking, destructive fishing practices and the deforestation of the Amazon. We have also seen many deliberate actions that harm our environment in the UK. Water companies have been accused recently of illegally dumping sewage in our rivers and seas.

The bill is a way in which we can begin to take more action to deter the environmental threat that is posed by ecocide. As members have highlighted, the bill would create a new and specific criminal offence of intentional or reckless acts that cause severe environmental damage. We hope that it would deter individuals and corporations from engaging in environmental harm through sanctions, including imprisonment for individuals and limitless fines for corporations, and empower courts to seek compensation to address environmental damage.

Although Scotland would be the first nation in the UK to pioneer such an approach to deter ecocide, members have rightly noted that the bill would align Scotland's approach with actions that have been taken by a number of other countries. Countries including France and Belgium have already passed legislation to address the threat that ecocide poses, while the environmental crime directive requires member states to strengthen penalties for severe environmental harm.

The committee made clear in its stage 1 report that Scotland lacks a clear offence that reflects the consequences of deliberate or reckless environmental destruction. I understand that the

committee expressed concerns, which members have spoken about today, about definitions and how the bill would interact with existing legislation. Monica Lennon has indicated that she is willing to work with the Scottish Government and other members to address some of those issues should the bill progress to stage 2. Given the lack of time remaining in this session, I hope that that work is undertaken.

Scottish Labour is clear that the Parliament should agree to the general principles of the bill. We hope that it would never be used but would act as a deterrent. We also think that it is important to have it in place, in addition to the offences that currently exist, in the event of serious destruction of the environment. Adding a specific criminal offence to deter ecocide to the environmental offences that already exist could send an important signal that Scotland is serious about environmental protection. I hope that we will pass the bill at stage 1 today and that that will lead to further discussion about what more we can do.

The Deputy Presiding Officer : I call Maurice Golden to close on behalf of the Scottish Conservatives.

15:29

Maurice Golden (North East Scotland) (Con): I begin by congratulating Monica Lennon on introducing the bill, because I know from personal experience how much work and determination are required to get a bill to stage 1. I also recognise the member's long-standing commitment to environmental protection, which I share.

The bill represents an opportunity to take decisive action to prevent and, where necessary, punish acts of serious environmental harm. There is, of course, already provision in law to address environmental damage, but, as early as 15 years ago, the Scottish National Party manifesto for the 2011 election recognised that there was work to be done in this area and included a commitment to publish an options paper on an environmental court. Monica Lennon's bill largely attempts to achieve something similar.

Rights without any means of enforcement are truly useless. As part of the United Kingdom, Scotland is bound by the United Nations Aarhus convention, which requires that people must be able to challenge situations in which their environmental rights are denied or in which environmental laws are broken. That is where we see the failure of the current environmental protections and associated legislation here in Scotland.

I therefore agree with Monica Lennon that the most serious cases should be treated as more than regulatory breaches. Creating a stand-alone offence would place such acts firmly in the realm of the criminal law. That matters because it would send a clear signal that environmental destruction is not a technical failure but a serious crime. It would also demonstrate that the Scottish Government expects businesses and the public alike to take their environmental responsibilities seriously.

There is growing international precedent for such an approach. Belgium and France have introduced ecocide laws, the Netherlands is considering similar action and the EU's environmental crime directive requires member states to criminalise the destruction or damage of large or highly valued ecosystems and their habitats.

As with any bill at an early stage, there are important issues to consider, including compatibility with the ECHR, the scope of liability and the need for clear definitions to ensure legal certainty and effective enforcement. That last point is a decisive one. The majority view of the committee is that the bill should not progress, largely due to concerns that there is insufficient time to resolve the issues with the definitions. I have some sympathy with the members who dissented. Stage 2 would ordinarily be the appropriate point at which to test whether such concerns could be resolved, but instead, the committee recommends that new legislation be introduced in the next parliamentary session. I admit that that concerns me because it feels like kicking the can down the road: we should remember the much-hyped and much-delayed Circular Economy (Scotland) Bill, which ended up putting off meaningful action.

We have a dilemma before us. Parliament cannot credibly claim leadership on climate action if it repeatedly delays taking action but, with less than two months of this session remaining, we must also accept that rushed legislation is rarely good legislation.

The Deputy Presiding Officer: I call the cabinet secretary, Gillian Martin, to close the debate on behalf of the Scottish Government.

15:33

Gillian Martin: I will try to keep my comments brief, because I know that the member in charge will want to respond to the debate in full.

I have listened carefully to members' contributions and I assure them that my officials and I will consider in detail the issues that have been raised in the committee's report and in the contributions made today. This has been a fascinating debate and it has been interesting to hear members' passion about the issue and their takes on Ms Lennon's proposals. We have seen

the Parliament working at its best and, although we might not all agree on the issues, there has been consensus that environmental crime should be punished in a way that deters environmental damage of whatever type.

I pay tribute to Monica Lennon for raising awareness of the importance of preventing serious damage—it is great that we are having this debate, and I do not want to kick the can down the road.

Edward Mountain: Will the cabinet secretary take an intervention?

Gillian Martin: I will, in a second.

Monica Lennon has brought a global campaign to the Parliament. We will not be the front runners on this issue. Many countries—many members have mentioned which ones—have already taken this stance.

Edward Mountain: The committee has only seven meetings left, and we have already asked for another one. There will be three meetings on the climate change plan, and time for two of those is already allocated. If the bill is to go further, the cabinet secretary will have to lay out amendments in the next week or so to allow the committee to schedule the evidence. Is she in a position to do that?

Gillian Martin: I have already set out the nature of the amendments that we want to lodge: we want to replace the legal or persuasive burden in the defence of necessity with an expressly evidential burden; we want to remove the reporting requirement; and we want to add a defence of acting under a permit or under other authorisation. I have also said repeatedly that we have been working on amendments to the bill. Forgive me, but I will not put anything more on those on the record and so constrain my time.

However, I emphasise that I appreciate the constraints that the committee is under. I was in that situation as a convener at the end of the previous parliamentary session, when we were exiting the EU and all the statutory instruments were coming through in addition to the climate change plan. I completely understand such constraints.

Many members have expressed the hope that if the bill comes to its conclusion and is passed by the Parliament it will be a law that never has to be used in court. Given the severity of what we are talking about, such a situation must be avoided.

I have indicated that I am considering other amendments—ones that would be appropriate in response to the concerns that local authorities have raised—and the possible linking of the new offence to the existing offence under section 40 of the Regulatory Reform (Scotland) Act 2014. I am also taking into consideration members' comments about the very high bar for proving ecocide and the reticence that complainants might therefore have about going too high up the chain for fear of an allegation not reaching that high bar and a section 40 offence then not being made out. I have talked about that during stage 1.

I will leave the Parliament to decide how it wants to proceed. However—

Sarah Boyack: Will the cabinet secretary take an intervention?

Gillian Martin: I am just about to sit down.

The Government remains supportive of the general principles of the bill at stage 1.

15:37

Monica Lennon: I thank all colleagues for their contributions to the debate. It is clear that members have put a lot of thought into the points that they wanted to make. I will repeat what I said at the beginning of the debate: I take the committee's report seriously, I am grateful for its work, and I understand the time constraints on everyone's work in the Parliament in February, as we find ourselves just ahead of an election.

However, we have to make every minute in the Parliament count. I again assure Edward Mountain, who is the committee's convener, and all colleagues that work is well under way to identify the areas for amendment on which the Government and I agree. I am genuinely looking at all the committee's recommendations to see where amendments are appropriate. I will work at pace—not in a rush, and not like a headless chicken, but in a serious, committed way—to get this done. I give the Parliament my word on that.

I agree with Maurice Golden and other colleagues that the issue is too important to kick down the road. The cabinet secretary is right; it is not about Scotland trying to show off that we are the front runners—we are not; we are lagging behind our neighbours in the European Union.

This week, the issue was raised in the House of Commons, where ministers are looking at the issue across portfolios, including in the Ministry of Justice and the Department for Environment, Food and Rural Affairs, because, as Bill Kidd said, there was a bill in the House of Lords. I assure Bill Kidd that Baroness Rosie Boycott is a real person, who—like Russell Findlay, who is not here today—spent time as a journalist, investigating powerful, wealthy people and holding them to account. She worked with colleagues from across the benches in the House of Lords and also with people of no political persuasion.

Maurice Golden: Does Monica Lennon agree that precedent was set in the previous parliamentary session with the Tied Pubs (Scotland) Bill, which had—I think, from memory—around 247 amendments to be taken at stage 2 in March 2021, yet the committee worked hard to ensure that all those amendments were disposed of so that the bill could move to stage 3? The timescale that Monica Lennon is facing has been experienced and dealt with before by this Parliament.

Monica Lennon: As a socialist, I always have a glass that is half full, and I believe that we can get this done—I will move mountains to get this done.

Edward Mountain: You might have to.

Monica Lennon: I have great faith in Edward Mountain, even though he might be talking himself down today. As convener, he expertly chairs the committee every Tuesday morning.

As I look around at the colleagues who are in the chamber, I know that we can do this. As Douglas Lumsden said—I think that he is flirting with the idea of supporting the bill—it matters to the people of the north-east of Scotland; it matters to my constituents; and it matters to us all.

There are technical points for us to deal with. I understand members' frustration and curiosity about section 40 of the 2014 act and why there have been no prosecutions. Colleagues have raised concerns about whether we have the right resources in place for our regulators, including SEPA. I hope that the bill has allowed that debate to open up.

I thank Bill Kidd for mentioning Polly Higgins, and I want to mention those colleagues, including Richard Leonard, who brought tears to my eyes. I cannot take people being nice to me—I am not used to it.

However, I reassure members that this is not about being sentimental or about Scotland trying to get headlines. We are now one of the most nature-depleted countries in the world. We all love Scotland and we all care about its future, but we cannot be complacent any longer.

In committee, when the cabinet secretary was giving evidence, colleagues asked, "What if the bill puts off investment? What if people do not want to come to Scotland because we have an ecocide law?". Well, I want people to know that we will have an ecocide law. We welcome investment and we want development, but we need it to be in the right place and done in the right way, and I have great trust in our planning authorities to do that. Maurice Golden is giving me a look; I note that my husband is a planner, so I have to say that I trust our planners. Planning is where I learned about protecting our environment, and we must recognise that planners already look at environmental impacts.

Amendments have already been set out in writing that we agree on, and we can work on them at pace. I am listening to all committee members, but it is up to the committee to agree the time to do the work. I will be working, and my door will be open to everybody. If we kick the issue down the road, we will do a great disservice not only to our current constituents but to future generations. That is why it is not just environmentalists backing the bill—it is health charities such as Asthma and Lung UK and bodies such as the Children and Young People's Commissioner Scotland, because they know that our young people need a safer, healthier Scotland.

I thank the Scottish Government and all members who are backing the bill. To those who are not yet convinced because they are worried about the amount of time left, I ask them to give the bill a chance. I assure all members that I will work night and day to ensure that we will have a robust bill at the end of the process.

The Deputy Presiding Officer: That concludes the debate on the Ecocide (Scotland) Bill at stage 1. There will be a short pause before we move to the next item of business.

Non-surgical Procedures and Functions of Medical Reviewers (Scotland) Bill: Stage 1

The Deputy Presiding Officer (Liam McArthur): The next item of business is a debate on motion S6M-20646, in the name of Jenni Minto, on the Non-surgical Procedures and Functions of Medical Reviewers (Scotland) Bill at stage 1. I invite members who wish to participate in the debate to press their request-to-speak buttons.

15:45

The Minister for Public Health and Women's Health (Jenni Minto): Non-surgical procedures have become increasingly popular, but regulation has not kept pace with what is a growing industry. Many people who undergo such procedures are happy with the results and there are many responsible practitioners operating in the medical and beauty parts of the sector. Many people value those procedures; the bill is not about restricting access to them or judging anyone who receives them.

However, I have heard a number of powerful accounts of such procedures going wrong, including the account of the tragic death in England of a young mother. I am grateful to those who have brought the stories to my attention, including many MSPs who have campaigned on the issue. I present the bill in my capacity as minister for public health. However, as minister for women's health, I am conscious that those stories of harm have predominantly affected women. We must act to minimise the risks of future harms to anyone who receives such procedures.

I welcome the Health, Social Care and Sport Committee's constructive and thoughtful report and have given a lot of consideration to its proposals. I am grateful to the members across the chamber who have engaged with me for some time and who have arranged round tables to ensure that a wide range of voices have been heard.

Alex Cole-Hamilton (Edinburgh Western) (LD): Will Jenni Minto give way?

Jenni Minto: I will just finish my paragraph.

I am committed to maintaining consensus and would like members with proposals for improving the bill to raise them with me.

Alex Cole-Hamilton: I, too, read the committee's report with interest. The minister is right that those who avail themselves of such services are largely female; the sector is also largely female led and dominated by self-employed practitioners. Does the minister recognise the concerns raised in the committee's report that there is a risk that, if we get the balance wrong, skilled and experienced practitioners could be regulated out of their profession altogether?

Jenni Minto: I will touch on that later in my contribution.

As well as having meetings with members, I have heard directly from a wide range of interested groups and have met practitioners from the clinical and non-clinical parts of the sector. Events were hosted during the consultation period for non-healthcare practitioners and businesses, and we met groups representing doctors, nurses and other professionals. We received more than 2,000 responses to our consultation and almost 600 responses to a survey that was directed at businesses. We also met regulators and professional bodies.

The bill will make procedures safer for everyone. It will ensure that procedures take place in appropriate, hygienic settings, where healthcare professionals are involved in the provision or management of services and can assist if there are complications. It will also make it an offence to provide such procedures to a person who is under 18. An order has been introduced separately that establishes a local authority licensing scheme for lower-risk procedures.

Although we should protect the right of adults to access non-surgical procedures safely, I am confident that I speak for a large majority when I say that those procedures are not suitable for people under 18. It was reassuring to see the provisions on that being backed strongly by the Health, Social Care and Sport Committee. The provisions also address the gap between Scotland and England, where Botox and fillers are already banned for under-18s. The bill goes further, covering a wider range of procedures, to enhance that protection.

I will cover the point that Mr Cole-Hamilton raised. Although there is compelling support for the action we are proposing, I recognise that, as with all public health actions, there is a need to minimise the impact on legitimate and well-intentioned practitioners. We have listened carefully to all those who have offered views on the bill. I reflect on the concerns of people in parts of the sector that are currently non-regulated and not clinically led. I have been impressed by the skill and expertise of many practitioners and business owners, the vast majority of whom are women. Many are clearly committed to being well trained in their work and operate with careful regard to safety.

I have no interest in putting unnecessary burdens on those businesses. I do so only if I think that it is necessary to achieve the wider public

safety aims that I seek to achieve. However, I know that the proposals will be a challenge for some businesses. There is scope for guidance and support for businesses that are looking to transition to the new regulatory regime, and some businesses may be able to offer licensable procedures instead. I have committed to giving businesses time to make the changes that they need to make.

Maurice Golden (North East Scotland) (Con): Does the minister accept that the bill will make 1,800 female-led businesses go to the wall?

Jenni Minto: I do not recognise those numbers. I have been clear that I will work with businesses and with Mr Golden to look at what is possible.

However, I know that there are many who think that our approach is lacking in a different respect and who have said that the bill should be far more restrictive. That indicates the balance that I have sought to strike throughout the process: addressing the grave concerns that many people have about managing and minimising the risks of non-surgical procedures but, at the same time, minimising the effects on businesses. I commend the bill as the right way forward on an issue that clearly requires action.

I am also pleased to speak to part 2 of the bill, which includes amendments to the Certification of Death (Scotland) Act 2011. Those amendments extend the right to request an interested person review and update the provisions on authorising cremations in Scotland when a death has occurred elsewhere in the United Kingdom. I thank the committee for supporting those changes and note its recognition of the benefits that the measures will bring.

Extending access to interested person reviews is an important step in strengthening public confidence and ensures that all relatives have the same opportunity to request a review when that would provide clarity or reassurance. We are also removing the requirement for medical reviewers to authorise cremations when the death took place in another part of the UK. Other UK nations already operate robust and reliable death certification systems. Recognising those processes avoids duplication, reduces delays for families and maintains appropriate safeguards.

I again thank the committee for its work on its report, and I thank everyone who gave evidence at stage 1. I look forward to hearing members' views and encourage them to support the progress of the bill.

I move,

That the Parliament agrees to the general principles of the Non-surgical Procedures and Functions of Medical Reviewers (Scotland) Bill.

15:52

Clare Haughey (Rutherglen) (SNP): As convener, I am pleased to open the stage 1 debate on the Non-surgical Procedures and Functions of Medical Reviewers (Scotland) Bill on behalf of the Health, Social Care and Sport Committee. I thank everyone who contributed to the committee's stage 1 scrutiny of the bill by providing written or oral evidence and place on record my thanks to the committee clerks for their work at stage 1.

During its scrutiny, the committee heard extensive evidence that non-surgical procedures such as Botox, fillers, strong chemical peels and some microneedling—many of which are provided for cosmetic purposes—can carry significant risks if not carried out in appropriate settings and by suitably trained practitioners. Our committee has concluded that patient safety has to be the overriding priority when considering regulation in the area. We have heard evidence of great variance in standards adhered to by practitioners who carry out non-surgical procedures. Therefore, robust regulation is necessary to ensure that people who want to access those procedures can do so safely and in a properly informed manner.

We fully support the provisions in the bill that will make it illegal to carry out non-surgical procedures on people under the age of 18. That is a welcome step towards protecting young people, who can be particularly vulnerable to influences about beauty standards from social media.

The committee supports the Scottish Government's two-tier approach to regulation. Through the bill, high-risk procedures will be allowed to take place only in permitted premises, including in Healthcare Improvement Scotland-registered clinics, and under the supervision of authorised medical practitioners. Meanwhile, lower-risk procedures will be regulated through secondary legislation under the Civic Government (Scotland) Act 1982, which the committee has also recently scrutinised.

At the same time, the committee concluded in its report that the bill currently lacks important detail on the specifics of clinical supervision and training requirements for those who will be allowed to undertake and supervise procedures. The committee acknowledges the impact that the United Kingdom Internal Market Act 2020 has had on the Scottish Government's ability to legislate in the area. Nonetheless, we urge the Scottish Government to work with the UK Government to ensure that all those who carry out such procedures are suitably qualified to do so.

Our inquiry identified a number of other areas where the Scottish Government will need to work with the UK Government to resolve certain related issues. They include improved classification and

regulation of certain devices and substances that are used in non-surgical procedures, regulation of irresponsible advertising of non-surgical procedures, and action to address the potential risk that regulation of the sector will result in an increase in cosmetic tourism.

During the scrutiny process, we heard concerns from many independent aesthetic practitioners that their businesses would be negatively impacted by the proposed approach to the regulation of non-surgical procedures that is set out in the bill. To alleviate those concerns, our report calls for appropriate guidance and support to be provided to help responsible practitioners to make a successful transition to the new regulatory framework. We also support a staged approach to enforcement that will give responsible practitioners suitable time and resource to adjust to the new regime.

As part of its scrutiny, the committee took evidence from Healthcare Improvement Scotland, which will have new powers of enforcement under the bill. We heard concerns about the extent to which HIS will have sufficient resources, capacity and training to be able to carry out its enforcement role effectively from the outset. To address those concerns, we call on the Scottish Government to publish an implementation route map to ensure that suitable processes, systems and resources are put in place by the date on which regulations will come into force.

Evidence that was submitted to the committee further highlighted that the penalties for offences that are created by the bill may not be sufficient to deter the bad actors who are willing to provide non-surgical procedures illegally. We therefore call for stronger penalties for offences that are committed under the terms of the bill.

The bill will provide an opportunity to improve data gathering on non-surgical procedures, particularly concerning the rate of procedures that are carried out successfully versus those that involve a complication or adverse reaction. More systematic data gathering will allow the bill's implementation to be monitored and evaluated over time to determine its impact on patient safety.

Our scrutiny suggests that there is not a good level of awareness among the general public about the potential risks that are associated with such procedures or how to make a properly informed choice when accessing them. Our report therefore calls for a public awareness campaign as part of the implementation of the legislation to ensure that people have the confidence and knowledge to make informed choices should they wish to undergo a procedure.

Part 2 of the bill, which is entirely unrelated to part 1, concerns processes for certification of death and authorisation of cremation. The committee supports the proposed changes to those processes that are set out in the bill. Our view is that they will improve the processes by which medical certificates of cause of death are reviewed in Scotland, making them fairer and more efficient.

Subject to the recommended improvements that I have outlined, the committee strongly supports the bill's provisions and has recommended that the general principles of the bill be agreed to. I look forward to hearing the contributions to this afternoon's debate and to considering the bill further should the Parliament vote to approve its general principles.

15:58

Sandesh Gulhane (Glasgow) (Con): I declare an interest as a practising national health service general practitioner.

At the heart of the bill is one simple issue: patient safety. At present, that safety is far too inconsistent, and in some parts of the non-surgical cosmetic sector, it is worryingly fragile. Let us be clear about the procedures that we are discussing: they are not ordinary beauty treatments. They involve needles, injections, prescription-only medicines such as botulinum toxin, and substances being placed under the skin. When things go wrong, the consequences can be not minor inconveniences but permanent scarring, tissue damage, psychological trauma or even emergency hospital treatment.

Many practitioners operate responsibly. They maintain clean premises, follow proper consent procedures and know how to recognise and, most important, manage complications. Those professionals deserve recognition, and many of them actively support and want stronger regulation, because they want a level playing field. They do not want to be undercut by individuals who complete a brief training programme and immediately begin carrying out invasive procedures without the same standards or safeguards.

In one case that I heard about, a practitioner failed to recognise that a patient was experiencing a severe allergic reaction following dissolution treatment, which required urgent intervention and emergency hospital treatment. In another instance, a client received the wrong injectable product under the eyes, which caused severe swelling and required medical referral, yet they struggled to obtain follow-up care or even basic accountability from the practitioner involved.

There are also examples of proper consent procedures clearly not being followed. One patient who was uncertain about proceeding with a

treatment of Botox was encouraged just to undergo the injections immediately, so that she had no time to think about it, before being given an additional procedure that should never have followed the injection. The result was significant facial complications only weeks before her wedding.

Such situations are not hypothetical risks; they are real, and they are being experienced by real people in Scotland today. We have also seen cases in which complications such as vascular occlusion following lip filler treatments have left patients with lasting disfigurement. In several of those situations, complaints were reported, but little or not effective action followed, leaving patients uncertain where to turn and responsible practitioners frustrated by the absence of consistent enforcement.

We would never allow someone in a hospital to carry out minor surgical procedures in an environment that lacked proper infection control, medicine storage, documentation or emergency preparedness, but at present those same minor surgical procedures are occurring in settings that would not meet basic clinical standards. This bill is about drawing a line. There should be proper training, proper consent, safe storage of medicines, clinical hygiene and clear mechanisms for accountability when things go wrong.

Some concerns have been raised about the potential impact on small businesses. That is an important consideration, and consultation with the sector must continue to ensure that regulation is proportionate and workable. However, patient safety cannot depend on the size of the business or the setting in which treatment takes place. Procedures performed in a small or home-based practice must meet the same hygiene, safety and professional standards that larger facilities such as hospitals have to meet. Responsible businesses understand that, and many welcome the regulation, because it protects their reputation and their clients.

It is clear that some people are buying injectables from less than reputable places, which is resulting in questions about the quality and safety of those medications. When unregulated or poorly regulated procedures lead to complications, the cost—both financial and clinical—does not disappear; it is simply transferred to the NHS, corrective medical services and, most important, to the patients who have to live with the consequences. Not only is preventing harm in the first place safer, but it is the far more efficient and responsible thing to do.

The bill should not be about restricting a sector—it should be about modernising oversight so that regulation matches the reality of current practice. The number of non-surgical cosmetic procedures has expanded rapidly during recent years, and we have simply not kept up. By establishing clearer standards, stronger oversight and appropriate safeguards, we can protect patients, support practitioners and ensure that when people choose to undergo such procedures, they can do so with confidence and in the full knowledge that safety comes first. It is for those reasons that I am pleased to support the general principles of the bill.

16:03

Carol Mochan (South Scotland) (Lab): I am pleased to confirm that Scottish Labour will support the bill at stage 1.

During the committee's evidence gathering sessions, it was clear that the bill could have the potential not only to address gaps in a largely unregulated sector, but to greatly improve patient safety, as has been said. With the growth in the non-surgical cosmetic procedures industry, a worrying gap has been highlighted in essential regulation to protect people. For too long, the industry has operated without proper safety, accountability and professional standards in place, and that has allowed many to take advantage of some of our consumers.

Just to be clear, I know that many practitioners seek to keep the sector professional and practise at a high standard—this is about the need for proper accountability and regulation. The unaccountability and lack of regulation must come to an end and introducing further restrictions is a necessary step towards improving patient safety, which is the top priority.

As I have said, Scottish Labour recognises that the bill is not perfect and that there are a number of concerns about supporting the move to a new era of regulation, safety and standards that must be addressed at stage 2. I recognise that the minister has committed to doing that. We want fair and appropriate regulation that ensures the highest standards in patient safety, while supporting those providers who deliver a professional and safe service.

A key concern that was raised during the committee's evidence gathering was about the inconsistencies in the training and qualifications of people who provide non-surgical procedures. There was consensus on the need for robust training and national standards to be put in place to ensure clarity and consistency. I hope that the minister will be able to give some feedback on that in her closing remarks, because the committee made it clear that the establishment of clear and appropriate standards will be critical to the bill's implementation.

In addition, serious concerns were raised about whether the sanctions for committing offences under the bill went far enough and whether they would act as a strong enough deterrent for bad actors who are willing to commit repeat offences. I welcome the fact that the Government has recognised those concerns and is considering what more can be done to address them.

An equally important issue for compliance is whether providers are being given enough support to help them ensure that they follow the law. The Government has been unable to provide any detail on what such guidance would look like, and it has not been able to confirm whether businesses will receive financial support for some of the transitions that will be necessary. We hope that that will be covered at stage 2, and I would welcome any comments from the minister to indicate that we might be able to work together on that.

As well as providing guidance for providers, the bill presents a welcome opportunity—

Sandesh Gulhane: Will the member give way?

Carol Mochan: Of course.

Sandesh Gulhane: Does the member agree that we must also strengthen Healthcare Improvement Scotland and ensure that it has the capacity to carry out the functions that the bill will require it to?

Carol Mochan: That was a very helpful intervention. We heard that HIS needs to be strengthened. If we are serious about tackling the issue, we must ensure that HIS gets the appropriate funding and support for that work.

The committee also discussed the fact that the bill gives us a great opportunity to educate the public on the standards and qualifications that they should look for when they want to have such procedures carried out. We heard that many people might not understand the risks associated with the procedures, know which procedures are regulated, or know how they can ensure that their practitioner has been verified as a qualified practitioner and that the premises have been verified as safe. One witness who gave evidence to the committee argued that public awareness is extremely important and will be fundamental in enabling the bill to work effectively. Therefore, I ask the Government to take that issue seriously and to provide appropriate resources to ensure that we can increase public awareness.

I will close now, because I know that I am over time. As I have said, Scottish Labour supports the bill, and we look forward to working with other members to get it right at stage 2.

16:07

Gillian Mackay (Central Scotland) (Green): In my opening contribution, I want to spend some time reflecting on why we need the bill in the first place.

In March 2024, healthcare professionals warned that Scotland had become the worst country in Europe for unqualified practitioners injecting customers with cosmetic treatments. In its submission, the British Association of Plastic, Reconstructive and Aesthetic Surgeons—that is not easy to say at this time on a Thursday—said:

> "The impact on the NHS and public resources is significant. Our members are witnessing an alarming increase in severe complications from procedures performed by unqualified practitioners, many requiring emergency NHS care or even resulting in loss of life."

Moreover, the Royal College of Nursing highlighted:

> "None of the procedures listed in this Bill are without risk and there is a lack of any reliable data on the cost to the NHS of complications arising out of these procedures."

Although we need to improve the data in order to better understand the full costs, the evidence from clinicians is clear. A survey that was conducted by the Medical and Dental Defence Union of Scotland in October 2024 revealed that 35 per cent of respondents who worked in a medical field in Scotland had treated patients who had needed care following complications that arose from unregulated cosmetic procedures, and 86 per cent thought that the number of patients each year who seek care following complications resulting from unregulated cosmetic treatments had increased.

The proposed ban on procedures for under-18s is particularly important. The Royal College of Surgeons of Edinburgh has said:

> "Facial structures continue to develop into early adulthood, and starting these procedures from a young age can have long-term effects. Procedures such as dermal fillers and Botox too young can lead to muscle atrophy and tissue damage and should rightfully only be available to those over the age of 18."

We do need to protect young people from the damaging long-term effects of cosmetic surgery, but it is also vital, as we have heard from others, that we protect people who are over 18 from side effects. The Royal College of Surgeons lists the serious complications associated with some cosmetic procedures, including

> "infections, blocked arteries, necrosis, blindness and stroke",

and it makes it clear in its submission that the introduction of the bill will

> "reduce the likelihood and severity of any risks and complications."

However, I believe that the bill should be strengthened in that regard, and that duties should be placed on practitioners to inform customers about the risks attached to procedures. I look forward to working with the minister on that.

The committee heard that the bill could have an impact on equality, as it will affect a female-dominated industry and might lead to reduced access to cosmetic procedures in remote and rural areas. The lack of regulation in the industry has led to unsafe practices that disproportionately affect vulnerable groups, but we need to ensure that those who are safely and ethically carrying out these procedures have the ability to adapt to whatever regulation might come in.

There will always be cosmetic tourism, rogue operators and poor standards, but we cannot let them stand in the way of improving patient safety in Scotland. Those kinds of unsafe practices will occur, with or without regulation, so we should ensure that the vast majority of procedures are carried out in a safe, hygienic way in a properly controlled environment. That said, I think that we should still monitor the equality impact of the bill. I strongly believe that the bill will improve public safety for marginalised groups, as all good legislation does, but there could be unintended consequences.

In its submission to the committee, the Cleft Lip and Palate Association warned that access to cosmetic procedures becoming more bureaucratic or costly could act as a barrier

"for those who seek aesthetic enhancement to address cleft-related lip asymmetry, scarring or functional issues. It is important the Bill allows recognised healthcare professionals … working in the cleft pathway to continue to offer safe lip-fillers or adjunctive therapies under appropriate clinical governance."

Overall, however, the bill will improve safety for people undergoing non-surgical cosmetic procedures and protect young people under the age of 18. I believe that the evidence for regulation is clear.

16:12

Alex Cole-Hamilton (Edinburgh Western) (LD): The debate has been interesting, and I am learning a lot. The bill brings together two distinct sets of reforms that aim to protect the public while strengthening confidence in the regulatory systems around such procedures.

Part 1 addresses the regulation of higher-risk non-surgical cosmetic procedures, which are procedures that pierce or penetrate the skin, and products such as dermal fillers, botulinum toxin, thread lifts and deep chemical peels. Those products are often marketed as routine or low risk yet, when they are carried out incorrectly or by those without adequate training, as we have heard several times today, the harm can be very serious, permanent and deeply distressing.

At present, regulation in the area is fragmented and unclear. There is no single framework for setting out where those procedures may take place, who is qualified to perform them or what minimum standards they must meet. That lack of clarity benefits no one—neither patients nor responsible practitioners. For those reasons, the Scottish Liberal Democrats agree that regulation is needed, and we will offer our cautious support for the bill at stage 1.

I say "cautious", because we attach caveats to that support, which I will lay out. The bill's attempt to introduce a risk-based proportionate framework, including the proposed two-tier system that distinguishes between higher and lower-risk procedures, is sensible. Restricting higher-risk procedures to permitted premises with appropriate medical oversight is sensible in principle. Although the prohibition on carrying out such procedures on under-18s is long overdue, the inspection and enforcement powers that are to be given to Healthcare Improvement Scotland will be essential if the system is to work in practice.

However, we must pay attention to the potential unintended consequences. I raised that in my intervention on the minister, as did Maurice Golden, because we have heard consistent evidence that, unless implementation is handled carefully, or an amendment is not made to the bill, there is a risk of harm to the well-trained and responsible practitioners who currently provide those services safely and professionally.

The Health, Social Care and Sport Committee highlighted inconsistencies with training and qualifications across the sector. We agree with the committee's call for clear national standards and a better definition of the competencies that are linked to levels of risk. That clarity matters, not just for future entrants to the profession but for those who are already practising, many of whom have invested heavily in training under the current system.

The Federation of Small Businesses has also raised important concerns. Its members support regulation as a means of flushing out bad actors and improving public safety, but it has warned that the bill as drafted risks harming trained practitioners who are currently operating safely. Scottish Liberal Democrats agree. A constituent of mine who falls into that category recently got in touch and visited me to explain that the bill as drafted risks putting her out of business due to its requirement for her to have a medical professional on site every time that she is working, whether that is in her home or someone else's. The sector is

largely female led and is dominated by self-employed practitioners.

Sandesh Gulhane: I wonder about the appropriateness of somebody performing procedures in their own home or in an environment that is not clinical and potentially not clean. Should we be encouraging that?

Alex Cole-Hamilton: I am absolutely certain that regulation needs to be tightened, but that is not my salient point. The fundamental point is that, if we get the balance wrong, there is a risk that skilled and experienced practitioners could be regulated out of the profession altogether. That would not improve safety; it would remove livelihoods and tempt people to operate underground and remove themselves from the regulatory framework altogether. That is a risk that both Sandesh Gulhane and I would be concerned about.

There is also a lack of clarity about how new and innovative procedures would be categorised in future. We are living in a time of new developments in the sector. The industry evolves very quickly, so those who are currently working in it should be involved in shaping how new treatments are assessed and regulated.

The bill addresses real gaps in regulation and responds to legitimate public concerns, which the Scottish Liberal Democrats absolutely share. We will support the bill at stage 1, because regulation is needed, but it is also clear that the bill must be refined at stage 2 to ensure that it protects patients, prevents people from going underground to perform procedures and ensures that we do not punish responsible practitioners.

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

16:17

Stuart McMillan (Greenock and Inverclyde) (SNP): I thank the minister for introducing the bill and for listening to the concerns of people in the non-surgical cosmetic industry. I am sure that the arguments that were heard at the round-table session that was hosted by Miles Briggs MSP a few months ago would have been very persuasive. I also thank colleagues in the Health, Social Care and Sport Committee for their investigation of the bill. The committee's stage 1 report was excellent. Equally, I thank my colleagues in the Delegated Powers and Law Reform Committee for our scrutiny, which helped to shape the lead committee's further consideration. Finally, and most importantly, I thank my constituent Jill Best, who first brought the issue to my attention in 2018. I note that she is in the public gallery. Jill's unstinting efforts to make the sector safer struck a chord with me.

There are several aspects of the bill that we can all agree on, including that safety is absolutely paramount for patients, that the minimum age for procedures should increase to 18, and that we should ensure that the legislation can be amended through secondary legislation as new procedures are developed. That deals with the point that Alex Cole-Hamilton raised a moment ago.

The more contentious aspects of the bill primarily relate to the regulatory function. I agree that Healthcare Improvement Scotland should act as the regulator. Clearly, due to the lack of available data on the sector, it is difficult to get a clear picture of how many people and businesses are involved. That is why regulation is so important. Therefore, I note the minister's reply to paragraphs 162 and 163 of the stage 1 report, but I ask her not to rule out additional funding for HIS if it is required to get the regulatory function in place before regulation of the sector becomes self-financing.

Paragraphs 108 to 125 of the stage 1 report relate to training and qualifications in the sector. Although I know that the bill does not focus on that, it is a key consideration when thinking about what the industry will look like going forward. I welcome the fact that dialogue on the issue has begun, including with the UK Government on the United Kingdom Internal Market Act 2020, as set out in the minister's response to the report.

The minister will recall that my committee quizzed her on that area. That engagement is vital to finding the most suitable and workable solution to safeguarding patients as well as businesses and providers who have level 7 training. In that regard, paragraph 124 of the report and the minister's response regarding the Healthcare Improvement Scotland (Requirements as to Independent Health Care Services) Regulations 2011 are helpful and complement each other.

The need to consider those issues can be best explained by highlighting the viewpoint of a nurse who spoke at Davy Russell's round-table session last week. She was a client of a level 7 practitioner, and said that she would prefer to be treated by a practitioner of that level who undertakes procedures daily than be treated by a registered nurse, who might do only a couple of procedures a week to supplement their income. Therefore, ultimately, whatever amendments at stages 2 and 3 are successful, the aspect of training and pathways to upskilling will be vital when it comes to secondary legislation, prior to the implementation of the legislation in September 2027.

I want to highlight a further point, which concerns the issue of clinical supervision. This does not concern my constituency, but it could

affect rural and island communities. The stage 1 evidence highlights a range of views. However, although I whole-heartedly agree with the view that is outlined in paragraphs 101 and 102 of the stage 1 report—that clinical supervision should be on site due to the risk of potential adverse reactions, which Dr Gulhane spoke about—I am conscious that compliance could be a challenge in remote and island areas if not many people are trained in such supervision. The FSB Scotland briefing is helpful in that regard.

I believe that enforcement and penalties should be strengthened. Clear guidance helps to reduce the potential for people to claim that they made an inadvertent mistake. Patients are trusting their bodies to practitioners, so they need to have a safeguard regarding enforcement.

I hope that colleagues will vote to pass the bill at stage 1. The industry is here to stay, and regulation to make the sector safer for patients is long overdue, as I indicated in my members' business debate on the issue in October 2024. If we can make the industry safer, we are doing the right thing for our communities and our constituents.

16:22

Maurice Golden (North East Scotland) (Con): I will start on a point of consensus. From what I have heard, there will be unanimous support for the bill at stage 1. I thank the minister for her engagement thus far. Furthermore, everyone in the chamber recognises that the status quo is unacceptable and that there is a requirement for regulation. If that regulation is enforced and adequately resourced, as well as promoted to the public, it will help to limit the black market and thereby improve safety standards across the sector.

Safety standards are high among professional and experienced practitioners. In my view, there are two groups operating in Scotland: legitimate practitioners, a group that includes healthcare professionals and non-healthcare professionals, and the black market bad actors, about whom we have heard. However, from reading the bill, it looks as though it identifies two different groups. The first group, legitimate practitioners, includes only healthcare professionals, even if they have little training in aesthetics; and the second group, the black market, encapsulates all non-healthcare professionals, among whom, bizarrely, are the best practitioners in the field.

My view is that the bill, as drafted, will assist in lowering safety levels and standards and will ultimately reduce enforcement and accountability. Under the bill, only healthcare professionals will be able to register premises with Healthcare Improvement Scotland. That means that highly trained, insured and experienced non-healthcare professionals will be legally barred from operating, regardless of their competence or safety record. It is regulatory overreach, and it will exclude safe practitioners instead of stopping unsafe ones, which is what we are attempting to do.

Clare Haughey: I think that Mr Golden might have misinterpreted the bill and the committee's report. We are talking about higher-tariff non-surgical procedures in HIS-inspected premises being supervised by a healthcare professional; the proposal is not necessarily that those healthcare professionals would carry out the procedures. It is about ensuring safety by requiring that, if there is an adverse effect, some sort of medical assistance is easily accessible.

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

Maurice Golden: I do not believe that there is a requirement to have a healthcare professional on site. In fact—and I will come on to this—I see that as being not particularly helpful for safety or for client experience. The proposal shows a lack of understanding of the point at which complications might arise, which is often once a client has left the clinic. Therefore, unless the proposal is for the healthcare professional to follow that client throughout their week, the argument falls down completely.

Clare Haughey: Will the member take an intervention?

Maurice Golden: Do I have time?

The Deputy Presiding Officer: I can certainly give you the time back, Mr Golden.

Maurice Golden: Yes, I am happy to take the intervention.

Clare Haughey: Perhaps the minister, in an intervention, would be able to clarify this more fully, but I think that Mr Golden is misinterpreting the bill and, consequently, the recommendations of the stage 1 report.

Maurice Golden: My understanding is that, for example, on permitted premises, we should be focusing on the environment. A clean clinic in, or as part of, a dwelling would be a safer environment than a dirty room in a doctor's surgery. The focus needs to be on the client experience and the overall regulated journey for the client.

Carol Mochan: I was part of the evidence taking, and, with regard to this part of the bill, there was a strong emphasis on what protections there are, because there could be interactions or reactions, and on the importance of having a medical person there for that situation. There was also discussion about the premises, but,

absolutely, there was stuff about how we protect the public if there are complications.

Maurice Golden: From my personal experience and that of such individuals, I can say that an aesthetics practitioner who has been regularly assisting clients for a decade would be safer in triaging than, perhaps, a nurse with two days of training in aesthetics. There is a balance to be struck. Both can sit alongside each other, but the fact that an individual has a medical degree does not ensure that their aesthetics training will be commensurate with what a client may expect or want.

Stuart McMillan: Will Maurice Golden take an intervention on that point?

Maurice Golden: I think that I will need to make some progress.

Ultimately, we have to recognise that the aesthetics sector is one of artists and creatives and that it takes years of training and practice to hone the techniques that are required to be top of the field. In addition, as has been mentioned previously, the sector is filled with female innovators, leaders and business owners, from start-ups to scale-ups. This is perhaps one of the best examples of a sector in Scotland that is fully leveraging the pool of talent that we have. Therefore, we need to be very cautious about the implications of the bill, which would say to up to 1,800 female entrepreneurs that they do not have a future in Scotland.

Overall, there is a requirement for businesses to be managed and run by adequately trained individuals, who should be regulated and would include healthcare professionals and non-healthcare professionals. Ultimately, having a prescriber in the room would not necessarily improve patient outcomes. Therefore, I believe that, at stages 2 and 3, we need to ensure a proportionate, evidence-based regulatory framework that improves safety without excluding competent, properly trained and insured practitioners.

16:29

Colin Beattie (Midlothian North and Musselburgh) (SNP): Like many other members in the chamber, I have received correspondence from medical aesthetic practitioners and non-medical aesthetic practitioners. Between both groups, one message is consistent—the need to ensure public safety.

I will support the principles of the bill at stage 1, but with the expectation that amendments are made to ensure that we reach the correct balance that ensures public safety. One botched procedure is one too many, and it can have life-altering effects. We must eliminate cowboy practitioners who have inadequate or, indeed, no training. I have seen horrific photos of procedures that have gone wrong, which also result in additional work for our hard-pressed NHS staff. In that respect, it is disappointing to be told that, due to insufficient data collection, we do not truly know the impact that botched procedures have on our NHS. That area needs to be improved.

If the bill proceeds to stage 2, we must ensure that safe non-medical practitioners can transition and continue to practise. I hosted a round table late last year with a number of non-medical practitioners, who told me of their concerns. Some have paid upwards of £30,000 towards training and even more to ensure that their salon is up to standard. With the lack of a training framework in the bill, they face an uncertain future.

On the face of it, we would assume that everyone with a medical qualification would be more capable of providing those procedures than someone without one. However, some of the practitioners I have met have undertaken extensive training in aesthetic anatomy; meanwhile, someone with a medical qualification that is unrelated to aesthetics could complete a shorter course and be legally allowed to perform those procedures without having the same specialised skill and experience.

That is not to say that either non-medics or those with medical qualifications are more qualified; it is simply that we need a smart approach to who can perform the procedures. I understand that the Scottish Government cannot implement training standards without the consent of the UK Government, due to the United Kingdom Internal Market Act 2020. I note that the minister has written to her UK Government equivalent, to determine how both Governments can collaborate. Non-medics must be able to transition with Government-approved training. I urge the UK Government to work constructively with the Scottish Government on that point.

The committee makes it plain that there is still vital work to be done to ensure that the bill works, and I agree that it lacks certain important, clear definitions. How many supervising clinicians must be on site? What exactly does supervision mean? Such points need to be tightened up to avoid exploitation. If the bill does not work as hoped, I fear the unintended consequences for the industry. Mass closure of businesses and an increase in running costs and, thus, customer prices might drive practitioners underground and create an unwelcome black market, which would greatly increase the risk to the public.

In order for the bill to achieve its aims and improve public safety, it must include the

implementation of a regulatory body. The committee has raised concerns about the ability of Healthcare Improvement Scotland to enforce the bill, and I urge the Government to take note of those concerns.

If the bill passes at stage 1, it is vital that we take the entire industry with us. We have an opportunity to make the industry safer and better regulated, and we must grasp that opportunity with sensitivity and understanding.

The Deputy Presiding Officer: We come to the final speaker in the open debate.

16:33

Katy Clark (West Scotland) (Lab): I am pleased to speak in the debate and that the minister has introduced legislative proposals this session.

There has been a massive expansion of the non-surgical procedures industry, against a backdrop of a lack of regulation. We know that procedures that can carry the risk of serious complications, ranging from burns and infections to stroke and, as the minister said, even death, can currently be routinely offered by individuals with minimal training, sometimes with a lack of infection control, consent or aftercare. I have met some of the survivors of such procedures who have suffered significant injury.

It is clear that the lack of regulation is leading to real harm. Clients deserve to know that everything is being done to ensure that a procedure is being carried out in the safest way. At the moment, many users of services are unaware of the risks involved with the procedures that they are getting and of the lack of regulation.

Over the past two years, Advice Direct Scotland has handled 430 cases relating to beauty and cosmetic procedures. Analysis of a random sample of 50 recent Advice Direct cases relating to non-surgical procedures found that 48 per cent involved reports of physical harm or adverse effects and that, in most of those cases, consumers sought professional medical assistance and required treatment.

There is a proliferation of procedures being provided, and the increase in demand for them is amplified largely through social media advertising. They harm young women in particular.

Charities have warned that Scotland's standards for patient safety are falling behind those of the rest of the UK and other countries in Europe—a point that was made earlier in the debate. The Medical and Dental Defence Union of Scotland has reported that 16 per cent of surveyed medical practitioners have treated someone between the ages of 16 and 20 following complications from unregulated cosmetic procedures.

Many of those young women were probably not aware of the potential risks. We have heard reports in the media about children as young as 15 seeking help after experiencing medical issues from receiving Botox and filler. Save Face, a UK Government-approved register, has warned that, year on year, nearly 90 per cent of the people who make a report to it found their practitioner on social media, and the ages of people who report are getting lower every year. The need for fair and proportionate regulations to ensure the highest standards in patient safety is clear.

I therefore appreciate the efforts to introduce through the bill a statutory framework to regulate high-risk non-surgical cosmetic procedures. I was concerned that we might not get any legislation on this issue this session, so I am genuinely grateful to the Scottish Government that we have the bill in front of us today, because we need regulation to be in place as soon as possible.

I welcome the recommendations that were sent out in the stage 1 report. I believe that the Scottish Government must put in place appropriate support and guidance to help the transition to the new regulatory regime by clarifying requirements for clinical supervision.

The Parliament has to say very clearly today that we need regulation as soon as possible. I am therefore pleased to support the general principles of the bill.

The Deputy Presiding Officer : Thank you, Ms Clark. We come to closing speeches. I note that Mr Cole-Hamilton is not in the chamber after having participated in the debate, which is disappointing. I will expect an explanation and an apology.

16:37

Gillian Mackay: I spoke in favour of regulating the medical aesthetics industry when Stuart McMillan held a members' business debate on the topic back in October 2024. In his contribution this afternoon, he reflected on how we support those who have made a genuine mistake, including supporting them to improve. Given some of the bad press around these procedures and the potential for practitioners to be demonised for a genuine mistake, we need to make sure that regulation supports improvement across the sector and that opportunities for learning are taken. I hope that that ethos will be at the heart of the regulation, rather than there just being punitive measures.

During its evidence sessions, the Health, Social Care and Sport Committee heard that the bill will create a level playing field, as healthcare professionals already provide aesthetic procedures in HIS-regulated clinics. If the bill is passed, it will ensure that all providers have to meet the same standards. We know that there are and always will be rogue operators. The bill aims to simply ensure that all those who operate in the sector can be held to the same high standards.

In committee, a representative from the industry argued that the cost of treatment has to be considered as well. If what is proposed in the bill becomes a hugely costly exercise for business, the burden of cost will be passed on to the consumer. However, I think that it is important that we do not look to drive down business costs at the cost of patient safety.

Stuart McMillan: The aspect of costs is really important to this debate. As we understand the situation, people who are at the top tier are getting a lot of the products that they are using through the proper procedures. For others, that is not always the case, and so they will incur higher costs. Does the member agree that the purpose of the bill is to drive costs and safety up, as compared with allowing a race to the bottom?

Gillian Mackay: I fully agree with Stuart McMillan's point about driving up standards. The heart of the bill is about patient safety and making sure that people are safe when they enter into these procedures.

Healthcare professionals are subject to high fees but also to high standards. We should expect that the same applies to any others who carry out procedures that include a risk of complications that range from burns and infections to scarring.

The committee report acknowledges business concerns and includes a recommendation that the Scottish Government should provide appropriate support and guidance to help responsible providers of non-surgical procedures to make a successful transition to the new regulatory framework. As Alex Cole-Hamilton and Maurice Golden acknowledged, there are skilled and ethical practitioners who should be supported. The Scottish Greens endorse that approach, because it would support businesses to do the right thing while still prioritising patient safety.

We support a ban on procedures for people under the age of 18, although I note the calls from the Royal College of Nursing, which said that there is merit in considering additional safeguards, such as requiring a GP or healthcare professional to carry out all procedures on younger people. That is worth considering if the bill proceeds to stage 2.

During its evidence sessions, the committee also heard that the fines proposed in the bill could be absorbed as a business cost by so-called rogue operators. It is essential that any sanctions within the bill act as a sufficient deterrent to those operating outwith regulations. The committee report calls on the Scottish Government to establish stronger penalties for offences committed under the terms of the bill, and the Greens fully support that.

Healthcare Improvement Scotland will have an extremely important role to play in light of the bill, as it would be granted new inspection powers under enforcement to investigate unregistered settings suspected of breaching the law. The committee heard about the challenges that that could pose for HIS, including the added burdens that it will place on staff and resources. It is vital that HIS is properly resourced to carry out its functions and the committee report calls on the Scottish Government to provide assurances that, in the short term, it is committed to putting funding in place to ensure that HIS can properly enforce the bill from the outset.

The committee report also calls on the Scottish Government to publish an implementation route map, and we fully support that, too. If the bill is to be effective in improving patient safety and tackling rogue operators, it must have sufficient funding attached. I look forward to hearing from the Scottish Government about how it plans to achieve that.

16:41

Paul Sweeney (Glasgow) (Lab): This has been an interesting debate and the speeches that we have heard today have made the rationale for the bill clear. On a point of historical interest, it feels to me as if we have imperceptibly shifted and are going back to the era of the barber surgeon and of insufficient regulation. It is important to note that the Royal College of Surgeons of Edinburgh was originally called the Edinburgh Guild of Barbers and Surgeons. We moved away from that sort of back-street practice for good reason, but if we do not recognise the shifts in medical and clinical trends, we are in danger of a slippage in patient and public safety.

That is why the legislation is welcome. One of the basic rules of good governance is that, when society changes, our laws and regulations must be kept up to date to reflect that. I think that everyone here today recognises that the world of non-surgical cosmetic procedures has been transformed. Something that was once the realm of celebrities and the super-rich, or that we might watch on the Discovery channel, is increasingly ubiquitous in society. We see discounted Botox, chemical peels and other non-surgical cosmetic

procedures and it seems that there is a story almost every other week about an alcohol-fuelled Botox party or a non-surgical cosmetic procedure gone wrong. We have heard some horror stories in speeches today and the committee even heard of hotel rooms and garden sheds being used as places where people could go to have such procedures. That worrying situation is in desperate need of state regulation.

We must be clear that it is not for Parliament to determine a person's choice about how they wish to present themselves to the world, but it is imperative that any new and emerging industry has the necessary protections and regulations in place to ensure public safety. We know that many providers keep to high standards but also know that many, sadly, do not. That is the point of having a regulatory floor. Just as we require the highest standards in the national health service, from clinicians in private practice and from our factories and service industries, the safety of patients, consumers and staff must always be maintained. That is why Labour supports the bill in principle.

Clare Haughey: I do not necessarily disagree with anything that Mr Sweeney has said, but does he also agree that we absolutely need a public information programme so that people understand the risks of what might be seen as a simple procedure or as something quite harmless?

Paul Sweeney: I do. That is an area that we want to develop further in the next stages of the bill.

It is also important to demonstrate best practice for people who might want to enter the industry and develop their skills. We want to promote best practice and discourage unhelpful practice. That cycle should drive innovation. We should not be an enemy of progress; we should just try to guide it towards the public good. Regulation should help to level the playing field between those who, on one hand, choose to cut corners on patient and staff safety in order to maximise profit and those who, on the other hand, are already investing in training and health and safety in order to develop a thriving business that is patient-centric and ethical in nature.

Creating that level playing field is key so that customers have confidence that they are guaranteed to get good-quality treatment and so that practitioners are given the opportunity to grow through training opportunities and to access appropriate facilities that, rather than being prohibitively expensive, could be developed in a co-operative way. We should look to drive that, because Scotland's reputation for safety in patient care is paramount.

That does not mean that Labour believes that the bill is perfect. We share concerns about the need to ensure that the necessary regulations are accompanied by proper support and guidance for practitioners, who will need to develop their practice to meet the new standards. We heard some concerns raised about that in the committee. We do not want people to lose their livelihoods as a result of this; we want to guide them towards the standards that will help them to reach their potential. The purpose of the bill should therefore not be to remove from the industry those who lack certain qualifications if they are willing to learn and to improve their practice. This should be an opportunity to improve the general common weal rather than just reduce consumer choice.

Today, we have heard from across the Parliament about why non-cosmetic surgery needs to be brought under regulations. Although it is a relatively new industry, it is expanding rapidly, and it is only right that we intervene via legislation to create the necessary changes and improvements that will let it thrive in a manner that is conducive to public and patient safety.

The bill will not solve everything. Much is happening in Scotland that is already illegal. However, without proper enforcement, many surgical abuses will continue. As it stands, there are very real concerns about how support will be given to the industry to meet the new standards. That is a real concern that we need to look at more.

However, it is clear that regulation is needed now so that patients can be assured of their safety, so that staff are safe and well trained, and so that Scottish practitioners can lead the world by developing best practice.

For all those reasons, Labour is happy to support the bill.

16:47

Sandesh Gulhane: The bill is ultimately about patient safety. Right now, that safety is far too variable. Let us be honest: the bill is not perfect, and the Conservatives will seek amendments to improve it. For example, as Paul Sweeney mentioned, the fines do not seem to be adequate; they will be seen as the cost of business, and people will just keep paying them. Like many others across the chamber, we are not sure what the specifics are around supervision. That certainly needs to be tightened up.

We all agree that we should have a ban on under-18s undergoing such procedures. Where anyone is under 18 and requires, for medical reasons, to undergo any form of procedure, that procedure will be covered by the NHS and carried out by NHS practitioners.

Maurice Golden is right when he said that the status quo is not acceptable. Ultimately, we, as

members, are all in the same place, but the debate—as is shown by the contributions of Alex Cole-Hamilton and Maurice Golden—is about where we draw the line for where the regulation sits. Stuart McMillan spoke about Jill Best, who campaigned to improve safety and is sitting up in the public gallery today. I thank her for the work that she has put in.

Worrying things are happening in Scotland right now. There are fizz and filler parties where people are drinking alcohol and being injected. I could not think of a worse way of going about doing medical procedures. We are seeing people having procedures done in garden sheds and in bedrooms. I was told that people were having butt lifts done in Edinburgh hotel rooms. The levels of cleanliness and safety are just unacceptable. That is not a place that we can be in.

Alex Cole-Hamilton: I do not want to interrupt the member's vivid description of some of the practices that are taking place, but does he recognise that, so long as the medication, implements and skills exist, the practice will happen, whether we like it or not? We need to regulate it, but overregulating it would risk driving it underground and out of the light, where we cannot see it.

Sandesh Gulhane: That goes back to what I said at the start about the debate resting on where the regulation sits and how we can regulate the industry. The industry is here to stay—there is no question of banning it, so it is about where the regulation sits and how we proportionately regulate while allowing people to continue legitimate businesses.

We took evidence from legitimate businesses, and a big, perfectly legitimate, business came to give evidence. That business does a lot of good, but one of the things that it does is to remove skin lesions from people's bodies. I asked:

"How do you ensure that there is no cancer?"—[*Official Report, Health, Social Care and Sport Committee*, 2 December 2025; c 6.]

The response did not fill me with confidence. In a hospital, if I were to remove a lesion, I would send it off to histology to be looked at. If a dermatologist says that a lesion is not cancer, you can be pretty confident that it is not cancer, because a dermatologist is an expert in that field. However, in the business that we took evidence from, there is no expert in the field looking at lesions before they are taken out and they are not sent to histology, so how do the people involved know that they are not removing cancers without adequate training?

Gillian Mackay made a point about costs going up. The point that I will make in response is that, if the costs going up a little bit means that people are seen in clean rooms in which they are unlikely to get an infection, if it means that the person who they see has insurance and is regulated, if it means that they get legitimate medication, and if it means that records are kept and data is sent about complications, that just has to be part of the business model from now on, because those elements are vital.

Carol Mochan was right in saying that we must ensure that HIS is strengthened and has adequate capacity. Stuart McMillan spoke about ensuring that HIS receives enough money so that it can perform the duties that it needs to perform. Alex Cole-Hamilton and Maurice Golden raised the matter of unintended consequences, which we have discussed; it is important that those are looked at. However, ultimately, patient safety must come first.

For those reasons, it is vital that we support the general principles of the bill at stage 1 and look to make amendments to improve it at stage 2.

16:51

Jenni Minto: I thank colleagues hugely for their constructive comments on part 1 of the bill. I truly believe that this debate shows how the Parliament can work. I am also grateful for the suggestions for improvements to the bill that members have made, and I reiterate the request that I made at the beginning of the debate to members who have suggestions. My door remains open and I will work collaboratively with them.

The bill was born from cross-chamber concerns, and it should benefit from cross-chamber input from all parties. I will respond to a few of the points that have been made in the debate and, assuming that we get support for the bill at decision time, I would like to continue these discussions in the lead-up to stage 2.

I am grateful to everyone who raised the issue of the impact on businesses, and I hope that it was clear from my earlier comments that I do not take the impact lightly. I am very happy to explore ways in which businesses can access help to adapt their models before the bill comes into force. I repeat what I said to the committee: I currently propose to commence the offences in the bill in September 2027, giving a reasonable lead-in time to all concerned. However, I cannot support any measures that would dilute the key safety measures of the bill, and I remain mindful of the support that the bill has received so far and of the feedback from some stakeholders that we should go further.

I want to be clear: the bill will make procedures safer for everyone. It will ensure that procedures take place in appropriate and hygienic settings where healthcare professionals are involved in the provision or management of services and can

assist if there are complications. The bill followed a consultation that was carried out in 2020, which found that 98 per cent of respondents supported the principle of further regulation of procedures that are led by those who are not qualified healthcare professionals. A further public consultation that was undertaken in early 2025 showed broad support for action to make the sector safer; it allowed us to refine our proposals, the result of which is included in the bill.

A number of members made the point that the public think that non-surgical procedures are already regulated in some way, and what Katy Clark, Clare Haughey and other members said about ensuring that we get information out there about that is incredibly important.

Throughout the bill process, we have worked with a range of stakeholders, including business owners, beauty industry representatives, healthcare professionals, environmental health officers—that is really important—and professional regulators, to develop and refine our process.

In response to Maurice Golden's points, I note that there are some skilled non-medical practitioners who are trained in this space. However, in order to ensure safety, those skills need to be complemented by the skills that healthcare professionals bring. I have asked my officials to consider the HIS regulation of independent clinics and to ensure that the existing requirements are not disproportionate.

That brings me to the issue of training and supervision. The importance of training and of the requirements for supervision in a setting were clear from the contribution of the convener of the Health, Social Care and Sport Committee, and in the contributions of Carol Mochan and others. In evidence to the committee, I set out why we were not able to put such provisions in the bill. I am committed to the principle that, as well as the provisions in the bill, we need to have standards for training and to set expectations for the oversight and supervision of procedures. Training standards will be established following consultation with those who have to meet them, with experts and training providers and with the UK Government, so that we can take a consistent approach.

The Scottish Government has met many healthcare professionals and non-healthcare aesthetic practitioners and has listened to their views, including on training standards. We know that there are existing training options for practitioners, which we will consider carefully. As Colin Beattie noted, I have written to my counterparts in the UK Government to secure formal agreement to co-operate on some of those matters.

I note the points that were made about implementing a route map and about a public information campaign. I am content to review those further.

Many members highlighted the issue of penalties. Following the committee's report, I understand why people are looking at that issue. For the time being, I reassure members that that message has been heard clearly. I will consider how we can go further and I would welcome any specific recommendations on an appropriate level of penalty.

Stuart McMillan commented on rural businesses. As an MSP for a rural constituency, I recognise very well the particular challenges for businesses in rural areas. On the other hand, it is important that we have balance to ensure that people in rural areas are as well protected as their urban counterparts. Yesterday afternoon, I met a group of practitioners from rural constituencies. I will consider their concerns and suggestions and I am happy to discuss the issue further with members.

Dr Gulhane referred to the capacity of Healthcare Improvement Scotland to take on new areas of work. My view remains that HIS is the correct regulator for these procedures, building on its experience to date of regulating independent healthcare. I am sure that HIS staff will have taken note of the comments about capacity and current working practices. As Stuart McMillan noted, I am committed to working with HIS to ensure that it can meet all our expectations.

I turn to Colin Beattie's suggestion for a new professional body in the sector. I know that there are existing groups and I would welcome greater levels of organisation that would allow practitioners to speak with one voice and help to support safer standards. The Scottish Government would certainly be happy to work with such a body.

All the issues that have been raised this afternoon have been carefully considered. I will examine further the comments that have been made and the recommendations that were made by the committee. I reiterate that I am happy to work with members on potential amendments that could strengthen the bill and I look forward to doing so.

On the principles of part 1 of the bill, I return to the committee's report. Intervention to regulate a growing and changing sector is not easy and I am committed to doing the work to make the right decisions in the coming weeks. I agree with the committee's view, which has also been stated in the chamber this afternoon, that public safety must be the primary priority. That will be my main consideration.

I am aware that, for understandable reasons, part 2 of the bill has not received as much attention as part 1. Nonetheless, I remain grateful for the interest in that important issue. The provisions in part 2 reaffirm our commitment to ensuring clarity, transparency and public confidence in the death certification system. They will strengthen the safeguards that support families and professionals and ensure that our legislation reflects the robust checks that are already in place.

I urge the Parliament to support the general principles of the bill in respect of both parts.

The Presiding Officer (Alison Johnstone): That concludes the debate on the Non-surgical Procedures and Functions of Medical Reviewers (Scotland) Bill at stage 1.

Restraint and Seclusion in Schools (Scotland) Bill: Financial Resolution

17:00

The Presiding Officer (Alison Johnstone): The next item of business is consideration of motion S6M-20632, in the name of Shona Robison, on a financial resolution for the Restraint and Seclusion in Schools (Scotland) Bill.

Motion moved,

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Restraint and Seclusion in Schools (Scotland) Bill, agrees to any expenditure of a kind referred to in Rule 9.12.3A of the Parliament's Standing Orders arising in consequence of the Act.—[*Jenny Gilruth*]

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

Decision Time

17:00

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-20606, in the name of Monica Lennon, on the Ecocide (Scotland) Bill at stage 1, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division. There will be a short suspension to allow members to access the digital voting system.

17:01

Meeting suspended.

17:04

On resuming—

The Presiding Officer: We come to the division on motion S6M-20606, in the name of Monica Lennon, on the Ecocide (Scotland) Bill at stage 1. Members should cast their votes now.

The vote is closed.

Clare Adamson (Motherwell and Wishaw) (SNP): On a point of order, Presiding Officer. My app would not connect. I would have voted yes.

The Presiding Officer: Thank you, Ms Adamson. We will ensure that that 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)
Baillie, Jackie (Dumbarton) (Lab)
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)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Lab)
Ewing, Annabelle (Cowdenbeath) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (North East 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)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (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, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
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)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (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)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Briggs, Miles (Lothian) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Dowey, Sharon (South Scotland) (Con)

Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gulhane, Sandesh (Glasgow) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (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)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)

Abstentions

Balfour, Jeremy (Lothian) (Ind)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Matheson, Michael (Falkirk West) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)

The Presiding Officer: The result of the division on motion S6M-20606, in the name of Monica Lennon, on the Ecocide (Scotland) Bill at stage 1, is: For 90, Against 26, Abstentions 4.

Motion agreed to,

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

The Presiding Officer: The next question is, that motion S6M-20646, in the name of Jenni Minto, on the Non-surgical Procedures and Functions of Medical Reviewers (Scotland) Bill at stage 1, be agreed to.

Motion agreed to,

That the Parliament agrees to the general principles of the Non-surgical Procedures and Functions of Medical Reviewers (Scotland) Bill.

The Presiding Officer: The final question is, that motion S6M-20632, in the name of Shona Robison, on a financial resolution on the Restraint and Seclusion in Schools (Scotland) Bill, be agreed to.

Motion agreed to,

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Restraint and Seclusion in Schools (Scotland) Bill, agrees to any expenditure of a kind referred to in Rule 9.12.3A of the Parliament's Standing Orders arising in consequence of the Act.

Meeting closed at 17:06.

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