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Scottish Parliament

Thursday 12 March 2026

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

General Question Time

The Presiding Officer (Alison Johnstone): Good morning. The first item of business is general question time. Question 1 has not been lodged.

Cost of Living Support (Glasgow Anniesland)

2. **Bill Kidd (Glasgow Anniesland) (SNP):** To ask the Scottish Government what targeted support it is providing to households in the Glasgow Anniesland constituency regarding the on-going cost of living crisis, to ensure that they are aware of, and able to access, the financial support, benefits and energy assistance schemes available to them. (S6O-05628)

The Minister for Equalities (Kaukab Stewart): We recognise the pressure on household budgets, which is why we are working with key partners, including Glasgow City Council, to tackle child poverty through transforming the way in which public services are delivered. Our benefit take-up strategy, along with investment of more than £16 million in welfare, debt and income maximisation advice services, helps us to ensure that people throughout Scotland can access all the financial support to which they are entitled.

Targeted local support in Glasgow includes £400,000 for the fairer futures partnership and a range of local advice projects, supported by our advice in accessible settings fund.

Bill Kidd: The support and dedicated services that are available to help people with their struggles with the cost of living are a lifeline to many in my constituency and across Scotland, given the continuing pressures on households and in the light of rising petrol, energy and food prices, which are linked to global instability. Does the minister share my concern that families are approaching a new cost of living crisis point, and will she call on the United Kingdom Government to deliver an emergency package of support, particularly to prevent further increases in energy bills and fuel costs, which would place an even greater strain on households?

Kaukab Stewart: I agree. Scotland faces an on-going cost of living crisis, with global events likely to exacerbate already stretched household budgets. We have consistently called on the UK Government to do more. The Cabinet Secretary for Housing has pressed UK ministers urgently to provide public reassurance to all bill payers that ministers will provide financial support to consumers if prices do not stabilise in the coming days. She has also asked that the alternative fuel payment infrastructure be ready to be stood up, so that payments can be delivered as quickly as possible.

Fiscal Framework

3. **John Mason (Glasgow Shettleston) (Ind):** To ask the Scottish Government what its position is on whether the current fiscal framework is biased against Scotland. (S6O-05629)

The Cabinet Secretary for Finance and Local Government (Shona Robison): The fiscal framework will always be suboptimal compared with having the full powers of independence.

In the meantime, discussions with the United Kingdom Government on the scope of the next review of the framework are under way. That is an opportunity to examine thoroughly the framework's current arrangements and secure further improvements that benefit Scotland. I am seeking a more ambitious and broadly scoped review. However, agreement on that must be reached with the UK Government.

John Mason: I thank the cabinet secretary for the fact that we are looking for an ambitious review. The fiscal framework was based on our competing with or matching the rest of the UK. We can do that with most regions in Northern Ireland and Wales, but we struggle to do that—and always have—with London and the south-east. On top of that, the Barnett formula squeezes our spending and ignores needs such as rurality.

At the start of the fiscal framework, we thought that we were getting a good deal, although the Conservatives wanted us to accept something poorer. However, in retrospect, we can see that the fiscal framework is not working. The Government must demand a serious review. I know that the cabinet secretary will not be here, but can she commit the Government to that?

Shona Robison: I agree with John Mason that some of the comparators are very challenging. Given the advantages and fiscal position of London and the south-east, it is very difficult for Scotland, Wales, Northern Ireland or, indeed, English regions to compete with them. Given that the fiscal framework is based around some of the very difficult comparators of growth or otherwise, particularly in relation to the population and tax base, it is very challenging.

To answer John Mason directly, it is important that there is a thorough review of the fiscal framework that goes back to some of the fundamentals. We absolutely require fiscal flexibilities. We need only look at the global factors that are impacting on public finances at the moment to see why Governments—whether it is

the Scottish Government or other Governments—face headwinds, and we have very limited levers to respond to that. A fundamental review is required at this stage.

Queen Elizabeth University Hospital

4. **Meghan Gallacher (Central Scotland) (Con):** To ask the Scottish Government when it was first informed of water and mould ingress at the Queen Elizabeth university hospital. (S6O-05630)

The Cabinet Secretary for Health and Social Care (Neil Gray): Regarding media interest in potential mould and water ingress, antimicrobial resistance and healthcare associated infection Scotland—ARHAI Scotland—notified the Scottish Government of an incident of water ingress in ward 4B in the Queen Elizabeth university hospital on 26 February 2026. Ministers were made aware of that late in the afternoon on the same day. At the time, the alert was assessed as amber. On 5 March, ministers were made aware that NHS Greater Glasgow and Clyde had reassessed the alert as red following significant public anxiety and media interest.

Meghan Gallacher will know that the First Minister made the Parliament aware of that on 5 March during First Minister's question time. That healthcare infection incident assessment tool red alert has now been reassessed and reduced to amber.

In the interests of full transparency, I am making the Parliament aware that, this morning, it was confirmed that a swab taken from room 85, which was closed on 19 February, has shown mould growth. As colleagues would expect, I have made it clear to NHS Greater Glasgow and Clyde that I expect its continued focus to see those issues resolved as soon as possible.

Meghan Gallacher: The cabinet secretary is right to say that there is media interest, but the public will be concerned at the developments that the cabinet secretary has just outlined.

Bone marrow transplant patients are among the most vulnerable in the national health service, and common airborne mould can cause life-threatening infections. What further action is the Government taking to ensure that wards other than the ones that the cabinet secretary has mentioned have also been inspected for mould and water ingress? When will the bone marrow ward be safe for use? Who will ultimately be held accountable for this latest incident at Queen Elizabeth university hospital?

Neil Gray: I had the pleasure of visiting ward staff last Wednesday and hearing directly from them about the mitigations that are being taken by clinical staff to ensure that the ward continues to be safe, because it continues to be used. There are rooms that are closed in order to manage safety, to ensure a risk-averse approach and to ensure—as Meghan Gallacher rightly says—that the risks are being managed, given that there are immunosuppressed patients, with clinically driven mitigations in place.

An oversight board that is co-chaired by Sir Lewis Ritchie is looking at the issue. The incident management team has also been set up, and it is receiving independent clinical assurance from a colleague in Newcastle. The HIIAT is in place to ensure there is on-going transparency and the action that is required. As I said in my initial answer to Meghan Gallacher, this morning, I have also impressed on NHS Greater Glasgow and Clyde the importance that ministers place on NHS Greater Glasgow and Clyde getting the issue resolved as soon as possible.

Clare Haughey (Rutherglen) (SNP): I remind members of my entry in the register of members' interests.

It is vital that staff and patients alike feel safe in our NHS estate. Can the cabinet secretary say how the recently announced oversight group will ensure that the board of NHS Greater Glasgow and Clyde takes immediate steps to strengthen trust and patient confidence in the Queen Elizabeth university hospital?

Neil Gray: Clare Haughey is absolutely right. That is why the new safety and public confidence oversight group will play a vital role in strengthening public and political confidence in the safety of the facilities and the environment in which services are delivered across the Queen Elizabeth university hospital and the Royal hospital for children.

Drawing on the external expertise of national agencies and industry experts, the group will provide assurance that the Queen Elizabeth university hospital offers a safe environment for patients and staff. It is important to stress that staff groups and patient groups are also represented on that oversight group, which met for the first time yesterday. The safety and public confidence oversight group will report to the NHS Greater Glasgow and Clyde board and to the chief operating officer of NHS Scotland, who will provide regular scrutiny and support and will ensure that ministers are regularly updated.

Bus Services (Rural and Coastal Constituencies)

5. **Karen Adam (Banffshire and Buchan Coast) (SNP):** To ask the Scottish Government what action it is taking to improve the reliability and accountability of bus services in rural and coastal constituencies. (S6O-05631)

The Minister for Agriculture and Connectivity (Jim Fairlie): I very much welcome that question from Karen Adam, because the Scottish Government is absolutely committed, in partnership with operators and local authorities, to looking at ways of ensuring that everyone has accessible public transport, regardless of where they live.

On the substantive point, in 2026-27, we will continue to provide financial support for bus services with £46.5 million for the network support grant, and we will launch a further round of the very successful plugged-in communities grant funding. We have also commenced a £10 million regional pilot for a £2 bus fare cap, which will be rolled out in the Highlands and Moray from 23 March 2026. That will allow us to assess the potential to improve connectivity in rural areas.

Karen Adam: A survey that I recently carried out in my constituency of Banffshire and Buchan Coast showed extremely low satisfaction with the local Stagecoach bus services, because of repeated cancellations, poor communication and concerns about accessibility. Many people told me that the service was simply not reliable enough for work, education or healthcare appointments. What further action can the Government take to ensure that operators that are delivering services in rural areas meet acceptable standards of reliability and that communities such as mine are not left behind?

Jim Fairlie: I appreciate the point that Karen Adam makes. I, too, am from a rural constituency, and I genuinely appreciate the vital role that local bus services play in rural communities and the importance of reliable services for commuters in Banffshire, Buchan and all the rural communities in Scotland.

The traffic commissioner for Scotland is responsible for enforcing service reliability in line with the operator's registration. Through legislation, we have given local transport authorities powers to take action to improve the services in their area, whether through partnership working, franchising or running their own services. We want all local transport authorities, including rural and coastal authorities, to explore the powers that are available to them and make the necessary improvements that they see fit.

Willie Rennie (North East Fife) (LD): Bus services in North East Fife are constantly being chopped and changed, leaving people stranded who are desperate to get to work and secure their employment. Why has it taken since 2019 to utilise the regulatory powers that the minister has just set out? When are we going to get a move on and implement those powers?

Jim Fairlie: The powers are there for local authorities to use as they see fit. All the powers have been delivered. Whether through franchising or local partnership, the powers are there for local authorities, and it is up to them to decide the best system to use in their area.

Energy Project Objections

6. **Douglas Lumsden (North East Scotland) (Con):** To ask the Scottish Government what its position is on whether it is appropriate for the Cabinet Secretary for Climate Action and Energy to use terms such as "far right" in the context of objections to energy projects. (S6O-05632)

The Cabinet Secretary for Climate Action and Energy (Gillian Martin): I welcome the opportunity once again to correct the inappropriate and wilfully misleading claims by Conservative MSPs about my interview in a national newspaper, in which I was referring to the anti-net zero rhetoric that has been weaponised by Reform UK, which said that it would dismantle the Department for Energy Security and Net Zero at United Kingdom Government level. That rhetoric uses the legitimate concerns of communities, which I fully understand, to put at risk our energy security; to divide and dilute our fight against climate change; and to damage the economic opportunities for Scotland that come with investment in climate action. It is essential that communities feel able to engage with us on the planning and consenting of energy projects.

Douglas Lumsden: It is clear what is going on here. The cabinet secretary is trying to silence community groups that are against the monster pylons, battery storage and subsidies— [*Interruption*.]

The Presiding Officer: Let us hear Mr Lumsden.

Douglas Lumsden: —that are ruining much of rural Scotland. The Government has stopped email submissions to the energy consents unit because there are too many objections—something that the cabinet secretary did not seem to understand. It has also stopped people seeing the objections before the submission deadline has closed and has resorted to mudslinging to try to silence communities.

Those communities' voices will never be silenced. The community groups concerned have lost all confidence in Gillian Martin, so will she apologise and reverse the changes to the ECU that are making it harder for communities to be involved in the process? [*Interruption*.]

The Presiding Officer: I ask those who are joining us to do so quietly.

Gillian Martin: Mr Lumsden is demonstrating once again that his preferred method of political engagement is personal attacks that have scant

regard to fact instead of what the vast majority of people would like to hear from a spokesperson on energy and climate action, which is ideas on how we can improve the energy security of our nation, create jobs and opportunities for our citizens and play our part in reducing harmful greenhouse gas emissions. That is what I do day in, day out.

National Health Service (Decision Making and Accountability)

7. **Jamie Halcro Johnston (Highlands and Islands) (Con):** To ask the Scottish Government what its position is on the importance of local decision making and local accountability in the national health service. (S6O-05633)

The Cabinet Secretary for Health and Social Care (Neil Gray): The Scottish Government remains fully committed to involving people and communities in the decision making that affects them and their NHS. Boards have used our "Planning with People: Community engagement and participation guidance" to involve local communities in planning local services from community hubs to out-of-hours services and models of care. The guidance sets out boards' responsibilities for community engagement when services are being planned or changes are being considered and ensures that local people and communities are meaningfully involved.

Jamie Halcro Johnston: The Cabinet Secretary for Health and Social Care will be aware of Scottish Labour's proposals to axe local health boards such as NHS Orkney, NHS Shetland, NHS Western Isles and NHS Grampian in favour of three health boards for the whole of Scotland. In my Highlands and Islands region, our local boards, particularly the island boards, remain a valuable means of local accountability in response to local needs, while a north-of-Scotland approach would significantly reduce decision making by people who live and work in the communities that they are supposed to serve.

Although the Scottish National Party, too, has a track record of centralising health services away from local communities, does the health secretary at least agree with me that Labour's plans to axe health boards across the Highlands and Islands would be a backwards step? Does he accept that, as well as more local delivery of services, communities want local decision making and accountability to be protected in our NHS?

Neil Gray: As someone who was born and brought up in Orkney, I recognise the importance of local services, and decisions being taken about them, being as local as possible.

Mr Halcro Johnston will be aware of the work that we are doing to reform the way in which our boards co-operate and work together. That subnational planning includes rural and island workstreams to ensure leadership for rural and island service planning and to give a clear voice to rural and island communities in the planning processes. I hope that that gives Mr Halcro Johnston the assurance that he and his constituents are looking for.

NHS Ayrshire and Arran (Financial Sustainability)

8. **Carol Mochan (South Scotland) (Lab):** To ask the Scottish Government whether it will provide an update on the financial sustainability of NHS Ayrshire and Arran. (S6O-05634)

The Cabinet Secretary for Health and Social Care (Neil Gray): As Ms Mochan and colleagues will remember from my comments on 17 February, given concerns over its financial sustainability, NHS Ayrshire and Arran has been moved to stage 4 of the NHS Scotland support and intervention framework for finance. That will involve senior external support and monitoring from Scottish Government, including establishing an assurance board.

I have confidence in the interim chief executive, Gordon James, and the refreshed leadership team. My officials will continue to work with them to return NHS Ayrshire and Arran to a sustainable financial footing while maintaining services for the people of Ayrshire and Arran.

Carol Mochan: Last month, NHS Ayrshire and Arran's interim chief executive stated to a committee of the Parliament that

"the board is not in a financially sustainable position."—[*Official Report, Public Audit Committee,* 25 February 2026; c 2.]

The health board has been in deficit since 2017-18 and now owes the highest level of outstanding loans of any health board. It is not financially sustainable and, given that it was first escalated to stage 3 more than seven years ago, we have to seriously question why it has been allowed to sit on such a high level of escalation for so long. Is the cabinet secretary confident that the support and intervention framework is working as effectively as it should?

Neil Gray: Yes, I am. I agree with Gordon James's assessment, which is why NHS Ayrshire and Arran is at level 4 of the escalation framework and is getting additional assistance from the Scottish Government. The board has received support from the Government commensurate with its challenges but its financial position is not recovering, so the decision has been made to move it up to level 4.

We continue to invest in NHS Ayrshire and Arran to improve services and return it to a sustainable

financial position, and we will continue to work with the board to do just that.

Dunblane Shootings (30th Anniversary)

The Presiding Officer (Alison Johnstone): Before we move to First Minister's question time, I invite the First Minister to make some remarks on the 30th anniversary of the Dunblane shootings.

12:00

The First Minister (John Swinney): Thirty years ago tomorrow, primary school teacher Gwen Mayor took her pupils into the gym hall at Dunblane primary school. Shortly afterwards, a gunman entered. What followed was the deadliest and most horrific mass shooting in the United Kingdom's history. Along with Gwen Mayor, who died valiantly trying to protect her pupils, 16 children lost their lives and 15 others were injured.

I, like everyone who lived through that moment, will never forget that day. On the same day that parents faced the unbearable loss of their children, my eldest son was born. I remember the preciousness of my son's birth and could not begin to imagine—that day, or any day since—the sense of loss faced by those families.

In the months that followed, grief-stricken parents and residents of Dunblane decided that they would not let such tragedies happen again. They collected 750,000 signatures in their campaign to change UK gun laws. In November 1997, handguns became illegal in the United Kingdom. Scotland has not seen a mass shooting since.

My thoughts, prayers and deepest condolences go out to everyone who was impacted by that terrible tragedy. My most heartfelt thanks go to all who took action to ensure that such a tragedy might never happen again.

In the intervening years, the community of Dunblane has demonstrated such strength and resilience, and the power of community, solidarity and love in Scotland. It has the respect and admiration of us all.

12:02

Russell Findlay (West Scotland) (Con): There is a photo of the primary 1 class at Dunblane primary school in 1996, and it is a picture of pure childhood innocence. It features teacher Gwen Mayor beaming with pride and cheeky wee smiles on the faces of her young pupils.

On 13 March, 1996, they were visited by evil. After three minutes of gunfire, Gwen and 16 of her pupils lay dead. I remember—we all remember—where we were on that spring day. News bulletins

stopped us in our tracks. How could any parent bear the endless agony of such loss?

Dunblane became synonymous with tragedy, but the town's tears of sorrow turned to anger and then to action. Parents, politicians and ordinary folk from across Britain demanded that there never be another Dunblane, and they meant it. Handguns were banned; lives were saved; and they continue to be saved.

12:03

Anas Sarwar (Glasgow) (Lab): Tomorrow marks 30 years since the Dunblane tragedy—a day that will be forever etched in our memories. Sixteen children and a teacher went to school that day but did not make it home, because of the actions of an evil man. However, it is not that evil man we should remember, but the beautiful faces of those innocent children, their brave teacher, the families left grieving for ever and all the incredible individuals who helped to pull that community together at the hardest of times.

It was right to take action to ban handguns, but we must ensure that our laws are robust for the challenges and technological advancements of today. Of course, we carry the profound sorrow of the Dunblane families in our hearts, but we should also think of the children who, although they survived that day, have lived with the grief and trauma ever since. We pay tribute to the inspiring resilience of the community that raised and loved them. We will remember them for ever.

12:05

Gillian Mackay (Central Scotland) (Green): Thirty years ago tomorrow, 16 primary 1s and their teacher went to school and did not come home. Fifteen more were injured. Those children would have been the same age as me.

When the news came over the radio, my mum was in hospital, having just given birth to my brother. The panic across central Scotland was real. She always told us how her relief at me being safe was immediately dashed by the realisation that others did not have the same fate. Their hopes and dreams were never realised.

No words can do real justice to the pain and grief of the families who never got to see their babies grow up. My thoughts, and those of the Scottish Greens, go to all those who are affected.

We were proud to take action on a cross-party basis to tackle the ownership of handguns. As parliamentarians, we have to strive to make sure that what happened that day can never happen again.

12:05

Alex Cole-Hamilton (Edinburgh Western) (LD): This week, our hearts are with the people of Dunblane and, in particular, the families of the 16 children and their teacher who were lost to us that day. Thirty years on, many of those children might have been parents themselves by now, but the gunshots of a madman cut short the promise of those young lives. They brought a nation to grief and a Parliament to action, causing it to ban for ever the domestic ownership of handguns and, by so doing, prevent the likelihood of the repetition of such a tragedy.

This year, and every year, we remember the trauma of Dunblane and the shadow that it still casts across our national story.

First Minister's Question Time

12:06

Glasgow Union Street Fire

1. **Russell Findlay (West Scotland) (Con):** The inferno that ripped through my home city of Glasgow was devastating. Only the bravery and professionalism of 250 firefighters stopped the flames from engulfing Central station. There are many serious questions about the dodgy vape shop where the fire started, but the immediate focus must be on local businesses, which already face severe pressures.

On Tuesday, John Swinney said that the Scottish National Party Government was in discussions with the SNP-run city council. Can he therefore tell those struggling business owners exactly what support will be provided and when?

The First Minister (John Swinney): First, I associate myself very closely with Russell Findlay's remarks about the bravery and effectiveness of the firefighting operation. That response has enabled Glasgow Central station, the Central hotel and most of the infrastructure around the site of the fire to be protected, although there is significant disruption to individuals as a consequence.

The Government is in active discussion with Glasgow City Council, which is gathering information from the affected businesses about their circumstances. I am not in a position today to say definitively what financial support will be available, but I expect to be able to do so very shortly.

Glasgow City Council and the Government will discuss exactly what support can be made available to the affected businesses. I include in that the businesses that have been directly displaced by the fire and those that have been affected by issues with access to the central Glasgow area, which is severely restricted because of the safety considerations at the site.

Russell Findlay: I am not sure whether that answer will inspire huge confidence. There seems to be a lack of urgency around the matter, because many businesses that have been impacted by the Glasgow fire already face massive, imminent rises to their rates bills. Across Scotland, those bills will force some to cease trading and lay off workers.

Two prominent businessmen have issued particularly stark warnings. Lord Haughey said that there could be "civil disobedience" and a mass campaign of non-payment. Sir Tom Hunter said:

"Mr Swinney, First Minister, you understand what is going on here, and you understand the punishment. I am going to say it today: can't pay, won't pay."

My party is campaigning to pause the new rates bills before they come into effect on 1 April. Will John Swinney heed those warnings before it is too late?

The First Minister: I recognise the challenges that, in general, the business community in Glasgow, and across the country, is facing, and I recognise the significance of the issues relating to non-domestic rates, which have been central to the Government's budget provisions for many years. We have protected the business community from some of the increases that it has faced.

Some properties will see significant increases in rateable values in the 2026 revaluation, but the transitional relief that the Government has put in place means that the gross bills of about 60,000 properties will be lower in 2026-27 than they would otherwise have been. That is part of the wider non-domestic rates support that the Government has put into place, which is more than £870 million in 2026-27.

Russell Findlay: John Swinney mentions the budget response, but that is a sticking plaster. Businesses are bleeding out and Scottish hospitality is being hit hard, with pubs already closing at a rate of one a week. However, John Swinney does not want to know. Last month, I invited him to discuss Scotland's pub crisis over a pint. He refused. The Scottish Hospitality Group invited Mr Swinney to its recent hustings. He refused. Instead, he sent a local councillor. The same group also wrote to Mr Swinney on 30 January asking him for a meeting. He has not even replied. Does John Swinney think that his high-handed treatment of a critical sector of the Scottish economy is appropriate?

The First Minister: There is extensive engagement between my ministers and the different sectors that are involved in the discussions on business rates, and a wide range of meetings have taken place between ministers and representatives of the hospitality industry as part of that work. That engagement led to the budget propositions that have put in place significant transitional reliefs, which will reduce the net bill for eligible properties to 25 per cent of what it would otherwise have been in 2026-27. That is a significant contribution. As I said in an earlier answer, it is part of a package of reliefs that is estimated to be worth more than £870 million in the next financial year to companies in Scotland.

I understand the concerns in the business community. I engage regularly with a range of different business organisations—my ministers do exactly the same—to ensure that we can take action within the financial resources that are available to us to support the business community

and to encourage its growth and development in Scotland. That is at the heart of the Government's budget proposals.

Russell Findlay: The First Minister could not even be bothered going to the hustings. He did not even bother sending a minister or an MSP.

Let me tell members about another shocking example of John Swinney's disgraceful, high-handed approach to business. I contacted him directly about Katie Long. Katie took on a derelict pub in Mr Swinney's constituency and worked tirelessly to transform it into a thriving community local. Her rates bill is about to double, and she is on the brink of calling last orders for the last time. A community would lose its local and 26 people would lose their jobs.

More than a fortnight ago, I asked John Swinney to visit Katie's pub. He has not even replied. Mr Swinney will not go to Katie's pub, so she has come to the Parliament today. I will be going with Katie to a nearby pub at half past 1 this afternoon. Will John Swinney join us to discuss Katie's plight and Scotland's pub crisis over a pint?

The First Minister: I am very familiar with the case that Mr Findlay puts to me. Of course, in that case, there will be benefits as a result of the transitional relief system that the Government will put in place.

I am afraid that, because of my commitments, I cannot join Mr Findlay at 1.30. I ask the Parliament to understand that there are a range of different issues that I am wrestling with and must take forward.

Every year that it has been in office, this Government has consistently demonstrated a determination to put in place support for business. We were the first Government to introduce the small business bonus scheme, which the pub that Mr Findlay referred to has benefited from. We are a Government that has put in place a series of different reliefs across hospitality, retail and leisure premises, as well as delivering a reduction in rate levels in Scotland. That is all part of the £870 million of financial support that this Government is providing. I point out to Mr Findlay that he did not vote for a single penny of that when the budget came before Parliament. What we have had from Mr Findlay is just posturing.

Glasgow Union Street Fire

2. **Anas Sarwar (Glasgow) (Lab):** On Sunday night, like so many other Glaswegians, I watched in horror as yet another fire ripped through the heart of our city. I want to place on record my thanks to the members of the emergency services who ran towards danger to protect others. Thanks to them, no one was seriously injured or lost their life.

On Monday morning, when I spoke to workers there, I saw the best of Glasgow: businesses handing out coffee to workers who were dealing with the fallout and volunteers who were helping to manage commuters. People really do make Glasgow.

The fire has raised a number of issues, including the regulation and licensing of vape shops, the availability of support packages for those who have lost their livelihoods, how soon we can restore normality for workers and commuters, and, of course, the resourcing of our Fire and Rescue Service. What urgent lessons will the Government learn from the incident?

The First Minister (John Swinney): I also associate myself with the remarks of Mr Sarwar. When I visited the site on Monday, I was briefed by the various organisations that were involved in dealing with the incident, led by the firefighting commanders, from whom I gained a first-hand understanding of the severity of the incident.

We owe an enormous debt of gratitude to them, for two reasons. First, as a result of their prompt and comprehensive intervention, there were no injuries, which I consider to be a minor miracle with an incident of that scale. Secondly, Glasgow Central station and the Central hotel were saved from fire spread from an intense fire because of the strategic direction of the operation and the strategic judgments that were made by the Scottish Fire and Rescue Service. I associate myself very much with Mr Sarwar's remarks in that regard.

There was also the whole recovery operation, which involved our transport networks, the emergency services and the volunteers who turned out—very quickly—to provide support to individuals.

Mr Sarwar is correct to say that a number of lessons must be learned from the incident. An investigation into the site will be carried out, but it looks pretty obvious that it started in a vape shop in Union Street. There is regulation in place, and the United Kingdom Government is actively pursuing more regulation, which will affect Scotland; we are party to that. We will also look to identify what further steps are required to ensure that there is proper and effective regulation of such premises.

To follow up on the point that I made to Mr Findlay, the Government will put in place financial support, which will be channelled through Glasgow City Council, to support affected businesses, but we need to take some time to establish exactly what type of support will make a difference. It will be financial support, because that is required by the businesses that have been affected.

Anas Sarwar: I welcome those comments. Fires such as the one that we saw on Sunday are difficult to fight, and we saw the dedication of our firefighters.

However, the truth is that, too often, our firefighters have to fight fires with reduced capacity. In 2023, John Swinney and the Scottish National Party cut the number of specially designed high-reach appliances, or HRAs, from 26 to just 16 for the whole of Scotland. In Glasgow, the number of those appliances was cut from six to two. It is believed that both of Glasgow's HRAs were not available on Sunday, due to annual inspection, and that one had to be called from Edinburgh. Why was that ever allowed to happen?

Since 2013, one in six firefighter jobs has been lost—that is more than 1,200 jobs. Sunday is a reminder of what those men and women put at stake every time they go to work.

Right now, we do not know what difference the reduction in fire service capacity would have made on Sunday, but will John Swinney commit to an immediate investigation into any potential impact it might have had on the response, so that lessons can be urgently learned?

The First Minister: I understand the significance and importance of the points that Mr Sarwar puts to me, but I come back to the point of agreement in our exchange, which is that the fire and rescue response on Sunday was exemplary, that the resources that were required were there to ensure that the fire could be extinguished and, crucially, that the high-rise equipment that was available provided the strategic intervention that stopped the fire from spreading into Glasgow Central station or the Central hotel. All that equipment and resource was there to enable that incident to be tackled.

When it comes to considering the deployment or allocation of resources in Scotland for fire and rescue services, the Government is mindful of our obligations in that respect, which is why, in the recent budget, we provided an additional £23.8 million to the Scottish Fire and Rescue Service, bringing its budget to £435.96 million. That is an increase in the budget for the Fire and Rescue Service.

The Fire and Rescue Service is going through a service delivery review, but central to that review—I have made this point to individual members who have raised issues about firefighting capacity around the country—are questions of fire safety, resilience and proper deployment of resources that will underpin any consideration of the issues in that review. That is the point that I stress to Parliament today. The essential requirement of any review is to make sure that we have a fire and rescue service that can meet the needs of Scotland as we face them and that is the commitment that I give to Parliament today.

Anas Sarwar: John Swinney and I agree about the exemplary nature of the decision making of those individual firefighters, but he needs to commit to an urgent investigation of the impact of the capacity that was available to those firefighters. I do not think that he can logically say that reducing Glasgow's high-rise appliances from six to two and the fact that those two appliances were both off stream at the same time due to inspection would not have made a material difference. We do not know, but he cannot say categorically that that did not make a material difference to the response to the fire. That is why an urgent investigation must happen to establish the facts.

It was right that John Swinney went to Union Street on Monday to see those who fought to put out the blaze, but government must be about more than gestures. At the very same time as John Swinney was on Union Street thanking the front line, Scottish Government officials were meeting Fire Brigades Union officials to inform them of plans for more job cuts in Scotland's fire service. How can that possibly be right?

We know that there are now fewer firefighters, less firefighting equipment, longer response times and station closures. Our Fire and Rescue Service has already faced years of cuts, so surely the tragedy on Sunday must be a wake-up call and a reason to pause.

The First Minister: I would have hoped that my answer to Mr Sarwar's second question would have reassured him on many of those questions. The service delivery review that is going on within the Scottish Fire and Rescue Service, which is the type of exercise that has to be undertaken on a regular basis, must have public safety and effective dealing with fire and rescue incidents uppermost in its consideration.

Since 2009-10, there has been a 33 per cent reduction in—sorry. Since 2013, there has been a more than 20 per cent reduction in dwelling fires in Scotland. At the same time, there has been an increase in demand for fire and rescue services to deal with issues such as flooding or wildfires. I say that to show that the demand and the incidents that have to be addressed have to be constantly reviewed by the Scottish Fire and Rescue Service, and it needs to identify the proper resources that are available to address those incidents. That will be considered as part of the exercise.

In relation to the incident on Sunday in Glasgow, I am confident that effective resources were in place to do all that needed to be done. Looking at the incident and its severity, we can see that the impact was bad enough but could have been even

greater. That demonstrates to me that the resources are in place to tackle such incidents. However, that must be kept under constant review, and that is what we expect the Scottish Fire and Rescue Service board to do.

Maternity Services (Caithness)

3. **Alex Cole-Hamilton (Edinburgh Western) (LD):** There is good news. A year after she was ready to leave hospital, and months after I first raised her case, Margaret MacGill finally got home yesterday—not because of anything that the Government did but because her family took control of the budget and hired carers themselves, because they were told that the alternative was for her to spend another year in hospital.

Just down the road from Margaret, *The Herald* newspaper spoke to Elizabeth Jones, a mum in Caithness. Her first two kids were born in the local hospital but then, on the Scottish National Party's watch, her local maternity services were downgraded. So, when her third child needed to be born by caesarean section, she had to travel 100 miles, alone, to Inverness on a bus.

In November, the Parliament backed a Scottish Liberal Democrat amendment that called for an independent review of maternity services in Caithness, giving hope to families in the area. Why is the SNP defying the wishes of this Parliament?

The First Minister (John Swinney): First, I am delighted that Mrs MacGill is home, which is where she should be, and I am delighted that support is in place to enable her to be at home.

The way in which individuals are financially supported to be at home varies around the country. I, personally, am a great supporter of self-directed support because I think that it gives families much more control, and I am delighted that that arrangement, which has been put in place and is supported by the Government, enables that to happen.

The issues in connection with maternity services in Caithness are being taken forward as part of the work of the maternity and neonatal task force, which is under way. There is independent engagement in the work of the task force, which is designed to look at the vexed issue of the safe delivery of maternity services in particular parts of the country where there is not a high incidence of deliveries, to ensure that those services can be as safe as possible for any mothers who are having babies.

Alex Cole-Hamilton: I am sorry, but there is nothing independent about a review if an SNP minister is in overall charge of it. It is no wonder that mums in the far north feel really let down and unsafe. They are not alone. New Scottish Liberal Democrat research shows that 300 times last year, maternity wards across Scotland recorded safety concerns about being short-staffed. Those were red flags on the national health service's official incident reporting system. That number is almost treble what it was at the start of this session of Parliament. The compensation that the NHS has paid out to affected families has skyrocketed. The Royal College of Midwives has warned that staff

"are being stretched beyond breaking point"

and that women and babies are being denied the care that they deserve.

All of that is happening on the SNP's watch, so I ask the First Minister: do Scotland's mums not deserve better than that?

The First Minister: What Scotland's mums deserve is the safe delivery of maternity care as close to home as they can sustainably get that service. That is exactly what mums in Scotland deserve and that is what this Government delivers.

The overwhelming majority of women and babies experience a safe birth and positive outcomes but, when things go wrong, we expect health boards to engage openly and transparently with individual mothers and families to understand what has gone wrong. We are also requiring Healthcare Improvement Scotland to scrutinise maternity services around the country. We have seen various reports coming forward as that exercise is undertaken and, where improvement is required, the Cabinet Secretary for Health and Social Care brings in the leadership of the relevant health board to insist that that is undertaken.

I say to Mr Cole-Hamilton, to Parliament and to mums around the country that the Government is determined to deliver safe maternity services. I reiterate that the majority of women and babies experience a safe birth and positive outcomes and that, where that goes wrong, we expected there to be transparency and accountability, and that is what the Government delivers.

Heating Costs (Rural Households)

4. **Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP):** To ask the First Minister what measures the Scottish Government can take, in discussion with the United Kingdom Government, to assist households in very rural areas that are wholly dependent on oil or liquefied natural gas for heating, and are not connected to the gas mains, to assist with increased costs. (S6F-04748)

The First Minister (John Swinney): We have engaged with the industry to understand the implications of the serious issue that Christine Grahame raises with me. We also seek to engage with the United Kingdom Government on the issue. I know that there has been some dialogue between

the Chancellor of the Exchequer and members of Parliament, but there has not yet been dialogue with the devolved Governments. We will pursue that. We want to make sure that we are part of those discussions to understand the potential impacts on individuals, public services and social security arrangements in Scotland.

Our hope is that de-escalation in Iran can reverse the increase in costs, because that is what is fuelling it. However, energy prices are fully reserved to the United Kingdom Government, and we have pressed it to publicly commit to financial support if prices continue to rise.

Christine Grahame: I note that Rachel Reeves has referred the hike to the Competition and Markets Authority, but my constituents and, I suspect, constituents of many members throughout the chamber need something done in the here and now. They are simply overwhelmed by the soaring costs of their heating oil, which have more than doubled in days and are still on the rise. For example, in my constituency, the cost was 60p a litre in January, and yesterday it was £1.27 a litre. The increased costs affect about 130,000 homes in Scotland and 1.7 million homes UK-wide. Those homes already get very limited benefit from the energy price cap. That applies to combined electricity and gas supplies, so it applies only to their electricity bills.

Previously, with the spike in the price of heating oil due to the invasion of Ukraine, the UK Government introduced an alternative fuel payment of £200, which was better than nothing. Does the First Minister agree that an alternative fuel payment should be made now, but in tandem with the exposure of the cowboys who are profiteering and, at long last, proper regulation of the industry?

The First Minister: The Cabinet Secretary for Housing has already written to the UK Government confirming our support for the Competition and Markets Authority enforcement action, which would address some of the issues that Christine Grahame has raised. We have also asked the UK Government to stand up the alternative fuel payment infrastructure and called for a public commitment that financial support will be made available if costs continue to rise. The Prime Minister has committed to stepping in should that situation arise, and I would encourage him to do so.

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): Borders residents have also written to me about the rise in fuel prices, and particularly those who live in fuel poverty. Will the First Minister consider making a Scottish Government resilience or crisis fund available to support those people, who are really living in challenging times with the rise in prices?

The First Minister: The issues in relation to energy prices are a reserved matter for the United Kingdom Government. As I set out, the mechanism is the alternative fuel payment infrastructure, which is a matter for the United Kingdom Government. That is the means of intervening where these circumstances arise. I invite Rachael Hamilton to join us in demanding that the UK Government acts to protect rural residents. That is where the responsibility lies and where the action should come from.

Rhoda Grant (Highlands and Islands) (Lab): The First Minister will be aware that the UK Government is issuing guidance to its local authorities to use crisis and resilience funds to protect those who are dependent on oil and gas heating. Will he look at making crisis grant funds available to people in islands and rural areas who are dependent on gas and oil for heating? Will he also look at how Consumer Scotland can support the Competition and Markets Authority to engage with people who are suffering because of the soaring costs?

The First Minister: Consumer Scotland will certainly engage very actively with the Competition and Markets Authority. Consumer Scotland is a very good organisation that serves us well. In relation to the crisis grants situation, we will be pressing the UK Government to take action, and I invite Rhoda Grant to join us in making sure that the Labour UK Government acts in that fashion.

Private Healthcare (NHS Consultants)

5. **Brian Whittle (South Scotland) (Con):** To ask the First Minister what assessment the Scottish Government has made of any impact on the national health service arising from reports that the number of consultants working in the private healthcare system is the highest on record. (S6F-04747)

The First Minister (John Swinney): The very modest increase of 20 private consultants over the past year has to be seen in the context of a record high number of NHS Scotland consultants. Since 2006, the number of consultants has increased by 75 per cent, including a 150 whole-time equivalent increase over the past year, using the latest data to December 2025.

Brian Whittle: I thank the First Minister for that answer. However, much as I accept that people have a choice, I am concerned that more people are accessing private healthcare not out of choice but out of necessity, in the face of prolonged and painful waits for NHS care.

The situation can only be exacerbated if more of our experienced medics are spending less time in

the NHS and more time in private practice. For years, we have heard from clinicians that working in the NHS is becoming more difficult as demand for care rises and waiting time backlogs remain stubbornly high. Is it any wonder that, under the SNP, more staff are leaving the NHS for the private sector?

What will the First Minister do to ensure that experienced medical professionals—many of whom have received their education and experience in Scotland—are encouraged to continue working for the NHS throughout their careers, not only with a fair salary but with investment in technology and prevention in order to improve the working environment for our NHS staff?

The First Minister: I need to correct Mr Whittle on the point about more staff leaving the NHS. There are more staff working in the NHS under this Government than there have been in the past. As I said in my earlier answer, there has been a 75 per cent increase in the number of consultants in the NHS since the Government came into office. Therefore, that point is not substantiated.

Private heath admissions are lower in Scotland than in England and Wales. England's private health admissions are 48 per cent higher, and Wales's are 5 per cent higher, than they are in Scotland. We are in a comparatively stronger position.

On the performance of the national health service, I appreciate that there are challenges in the NHS, but long waits are down eight months in a row, and long waits for new out-patients have halved since July. The number of general practitioners, nurses, midwives and consultants is up, and there will be 16 new walk-in GP clinics. The SNP is delivering for the NHS, and I am very pleased with the progress that we are making.

Clare Haughey (Rutherglen) (SNP): I remind members of my entry in the register of members' interests. As the First Minister referenced, it is worth Brian Whittle noting that Scotland continues to have a substantially lower private healthcare take-up rate than England.

Unlike Labour and the Tories, the SNP is not accepting donations from private healthcare firms or listening to the likes of Tony Blair about how to carve out our NHS for privatisation. [*Interruption*.]

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

Clare Haughey: Can the First Minister therefore outline how, under the SNP and his leadership, Scotland has seen the number of doctors, consultants and nurses increase, and what that means for bringing down waits?

The First Minister: I set out to Clare Haughey that—as I have just said to Brian Whittle, but I need to say it again so that members hear—under this Government, long wait times are down eight months in a row and long waits for new out-patients have halved since July, just as I promised would be the case. The number of GPs, nurses, midwives and consultants is up, and there are 16 new walk-in GP clinics.

Let me reassure Clare Haughey that my Government intends to take no lectures from Tony Blair.

Measles Vaccinations

6. **Kevin Stewart (Aberdeen Central) (SNP):** To ask the First Minister what action the Scottish Government is taking to promote vaccinations to combat measles, in light of reports of recent diagnoses in the NHS Grampian area. (S6F-04746)

The First Minister (John Swinney): Vaccination remains the most effective protection against measles, and I urge everyone who is eligible to ensure that they are fully vaccinated.

Childhood immunisation uptake in Scotland remains high. Uptake of the first dose of the measles, mumps and rubella vaccine in children by age five continues to exceed 95 per cent. In NHS Grampian, MMR vaccine uptake in children is slightly above the national average, at 96.5 per cent. The Government is working closely with Public Health Scotland and NHS boards, including NHS Grampian, to monitor measles cases and to take any necessary rapid action to protect public safety.

Kevin Stewart: I thank the First Minister for that answer. Measles is a very serious illness, but it can be easily prevented. Vaccination is safe, effective and for everyone, at any age. It is part of the routine childhood immunisation programme, and we should all be encouraging parents and carers to ensure that their child receives all their vaccinations.

It is galling that Reform gave a platform to an anti-vax proponent at its latest conference. I call on all political parties and politicians in the chamber to promote preventative vaccinations. Will the First Minister's Government consider boosting its positive vaccination messaging so that we can keep people throughout Scotland safe?

The First Minister: Let me associate myself with Kevin Stewart's comments. Vaccination is the most effective way to ensure that public health is maintained. It is important that we all combat harmful disinformation about vaccines. Vaccinations save lives, so it is essential that families can access clear and accurate health information. Public Health Scotland recently

launched its “One less thing to worry about” campaign, which further encourages the uptake of childhood vaccinations. The NHS Inform website provides accessible and trustworthy guidance from medical professionals on vaccinations.

That is all important, and it is important that we get the public messaging correct, so I will consider Mr Stewart’s suggestion of whether we have enough resource going into vaccination campaigns. If there is a requirement for that to be increased, I give him the assurance that that will be considered by the Government.

The Presiding Officer: We move to constituency and general supplementary questions. The more concise questions and responses are, the more members we will be able to take.

Leaked Memo (Devolution)

Keith Brown (Clackmannanshire and Dunblane) (SNP): The First Minister will be aware of a memo that was leaked this week, which revealed the Prime Minister’s true attitude towards devolution. Is the First Minister as disappointed as I am that the Labour Party in Scotland has chosen to side with the Prime Minister and not with the principles of devolution? Unlike their colleagues in the Welsh Senedd, who called out Starmer’s actions as a constitutional outrage and a betrayal of devolution, Scottish Labour members made no such outcry. What assessment has the First Minister made of the leaked memo? Does he agree that it is only with a fresh start through independence that the integrity and future of Scotland’s Parliament can be protected and enhanced?

The First Minister (John Swinney): The Prime Minister’s memo that came to light this week indicates that the Labour Prime Minister of the United Kingdom has as much contempt for devolution as his Conservative predecessors did. It displays an attitude that is disrespectful of the policy direction and actions of the Scottish Government.

The people of Scotland voted nearly 30 years ago to establish this Parliament. Its members are elected to be accountable to the public in Scotland for the public expenditure matters for which it is responsible. [*Interruption*.]

The Presiding Officer: Let us hear one another.

The First Minister: That is being undermined by the UK Labour Government. The lesson is pretty clear to people in Scotland: Labour is a threat to devolution, and the only way that self-government can be protected is through the fresh start that independence would bring.

The Presiding Officer: I would be grateful if we could all hear one another. Members should please remember those gathered in the public gallery, who would like to hear, too.

Eljamel Public Inquiry

Liz Smith (Mid Scotland and Fife) (Con): Is the First Minister as appalled as I am that the former patients of Sam Eljamel, who were allowed to attend, in person, the first and second sessions of the public inquiry, to hear what was being said in evidence, were told yesterday that that would no longer be the case for session 3 and that they would have to listen to the inquiry’s proceedings online? Does he agree that that decision is completely unacceptable? It is contrary to the principles of a patient-centred and trauma-informed approach. When were Scottish Government ministers first made aware of that decision?

The First Minister (John Swinney): I understand the significance of the point that Liz Smith raises, but, as I understand it, the decision is one that has been taken by Lord Weir, who is the chair of the inquiry.

Liz Smith will know the obligations that I am under, in terms of the Inquiries Act 2005. The chair of the inquiry must be free to take the decisions that they decide to be appropriate for the running of the inquiry. They should certainly not be subjected to interference by ministers, and they certainly will not be subjected to interference by me. Whatever my personal sympathies are on the issue—as Liz Smith knows, just last week, I met those who were affected by Eljamel and had a constructive discussion with them—I have to respect the independence of Lord Weir’s inquiry. It would be thoroughly inappropriate for me to intervene on any matter of that nature.

Police Scotland (Data Protection)

Pauline McNeill (Glasgow) (Lab): Police Scotland has been fined £66,000 for a deeply serious data protection failure after the full contents of a female officer’s device—including medical records, intimate images and sensitive personal information—were extracted and shared with a colleague whom she had accused of rape, along with his lawyer and his Scottish Police Federation representative.

Today, it has been reported that the Scottish Information Commissioner found that the force failed to minimise data collection, lacked adequate technical and organisational safeguards and did not report the breach within the legally required 72 hours. Police Scotland has apologised for the incident and said that it has learned lessons from it, but does the First Minister agree that that is an absolute scandal?

If it is a necessary practice to download the full contents of anyone's phone or device, that should be all the more reason to ensure that cast-iron protections are in place. What steps could the Scottish Government take to reassure complainers, and anyone else, that there is proper oversight to prevent such a situation from ever happening again?

The First Minister (John Swinney): I agree completely with Pauline McNeill—it is appalling. I know that Police Scotland has apologised. Let me apologise to the individual affected, because I cannot begin to imagine how horrendous an experience that has been.

The protection of people's data and information, at any time, is very important and, in cases of this sensitivity, it is even more important. Police Scotland must properly, fully, openly and transparently learn the lessons of this incident.

As I understand it, Police Scotland has been fined by the Information Commissioner, which is a mark of the seriousness of the issue. The issue has to be addressed in that fashion. I reiterate to Pauline McNeill the importance that I attach to issues of that nature being taken seriously and being addressed by Police Scotland. The Cabinet Secretary for Justice and Home Affairs will raise the matter with the chief constable when they next meet.

UK Government Policies (Impact on North-east Scotland)

Karen Adam (Banffshire and Buchan Coast) (SNP): Presiding Officer,

"Labour are doing to Aberdeen what Margaret Thatcher did to Middlesbrough, and it's utterly shameful."

Those are the words and assessment of GMB general secretary Gary Smith on the impact of the Labour United Kingdom Government's policies on the north-east and areas such as my Banffshire and Buchan Coast constituency. Does the First Minister share his concern, and does the First Minister agree that we do not address the cost of living crisis by making more people redundant?

The First Minister (John Swinney): I agree with Karen Adam. In Scotland, we are in the position of having much lower unemployment than the rest of the United Kingdom, but the challenges that our oil and gas sector faces are caused by the more rapid decline of the sector, accelerated by the energy profits levy and the slower growth in renewables than we had expected.

I have made this point at this podium before, and I will make it again: the United Kingdom Government should remove the energy profits levy so that we can safeguard employment and manage the just transition in the oil and gas sector. That is the responsible way to tackle the issue. I reiterate my call to the UK Government to scrap the energy profits levy, and to scrap it now.

Baird Family Hospital and Aberdeen and North Centre for Haematology, Oncology and Radiotherapy

Alexander Burnett (Aberdeenshire West) (Con): The First Minister was in the chamber last night and heard my request for a statement on the Baird family hospital and the ANCHOR centre. I hope that his business manager will reconsider that request, because a whistleblower's report has now upheld concerns over major flaws in the infection control and water systems, echoing the tragic situation at the Queen Elizabeth university hospital. We all want those units to be the very best that they can be. We want them to be places of health, where people of all ages go to get better. Will the First Minister assure us that the healthcare associated infection system for controlling risk in the built environment—HAI-SCRIBE—guidance has been followed, that the buildings will open without further delay and that patient safety and staff wellbeing will not be negatively impacted?

The First Minister (John Swinney): First, I recognise the importance of the point that Mr Burnett puts to me. I heard his speech last night, and I understand exactly all the points that he is making. It is a matter of regret to me that the Baird family hospital and the ANCHOR centre are as delayed as they are, but they are delayed because of the level of scrutiny and intervention that is under way to guarantee safety. That is the process that is under way, and NHS Scotland Assure, which was set up to do exactly that type of scrutiny, is exercising that responsibility.

In relation to the building process at the Baird and ANCHOR, my officials spoke to NHS Grampian this morning, which confirmed that the water safety group at the Baird and ANCHOR met on Friday 6 March. The group talked through the concerns that have been raised, and everyone present agreed on the response and the action being taken to ensure the highest level of water safety when the facilities open.

As a result of the intervention of NHS Scotland Assure, buildings are not opened unless it is safe for them to open and they comply with all relevant requirements. I assure Mr Burnett that that will be the case for the Baird and ANCHOR.

Mr Burnett asked for the hospitals to open without delay. I cannot give him that assurance, because we have to ensure that they are safe to open. I assure him that no one wants the hospitals to open more than me, but I have to learn the lessons from previous issues, which is exactly what is going on now.

School Strikes (Funding)

Martin Whitfield (South Scotland) (Lab): I remind members of my entry in the register of members' interests.

The announcement that school strikes in six areas, arising from the Scottish Government's failure to address workload issues, may be avoided, is to be welcomed. Local authorities have fixed their budgets for this financial year and the next. Will the First Minister confirm the statement by the Cabinet Secretary for Education and Skills that additional funding will be available and that that funding will fully cover local authorities implementing the solution that has been given?

The First Minister (John Swinney): I am grateful to Mr Whitfield for raising that issue, because we are at a pivotal moment in the discussions. I want to avoid industrial action, which, once again, is proposed for the communities that I represent, because I am the First Minister. It is not fair on my constituents if their children are unable to access schooling as a result of industrial action. I declare a personal interest, because industrial action would affect my son at a crucial moment in his education, so let us be crystal clear about its implications.

The education secretary has worked incredibly hard and has focused on trying to bring the relevant parties together, but the issue is not entirely under the control of the Government. It involves a discussion and negotiation between the Government, the Convention of Scottish Local Authorities and the trade unions. I am confident that there is a proposal on the table, properly and fully funded by the Scottish Government, that will allow industrial action not to happen, but it requires COSLA's agreement tomorrow. I encourage Mr Whitfield to join the team effort to ensure that COSLA gets agreement over the line, so that we can avoid industrial action, the children of Scotland can get on with their education and we can all be happy that we have a nice tripartite agreement. Two parties are there—

Michael Marra (North East Scotland) (Lab): How much money?

The First Minister: Mr Marra is shouting at me, asking about the money. I just told Mr Whitfield that the proposal is fully funded. We need local authority leaders to do the right thing tomorrow, and I look forward to them doing so.

Point of Order

12:53

Pam Duncan-Glancy (Glasgow) (Ind): On a point of order, Presiding Officer. Thank you for taking the point of order and forgive me for not giving you early sight of it.

Yesterday evening, we debated in the chamber a motion to consider the Assisted Dying for Terminally Ill Adults (Scotland) Bill tomorrow, in an additional meeting of Parliament. I put on the record that, for many of us, tomorrow is absolutely a working day.

For the purposes of such decisions, I want to share briefly with the chamber some of the considerations that had to be made in order that I could make a change at such notice. In the 12 hours—or a bit longer—since Parliament met, two personal assistants, a family member and my husband have had to change all their working arrangements for tomorrow in order for me to attend Parliament. I understand and appreciate the ability to attend Parliament in hybrid form, which is an important step that Parliament has taken to encourage participation. However, given the nature of the debate, members will understand why I wanted to be here in person.

I am not sharing this information so that people feel sorry for me or for the people in my life who have had to make sacrifices and changes at such short notice. I share it merely because I want people to understand that such decisions impact not just members but our families, too. I speak of experiences that every one of us will have and of the impacts that this job has on our lives.

I put on record my thanks to the family members, my husband and the personal assistants who have changed their working patterns in the past 12 hours in order to accommodate my participation in an important debate and to ensure that Parliament can do its business. I also put on record a request that, when the Parliamentary Bureau considers such situations in the future, the impact on individual members and their families be deeply considered so that we can all participate in proceedings in the chamber on an equal basis.

The Presiding Officer (Alison Johnstone): Thank you, Ms Duncan-Glancy. Your comments are noted and the bureau will have heard them.

We will now have a short suspension to allow those leaving the gallery and chamber to do so.

12:55

Meeting suspended.

12:56

On resuming—

Edinburgh Medical School 300

The Deputy Presiding Officer (Liam McArthur): The next item of business is a members' business debate on motion S6M-20683, in the name of Martin Whitfield, on Edinburgh medical school 300. The debate will be concluded without any question being put. I invite members who wish to participate to press their request-to-speak buttons.

Motion debated,

That the Parliament recognises that, in 2026, medicine will have been formally taught at the University of Edinburgh for 300 years; notes that, while there remain challenges for the NHS and higher education, reflecting on 300 years of history provides an opportunity to provide honesty on the past, and consider opportunities for the future of medical education and research; congratulates the organisers, who have curated a rich and diverse programme of events to explore the 300 years, including lectures, alumni reunions and public events; understands the value that the Edinburgh Medical School has contributed to the economy and health of Scotland, and the world, including what it sees as its crucial place in life sciences research, health innovation and policy, and wishes all staff and students the best for 2026.

12:56

Martin Whitfield (South Scotland) (Lab): I start by thanking the colleagues who supported this motion and the colleagues who are in the chamber this afternoon. I am glad to contribute to the debate.

I also take the opportunity to welcome representatives from Edinburgh medical school and the University of Edinburgh who join us today, and to thank them for and congratulate them on their sterling work, because Edinburgh medical school 300—EMS 300—has been a massive success.

When we mark this 300th anniversary of formal medical teaching at the University of Edinburgh, we do more than just celebrate a date in a calendar; we recognise that, over three centuries, Scotland has shaped global medicine, informed scientific thought and trained generations of clinicians whose work has touched lives far beyond the borders of Scotland.

This milestone invites pride, absolutely, but it also invites honesty, reflection and a renewed sense of responsibility for the future. In 1726, when the faculty of medicine was formally established, the University of Edinburgh set in motion a model of medical education that blended rigorous scientific inquiry with clinical observation—a real first, although medical schools had existed in the Netherlands earlier. It brought the scientific principle to medicine. That approach helped to make our capital one of the leading centres during the enlightenment. It drew students from around the world—from Europe, North America and Asia—and influenced the creation of medical schools around the world.

The history that we commemorate in this year is not just a procession of success. As the organisers of the EMS 300 programme have emphasised, the anniversary compels us to recognise the struggles, the exclusions and the inequalities that sit alongside all of those achievements. One of the most powerful elements of that is the role of women in the story of Edinburgh medicine. I think of Heen Shamaz, a final-year student who, on the day that she passed—although she did not know it at the time—her final examinations, gave a lecture in old college, which is a strange building from which, for more than 200 years, women were excluded. She stood alongside distinguished colleagues Professor Lorna Marson and Dr Lesley Dawson, and they reflected on the long fight for equality in medical education.

They reminded us of the Edinburgh seven—Sophia Jex-Blake and her peers—who, in the 1870s, were accepted into medical school only to face harassment, violent obstruction and, ultimately, the denial of the right to graduate. Yet they persisted: they studied abroad when the University of Edinburgh would not grant them degrees. They laid foundations that their own country's university would fully acknowledge only many decades later.

When Edinburgh medical school celebrated its 250th anniversary, the official catalogue singled out a

"galaxy of talented and famous men".

There was no mention of the women whose perseverance had opened wider the doors to the profession. How fitting it is that the 300-year celebration deliberately gives prominence to those who had been written out of the story, from the Edinburgh seven to pioneers such as Gertrude Herzfeld, whose leadership helped establish paediatrics as its own discipline; to the present generation, represented by Dr Dawson, who is the first female secretary of the Royal College of Physicians of Edinburgh; and, most importantly, to today's students, who are the most diverse in the school's history.

The speakers' message was not only about the past injustice. At the lecture, they spoke about imposter syndrome, about the subtle but persistent barriers that remain, and about the importance of mentorship and of representation, because, as Ms Shamaz so cleverly and succinctly put it:

"You can't be what you can't see."

They reminded us that commitment to equality, diversity and inclusion are not an administrative duty but a clinical one, because the future of medicine is not about treating disease but about understanding people.

As we congratulate the university and all those who are involved in curating the diverse, thoughtful programme of events—from lectures to alumni reunions and public outreach activities—we also need to recognise Edinburgh medical school's immense contribution to Scotland's health, economy and reputation, because its graduates have shaped global surgery. They have pioneered diagnostics. They have advanced public health. They have helped guide health policy at home and abroad. For 300 years, the institution has stood at the intersection of learning, discovery and service. The spirit of collaboration, diversity and ingenuity is alive and well, and that has been a key part of EMS 300 celebrations. School of art students have produced an EMS 300 tartan. There are poems about the school's history. Events have been put on by the medical school throughout the year.

The next generations of Charles Darwins, Wong Fung Chus and Sophia Jex-Blakes are already being moulded. They are the difference makers who will go on to save lives, push boundaries and break those boundaries. I invite the Parliament to join me in recognising the truly extraordinary legacy of Edinburgh medical school and in wishing its staff, its students and its alumni every success as its goes into its next 300 years.

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

13:03

Paul McLennan (East Lothian) (SNP): I thank Martin Whitfield for bringing the debate to the chamber, and I welcome the opportunity to contribute to the recognition of the 300th anniversary of formal medical teaching at the University of Edinburgh medical school.

Three centuries of medical education is an extraordinary milestone. Over that time, the school has built a reputation that stretches far beyond Scotland. Its graduates have helped to shape modern medicine, contributed to global research and improved the health of communities across the world. For Scotland, the impact has been profound. The medical school has played a central role in establishing Edinburgh as a global centre for medical research, innovation and education, which has helped to strengthen Scotland's reputation as a leader in the life sciences sector.

The relationship between the university and NHS Lothian also demonstrates how important the partnership between education and front-line healthcare is. Many of the doctors, researchers and healthcare professionals who study in Edinburgh go on to serve communities across Lothian and beyond, including my constituency of East Lothian. That partnership helps to ensure that the knowledge and innovation that are developed in our universities translate directly into better care for patients.

Anniversaries such as this are an opportunity not only to celebrate the past but to reflect honestly on the journey that has brought us here and the responsibilities that we carry into the future. During women's history month, it is particularly fitting to recognise the role of women in shaping the story of medical education in Edinburgh. As Martin Whitfield mentioned, in 1869, a group of pioneering women now known as the Edinburgh seven enrolled to study medicine at the university. Led by Sophia Jex-Blake, they were the first women in Britain to be admitted to a university medical programme. Their determination opened doors that had previously been closed but their journey was far from straightforward. They faced hostility and institutional resistance and were ultimately denied the degrees that they had worked hard to earn. It took almost 150 years before the University of Edinburgh formally recognised their achievements and awarded those degrees posthumously.

Their story reminds us that progress in medicine—and, indeed, in society—often comes because individuals challenge barriers and expand opportunity for those who follow. Today, women make up a majority of medical students across the United Kingdom and play leading roles in clinical practice, research and medical leadership. In that progress, they stand on the shoulders of those early pioneers.

As we mark this 300-year milestone, it is right that we celebrate the achievements of the University of Edinburgh's medical school—its contribution to science, to innovation and to improving health in Scotland and around the world. The next chapter of medical education will be shaped by the challenges that we face today: supporting the workforce of NHS Scotland, responding to an ageing population and harnessing advances in technology and medical research. Institutions such as Edinburgh will continue to play a crucial role in training the next generation of clinicians, driving innovation and strengthening Scotland's internationally recognised life sciences sector.

For those reasons, I am pleased to recognise this important anniversary and wish the staff, students and researchers of the University of Edinburgh every success as they shape the future of medical education and discovery in the centuries ahead.

13:06

Sue Webber (Lothian) (Con): As a University of Edinburgh alumna, I am pleased to speak in this debate to recognise 300 years of medicine being formally taught at the university and celebrate the profound legacy of its renowned medical school. I thank Martin Whitfield for bringing the topic to the chamber for debate.

Three centuries of medical scholarship is an extraordinary milestone. Established during the Scottish enlightenment in 1726, Edinburgh medical school quickly became one of the world's leading centres of medical teaching and research, attracting students from across Europe and beyond. Its influence is global: graduates went on to found medical schools at Harvard University, Yale University, McGill University and the University of Sydney, among many others, which demonstrates the truly international reach of Edinburgh's medical tradition.

For me, as a student between 1990 and 1995—I hate to give away my age—that sense of continuity was ever present. Walking into the category-A-listed Teviot Place medical school building—which was designed by Sir Robert Rowand Anderson and built between 1876 and 1886 in the Italian renaissance style—was a reminder that we were entering a place shaped by generations of discovery.

My studies included forensic medicine for lawyers, which was taught by Professor Busuttil, whose meticulous approach to medico-legal evidence left a lasting impression. They also included medical microbiology, where the classes, lab work and tutorials made even the smallest organisms fascinating. However, members should still not ask me about Gram-positive and Gram-negative bacteria.

All those courses were delivered in the iconic square tower, which made them even more memorable. I still remember the sense of vertigo in the lecture hall where I had my forensic medicine classes, which is where anatomy lectures used to take place many decades ago—perhaps I will make some remarks about Burke and Hare later on. Those courses exemplified Edinburgh's unique ability to blend scientific rigour, clinical relevance and interdisciplinary thinking.

As we mark 300 years, this anniversary gives us not only a reason to celebrate but an opportunity to reflect honestly on the past. We have not only exceptional achievement in our history but some challenging periods, such as the infamous Burke and Hare murders of 1828, which were driven by the intense demand for cadavers during the city's rise as a global centre of anatomical teaching. Confronting the whole of that history is vital to understanding the evolution of medical ethics and the responsibility that accompanies scientific advancement.

The university's medical story has always been intertwined with Scotland's healthcare system. From the founding of the royal infirmary in 1729 as one of the earliest teaching hospitals in the UK to the post-war development of the national health service, Edinburgh's clinicians and researchers played central roles in shaping public health and clinical practice. That legacy continues today through world-class research at sites including the royal infirmary and the Western general, which remain key teaching centres for the medical school, although the medical school has moved out of the city centre to Little France.

The programme marking Edinburgh medical school 300 embraces that heritage while looking ahead. It features a series of lectures, exhibitions, interactive digital timelines and historical explorations that uncover newly documented stories from the school's past. At the same time, cutting-edge research is still going on across life sciences, digital health, innovation and clinical medicine, reflecting the institution's on-going contributions to global scientific progress. Community engagement is also central to the anniversary programme. Public events and festival-related activities give residents and visitors an opportunity to explore Edinburgh's medical heritage and understand the medical school's continuing economic and societal contribution.

Edinburgh medical school's impact over the past 300 years cannot be overstated. It has shaped modern medicine, contributed profoundly to global scientific knowledge and continues to train the clinicians, researchers and innovators on whom the future of healthcare will depend.

I congratulate the organisers of Edinburgh medical school 300 for curating such a rich and forward-looking programme, and I wish all the staff, students and alumni every success as they celebrate that significant milestone.

13:11

Sarah Boyack (Lothian) (Lab): I am pleased to speak in today's debate, and I thank Martin Whitfield for bringing it to the chamber.

I am immensely proud of the achievements of the University of Edinburgh. Our city has long been at the heart of public health, and, over the past 300 years, the medical school has produced extraordinary scientific work and world-leading research. Students from across the world have come to Edinburgh to study medicine and have then gone on to make significant contributions in countries far beyond our own. The university's commitment to ensuring that local communities also feel the tangible positive impact of the 300-

year celebration of the faculty of medicine is hugely worth celebrating; the global partnerships that have been built by the medical school are inspiring; and the work that is being carried out right across the world by its alumni reflects the exceptional standards of education and the lasting relationship that is formed between students and their lecturers.

Edinburgh offers a wide range of sectors and opportunities for those who study medicine, extending far beyond clinical practice. Many alumni have gone on to create new innovations, launch businesses and shape entirely new fields in medicine. The discoveries and achievements of the medical school are remarkable. Its alumni have made a profound difference not just in Scotland but, as several of us have said, across the UK and the world.

As we celebrate that progress, we must also acknowledge that many people still struggle to access the care and support that they need. I also want to highlight the important economic benefits that are brought by the international community that chooses to study and work here, contributing to growth across Scotland. I also cannot speak about the University of Edinburgh without highlighting the massive financial challenges that the university and its staff are facing.

However, to go back to being positive, throughout the anniversary year, a wide range of events will showcase the school's achievements, including the Edinburgh tartan parade, the Everywoman festival, an alumni weekend and many more. Those events will enable lots of different people to attend—we can all attend, and we should.

Like colleagues, I think that, as we celebrate 300 years of Edinburgh medical school, it is vital to recognise the women whose contributions have shaped medicine in Scotland and far beyond. As part of the anniversary celebrations, a special programme was brought together featuring Professor Lorna Marson, Dr Lesley Dawson and, as Martin Whitfield mentioned, final-year medical student Heen Shamaz to honour the women of Edinburgh medicine. Their discussion highlighted both the historical barriers that women faced and the extraordinary achievements that they went on to deliver. The university's 300 faces of Edinburgh medical school project has also been instrumental in bringing forward lesser-known stories of women who contributed to that medical progress.

The Edinburgh seven have already been mentioned. They were the first women in Britain to matriculate at a university, and their struggle to gain access to medical education paved the way for generations of women who followed. It was a major achievement. *The Herald* has highlighted that women spent a century fighting to get into medicine, and that the Edinburgh seven—the first female medical students admitted to a university—were among the trailblazers. They were led by Sophia Jex-Blake. She applied to study and the medical faculty accepted her application, but the university court blocked it. That was challenged. She published that rejection in newspapers and got six more women to apply: Mary Anderson, Emily Bovell, Matilda Chaplin, Helen Evans, Edith Pechey and Isabel Thorne. They worked together as a group and were accepted. I wanted to put their names on the record.

Today, women continue to shape the future of Edinburgh medical school. As Martin Whitfield said, women such as Heen Shamaz represent the next generation of clinicians and researchers, and symbolise the continuity of progress and the growing leadership of women in the field. Progress in medicine is not just about science; it is about who we are and our society. The inclusion, recognition and advancement of women has strengthened the profession and enriched the university's global impact. That is woven into the fabric of Edinburgh's medical heritage and will continue to guide its future. That is truly inspiring, and it is an important history for us to celebrate today.

13:16

The Minister for Higher and Further Education (Ben Macpherson): I, too, pay tribute to Martin Whitfield for bringing this excellent motion to the chamber, and I commend all colleagues for their excellent and thoughtful speeches.

As the Minister for Higher and Further Education, and as an Edinburgh constituency MSP, it is a real privilege and a pleasure for me to close this debate marking three centuries of formal medical teaching at the University of Edinburgh—an anniversary that invites us to celebrate and reflect.

In 1726, amidst the intellectual ferment of the Scottish enlightenment, Edinburgh established a faculty of medicine whose influence has radiated across Scotland and around the world through the years since. I declare an interest not just as a graduate of the University of Edinburgh, but because it was the pull of the medical school's expertise that brought my mother to Edinburgh from England to study medicine and then contribute to our national health service as a doctor for more than 30 years.

It is that excellence that we celebrate today, as well as the history. From the outset, Edinburgh set a standard for vigorous, anatomically grounded education, embodied in the Monro dynasty of

anatomy professors, whose 126-year stewardship helped to define the modern medical curriculum and placed our capital city at the forefront of clinical teaching.

Members have talked about the many people who have gone through the medical school, and the roll call of figures associated with it is extraordinary. Sir James Young Simpson pioneered the clinical use of chloroform, transforming obstetrics and surgery and, in time, everyday medical practice, changing the administration of pain management forever. Joseph Lister, the regius professor of clinical surgery, applied germ theory to the operating theatre and ushered in antisepsis, carbolic hand washing, sterilisation of instruments and cleaner air during surgery, dramatically cutting the number of post-operative deaths and laying the foundations for the safe surgery that we have today.

As has been rightly emphasised by others, Edinburgh's story is also one of courage and inclusion, sometimes hard won. Sophia Jex-Blake and the Edinburgh seven have been spoken about already, and their influence was profound. In 1869, they became the first women to matriculate at a British university, facing hostility, a notorious riot and, wrongly, exclusion from qualification for degrees. Their struggle catalysed change and opened the path for women to equality and to the practice of medicine in Scotland, which had a catalytic effect elsewhere.

The school's wider scholarly reach has shaped science far beyond the wards, from Charles Darwin's formative student years to the generations of clinicians and scientists who went on to lead in public health, surgery, pharmacology and beyond. When I previously served as the Minister for Europe, Migration and International Development, I saw how the school is helping to make an impact way beyond Scotland's borders and our shores.

Today, that tradition is alive in a modern, globally orientated medical school. Edinburgh's six-year bachelor of medicine and surgery programme—the only programme of its kind in Scotland—integrates a full research year and graduates doctors with the degrees of bachelor of medical sciences and bachelor of medicine and surgery. It embeds clinical experience from the early years across Lothian and the south of Scotland.

Together, as we celebrate this remarkable anniversary, it is also a chance to reflect on the opportunities ahead. Edinburgh medical school is setting out an ambitious future. Through its emerging future medicine programme and plans for a new Scottish health and biomedical institute, the school aims to bring together world-leading research, clinical expertise and innovation to tackle chronic disease. It also aims to strengthen cancer research and attract global talent and investment.

That work sits within the college's wider one health vision, which recognises that human, animal and planetary wellbeing are deeply connected and reflects the determination not just to honour 300 years of history but to shape the next century of medical discovery and education in Scotland and beyond.

Sarah Boyack understandably raised the issue of financial pressures in the higher education sector. The Government is aware of those pressures and is being proactive in trying to work with our universities in relation to that challenge. That is why we have set up the framework for sustainability and success with our university sector.

In that context, it is important to recognise that the Scottish Government has been proud to support the momentum of our medical colleges and resource them. There has been a 67 per cent increase in medical undergraduate intake places since 2016, and there is a commitment to widening access to study for a career in medicine.

In 2018, the first cohort of students began the HCP-Med programme at the University of Edinburgh. That is an innovative graduate entry course that provides the opportunity to existing healthcare professionals from Scotland to achieve a medical degree. That is the sort of upskilling that we will need to do more of as we move forward into this challenging century.

We have a world-leading higher education sector to be proud of, and the Scottish Government values greatly the contribution that medical schools make to our society. They deliver first-rate doctors to support the NHS and so much more, including the economic impact that other members have talked about. We continue to recognise and value the world-leading teaching, research, innovation and knowledge exchange that are delivered through our universities and the high esteem in which they are rightly held internationally because of their legacy and because of what they do now.

On behalf of the Scottish Government, I offer congratulations to everyone involved—to the staff, students, alumni and partners who have shaped three centuries of medicine in Edinburgh, to those whose names are celebrated and to the many more whose quiet work in clinics, labs, classrooms and hospitals saves and improves lives every day. I thank them for all that they have done to build the legacy of the University of Edinburgh medical school, for all that has gone into preparing and

undertaking the celebrations this year and for everything that will be done in the future to ensure that the school keeps making a profound impact in Scotland and internationally.

The Deputy Presiding Officer: For the sake of transparency, I acknowledge my own status as an alumnus of Edinburgh university. With that said, I suspend the meeting until 2 o'clock.

13:24

Meeting suspended.

14:00

On resuming—

Portfolio Question Time

Education and Skills

The Deputy Presiding Officer (Annabelle Ewing): Good afternoon. The next item of business is portfolio question time, and the portfolio is education and skills.

Colleges (Borrowing Powers)

1. **Douglas Ross (Highlands and Islands) (Con):** I apologise for having to leave immediately after question 1, and I am grateful to the Presiding Officer for accepting my request to do so.

To ask the Scottish Government what its position is on whether colleges should have borrowing powers and how any such powers would be delivered. (S6O-05635)

The Minister for Higher and Further Education (Ben Macpherson): The Scottish Government works closely with the sector and the Scottish Funding Council to create the conditions for the sector to deliver high-quality learning and training for people across Scotland. That includes exploring opportunities to support longer-term investment, whether that is through responsible borrowing or through generating surpluses. Crucially, we are considering it with the sector, and I ask the Parliament to note the Government-initiated question S6W-44232 on this issue, which was answered today.

In exploring the opportunities, we must be mindful of the borrowing constraints on Scotland set by the current constitutional arrangement and the fiscal framework, and the important rules within them on public-sector budgeting and accounting.

Douglas Ross: The college sector in Scotland urgently needs those greater flexibilities to upgrade the estate and secure long-term financial sustainability. Since the Office for National Statistics classification following the regionalisation process, Scotland's colleges have been unable to borrow or retain surpluses, unlike their counterparts elsewhere in the United Kingdom. Colleges in England and Northern Ireland are afforded the ability by the UK Government and the Northern Ireland Executive to borrow and to hold reserves, and Welsh colleges, too, can retain surpluses and borrow. Scotland's colleges can do none of that.

We have entrepreneurial colleges, such as the City of Glasgow College, which I visited recently and which has advanced plans for and investment partners interested in an ambitious innovation centre at its Riverside campus. However, it needs

those additional powers if it is to take those plans forward. At a recent Colleges Scotland hustings, the minister and all political parties agreed that that is something that should be considered. When, and how, will it be delivered?

Ben Macpherson: I appreciate those points and, as the Parliament would expect, I have had constructive engagement on them since taking up the post of Minister for Higher and Further Education, as did my predecessor.

It is important that we consider the asks of the sector in a collegiate way, and in that respect, I have noted the request on page 12 of Colleges Scotland's manifesto. I attended the event that Douglas Ross referred to, and I reiterate what I said at it: there is an open-mindedness, but we want to consider the matters with the sector. That is why the work that was announced in the GIQ today is important. We want to do these things collegiately with the sector, the Scottish Funding Council and the Government.

I also draw the Parliament's attention to the fact that, alongside the work that was formally announced today, the Scottish Funding Council is working with the sector on the next phase of infrastructure investments. That work includes looking at innovative ways to fund major new investments, and the role of public and private finance in that.

Willie Rennie (North East Fife) (LD): There is an opportunity here. With the £70 million upgrade agreed in the budget, plus the agreement to review the credit system, and the agreement that we have with the colleges on a review of the overall arrangements, we have a real opportunity to inject more optimism into the sector—optimism that it desperately needs.

I support Douglas Ross on this issue: we need to allow colleges to keep their surpluses and to borrow, and I urge the minister to consider that in the last few weeks of this parliamentary session. I also hope that, in the next parliamentary session—if more of us come back—we will be able to come forward with a positive plan for colleges, because we desperately need them to thrive.

Ben Macpherson: I fully agree that there is a significant opportunity to pivot from a sense of challenge and pressure to a sense of optimism and collective determination. Indeed, there is real ambition across the chamber, the sector and the SFC to pivot to that collective, positive and proactive mindset. However, we do need to think the matter through carefully and consider the fiscal framework and the effects on the Scottish Government's borrowing capacity. Of course, if we had more capacity to borrow, that would be beneficial, but I do not want to get into a constitutional debate.

We have an opportunity, which the Government is open-minded about exploring, along with the other considerations that we will undertake. These are important matters that we can work collectively on with the college sector and the SFC with a view to making a significant positive difference.

Bill Kidd (Glasgow Anniesland) (SNP): Colleges are invaluable to Scotland's education system and to our society. What specific work is the Scottish Government doing to help the sector to have a sustainable future?

Ben Macpherson: I reiterate that I was pleased to announce the beginning of the formal work on the college sector of the future workstream, which is an ambitious short-life workstream that will begin the work that we all need to do to design and deliver a sustainable college sector that is able to support the skills needs of Scotland. The process will be co-designed with Colleges Scotland and the Scottish Funding Council, and it will draw on the views and ideas of college leaders, staff and trade unions, as well as on previous research. It will consider the views of the learners of today and tomorrow, and, of course, the views of businesses, employers and independent experts. Further details will be made available in due course as the work progresses.

Rural Schools

2. **Finlay Carson (Galloway and West Dumfries) (Con):** To ask the Scottish Government what action it is taking to protect and strengthen schools in rural areas. (S6O-05636)

The Minister for Children, Young People and The Promise (Natalie Don-Innes): The Scottish Government is committed to protecting and strengthening rural education. That is reflected in the enhanced statutory protections applying to rural schools that are contained in the Schools (Consultation) (Scotland) Act 2010, which include, for example, the presumption against closure.

In addition, we are encouraging probationary teachers to take up placements in rural schools through the preference waiver payment, which offers £6,000 for primary, and £8,000 for secondary, probationary teachers in exchange for flexibility in placement location. Teachers in rural areas can also be eligible for the remote schools allowance and the distant islands allowance.

Finlay Carson: Given that Scottish Government-funded population research shows that the loss of even a single essential service, such as a school or a nursery, can trigger a domino effect on housing demand, transport viability and wider community cohesion, and given that six nurseries in my constituency, including those in Drummore, Creetown and Kirkcowan, face temporary closure by Dumfries and Galloway

Council, without any consultation, what action will the Scottish Government take to ensure that local authorities cannot make isolated decisions on school or nursery closures—whether temporary or permanent—without assessing their cumulative impact on rural population sustainability? Furthermore, what assurances can the minister provide that the specific decisions to which I referred will not accelerate rural depopulation? Will the Government consider requiring councils to publish full depopulation impact assessments before progressing any statutory consultation or closure proposals?

Natalie Don-Innes: The member raises important points, and what he has said is very concerning. The Scottish Government committed to reviewing the guidance on temporary closures for schools and council-run early learning and childcare settings—a practice that was previously referred to as mothballing. That review has now taken place, and the updated guidance provides clear advice for local authorities on when temporary closure is appropriate and how decisions should be made. It strengthens expectations around transparency, early engagement with parents and communities, and consideration of educational benefit and community impact. It is very concerning to hear that that has not taken place, and I ask the member to write to ministers with further detail on the situation so that we can explore it further.

Paul McLennan (East Lothian) (SNP): I, too, have rural schools in my area. Over the past decade, the Scottish Government has increased spending on Scotland's schools by more than £1 billion in real terms to support our pupils and teachers. Will the minister outline how the Scottish budget—which, of course, Finlay Carson did not vote for—supports the attainment of children and young people across Scotland, including in rural schools?

Natalie Don-Innes: The 2026-27 budget, which provides more than £3.5 billion to support education and skills, includes up to £200 million of investment, through the Scottish attainment challenge programme, for closing the poverty-related attainment gap. In December, the latest data showed that attainment levels in literacy and numeracy across primary and secondary schools were at a record high.

In addition, the budget will further expand the provision of free breakfast clubs and free school meals to reduce the poverty-related attainment gap, will continue the provision of extra funding for pupils with additional support needs and will provide £186.5 million of investment to protect teacher numbers in our schools.

Defence, Aerospace and Space Sectors (Skills Shortages)

3. **Audrey Nicoll (Aberdeen South and North Kincardine) (SNP):** To ask the Scottish Government what support it is providing to colleges and universities to address skills shortages in the defence, aerospace and space sectors. (S6O-05637)

The Minister for Higher and Further Education (Ben Macpherson): The Scottish Government is delivering a programme to reform the post-school education and skills system, in which the 2026-27 Scottish budget will invest more than £2.4 billion. There are more than 14,000 full-time-equivalent college students on engineering courses, and we are working with regional partners and industry to support that.

Engineering and energy-related apprenticeships are already a priority for Skills Development Scotland, and they comprise 8 per cent of new apprenticeship starts and 15 per cent of all modern apprenticeships in training in the year 2024-25. Those skills support many sectors, including the defence, aerospace and space sectors.

Audrey Nicoll: The strategic importance of the aerospace, defence and space industries to Scotland cannot be overstated, as they add £3.7 billion to the economy and currently employ just under 37,000 people. I welcome the fact that many Scottish colleges and universities are developing active partnerships with the sectors, a great example of which is the National Manufacturing Institute Scotland, which is hosted by the University of Strathclyde. I also note today's announcement of the Scottish defence growth deal and the skills aspect within that.

However, a significant roadblock that is impeding future growth and prospects is the chronic skills shortage, particularly in science, technology, engineering and mathematics. Does the minister agree that, in order to address that challenge, we must see in the next parliamentary session an expansion in the scale of engineering skills provision, stronger industry collaboration and the expansion of models such as the National Manufacturing Institute Scotland to secure our future skills needs in such vital sectors?

Ben Macpherson: The member raises important points. I should note to the Parliament that I met the sector this year to discuss many of these issues. I am aware of the contribution that the sectors make, not just through my role as a Scottish Government minister but in my capacity as a constituency member.

The Scottish Government is developing a new skills planning model and is working with key partners to identify sectors of focus and skills

priorities and to set out expectations for the post-school system with regard to meeting Scotland's future skills needs. I draw members' attention to the letter that I sent to the Education, Children and Young People Committee on 27 February that sets out, in general terms, how that work will progress. More will be said on that in the near future.

Engineering is one of the key areas emerging as a focus in the initial work on skills planning. My officials are engaging with stakeholders on that to ensure that we work together to deliver the skills that those sectors and the wider economy will need.

Beatrice Wishart (Shetland Islands) (LD): The First Minister will have seen on his recent visit to SaxaVord spaceport the impressive progress that is being made at the most northernly space project in Scotland. Given that space is the future, what more can the Scottish Government do to ensure that the education and training skills that are needed in the defence, aerospace and space sectors can be accessed in the rural and island areas that are close to innovative developments such as the SaxaVord spaceport on Unst?

Ben Macpherson: The member is right to highlight the importance of the sector and its future potential growth, the necessity of making sure that we are skilling workers in our rural and island communities across the country and ensuring that the workers in those communities have appropriate educational opportunities, particularly in relation to growth sectors in their areas.

I ask the member to read the letter that I sent the ECYP committee on 27 February. The skills planning work that I referred to will consider the regional aspects of how we do skills planning on a cyclical basis in order to meet the needs of the legislation that Parliament recently passed on 20 January.

School Investment Programmes (Cumbernauld and Kilsyth)

4. **Jamie Hepburn (Cumbernauld and Kilsyth) (SNP):** To ask the Scottish Government how much has been invested in schools in the Cumbernauld and Kilsyth constituency through the schools for the future programme and the learning estate investment programme. (S6O-05638)

The Cabinet Secretary for Education and Skills (Jenny Gilruth): Through the Scotland's schools for the future programme, we awarded North Lanarkshire Council significant funding of £42 million towards the Cumbernauld academy and Greenfaulds high school projects in the Cumbernauld and Kilsyth constituency. In North Lanarkshire more widely, through the learning estate and investment programme, we will provide the council with substantial funding of £9.9 million to support the extension of Chryston high school.

Jamie Hepburn: The significant investment that the Scottish Government made in Cumbernauld academy and Greenfaulds high school has transformed the learning environment for pupils there. North Lanarkshire Council has plans and ambitions to replace all schools that were built before 1996. Clearly, it is for the council to take forward that programme, but can the cabinet secretary confirm that it will have the opportunity to draw down support from the Scottish Government?

Jenny Gilruth: I very much agree with what Jamie Hepburn said about the difference that this Government's investment has made in his constituency at Cumbernauld academy and Greenfaulds high school, and about the importance of having high-quality, well-ventilated learning environments across North Lanarkshire and Scotland.

Through the £2 billion learning estate investment programme, 18 new school projects have already opened nationwide, benefiting around 15,000 pupils. The latest school estate statistics, which were published in September last year, show that a record 92 per cent of Scotland's schools are now in a good or satisfactory condition, which is up from 62.7 per cent in 2007.

We will continue working with the Convention of Scottish Local Authorities and with local authorities, including North Lanarkshire Council, and with the Scottish Futures Trust, to explore how we can deliver further improvements to Scotland's school estate.

The Deputy Presiding Officer: Paul Sweeney is joining us remotely.

School Provision and Safe Travel Routes (Robroyston)

5. **Paul Sweeney (Glasgow) (Lab):** To ask the Scottish Government whether it will meet with stakeholders to discuss school provision and safe travel routes in Robroyston. (S6O-05639)

The Cabinet Secretary for Education and Skills (Jenny Gilruth): The Scottish Government recognises the strength of community concern about the provision of school places and the safety of walking routes in Robroyston. Responsibility for managing the school estate and for assessing the safety of walking routes rests with Glasgow City Council. Scottish Government officials continue to engage with the council, which has advised that schools in the area currently have adequate capacity.

The Scottish Government updated the school transport guidance last December, strengthening

the advice for councils on their responsibilities regarding pupil safety and the assessment of walking routes to schools.

Paul Sweeney: There is real concern that the methodology and modelling being used in community growth areas such as Robroyston does not accurately reflect real need.

The situation has been going on for years. I recently carried out a local survey that heard from 167 respondents, 74 per cent of whom said that they had experienced issues with placing their child in a nursery, primary or secondary school while living in Robroyston. The survey asked how likely it was, on a scale of least likely to most likely, that respondents would stay in Robroyston if current circumstances remained the same. Shockingly, 73 respondents said that they were least likely to stay in Robroyston if things did not change.

There is a real risk that, without urgent action and intervention, what should be a proud new suburb of Glasgow will quickly falter and fail, so can the cabinet secretary confirm that she will meet stakeholders and Scottish Government officials to look at the modelling that Glasgow City Council is using, to address the issue before behavioural effects take root and people leave the area altogether?

Jenny Gilruth: It seems that there is an issue that is localised to Robroyston. I can ask officials to engage with Glasgow City Council. I place on record that the statutory responsibility rests with the local authority and that ministers are extremely limited in the actions that we can take to intervene, because the power to take action to address the issues that Mr Sweeney has raised rests with the local authority. I am more than happy to take away the member's ask that officials engage directly with Glasgow City Council.

The Deputy Presiding Officer: Question 6 has not been lodged.

Budget 2026-27 (Apprenticeships)

7. **Jackie Dunbar (Aberdeen Donside) (SNP):** To ask the Scottish Government how its budget 2026-27 will support apprenticeships. (S6O-05641)

The Minister for Higher and Further Education (Ben Macpherson): We are providing around £198 million in 2026-27 to support 25,500 new modern apprenticeships, 5,000 new foundation apprenticeships and more than 1,200 new graduate apprenticeships and will continue providing support for more than 39,000 apprentices who are already in training.

Our priority is to maximise high-quality apprenticeships to meet business needs and to develop our future workforce. Funding will be closely aligned with skills priorities to support economic growth and help to tackle youth unemployment. We will continue working closely with the Scottish Funding Council and with Skills Development Scotland to assess demand and to ensure that funding is targeted appropriately.

Jackie Dunbar: It is vital that Scotland's young people have support and opportunities to access the pathways that best fit their interests and skill sets. Following Scottish apprenticeship week, how is the Scottish National Party Government continuing to ensure that an array of positive destinations is available to our young folk, supporting Scotland's existing and growing industries?

Ben Macpherson: It is important to acknowledge that the latest school leaver statistics show that 95.7 per cent of young people entered a positive destination in 2025, which is the second-highest level on record.

We are committed to ensuring that every young person can access the route that best suits their ambitions, including apprenticeships, training or further study, and that they can access whatever is their preference and whatever will help them to achieve their full potential.

The Scottish Government funds a wide range of provision, including Developing the Young Workforce, the employer network and third sector partners offering mentoring and work experience. We also continue to engage industry and employers as we reform the skills system.

Sharon Dowey (South Scotland) (Con): When I attended the launch of the future roofing programme at Prestwick academy on 27 February, I spoke to the school, industry and young people about the roofing pathway that has been developed over the years, which includes a national 5 creative industries qualification in roof slating. How will the budget support young people from Prestwick academy who have made an informed decision to pursue a career in roofing when they will have to travel for more than four hours per day to undertake the college-based training?

Ben Macpherson: Further detail would be required to answer that question properly, including what engagement there has been with the college and with Skills Development Scotland, and how those opportunities are being offered and facilitated. I am happy for the member to follow that up with me, but I also suggest and encourage engagement with Skills Development Scotland and Ayrshire College.

There are remarkable opportunities in Ayrshire. I went to Ayrshire College and saw that it does

phenomenal work, including its collaboration with the private sector and the consideration that it is giving to making sure that there are appropriate public sector priorities and opportunities. We need to ensure that we celebrate and recognise the creative industries, which were mentioned, because they are a massive contributor to not only our economic success but our cultural enrichment, which we and others around the world enjoy.

Schools (Violent and Disruptive Incidents)

8. **Stephen Kerr (Central Scotland) (Con):** To ask the Scottish Government what steps it has taken to reduce the number of violent and disruptive incidents in schools. (S6O-05642)

The Cabinet Secretary for Education and Skills (Jenny Gilruth): There is no place for violence and abuse in Scotland's schools. We continue to implement our relationships and behaviour in schools action plan, working with partners including the Convention of Scottish Local Authorities and the teaching trade unions, and I will shortly publish the annual progress report detailing activity in the past 12 months. That includes new guidance on consequences and on risk assessments for violent, aggressive and dangerous behaviour. We have also started work to review our national exclusions guidance.

The 2026-27 budget will invest more than £3.5 billion to deliver our continued commitment to strengthening the sustainability and resilience of our education system, including the protection of teacher numbers and investment in additional support needs.

Stephen Kerr: Shockingly, Scotland now has the highest recorded rate of violence against teachers anywhere in the United Kingdom. In the past decade, serious violent injuries to school staff have tripled, yet the data still varies widely between councils. Teachers and parents have been warning about the issue for years, but little has changed.

With only weeks left in office, will the cabinet secretary now—finally—act by introducing clear-cut national guidance on tackling violence in schools, a consistent national reporting system and reform of exclusions, which has been worked on for a while, so that schools can be the safe workplaces and places to learn that they should be?

Jenny Gilruth: I thank Mr Kerr for his question and for his general interest in the topic during the current parliamentary session, which led to some of the work that I detailed in my original answer.

The member raises an important point in relation to the use of data in Scottish education. We see variance across the piece. This morning, I was at Murrayfield stadium at the additional support for learning cross-party conference. A key part of the ASL review is looking at inconsistency across the country in terms of additional support needs and how they are recorded. One of the key recommendations to come from that cross-party review is that we look at having a national staged intervention model. There is clearly an ask from Parliament for more national direction from the Government. However, as cabinet secretary, I also need to be mindful that, at the current time, the statutory responsibility for the delivery of education rests with local authorities. What I can do as cabinet secretary is to issue guidance.

The member asked a question in relation to violent and aggressive incidents. I gave an update on the guidance that we published to that end last June, and I referred to the forthcoming work in relation to consequences.

Foysol Choudhury (Lothian) (Ind): Given the recent report that hundreds of school support workers in Edinburgh have quit within months of starting due to a surge in pupils' violence, and given the survey by the Educational Institute of Scotland and Unison that shows that there have been 5,200 violent incidents against teachers in Scotland over the past five years, what action will the Scottish Government take with local authorities to protect school staff and reduce violence in schools?

Jenny Gilruth: When we talk about behaviour in schools, we need to be careful, as we are not seeking to demonise the next generation. The majority of children and young people in Scotland's schools are well behaved; the behaviour in Scottish schools research documented that. However, it also suggested that there have been changes in behaviour in our schools post-pandemic, which the Scottish Government recognises.

In answer to Foysol Choudhury's point, that is exactly why we have worked with local government on a national action plan, as I said to Stephen Kerr, sharing responsibility in relation to developing guidance on consequences, risk assessment, supporting attendance and racism and racist incidents, as well as guidance on responding to substance abuse in schools, which we will publish in the coming weeks.

Later, we will publish further guidance on the recording and monitoring of incidents in schools and updated national guidance on exclusion. Partnership working with local government is well under way.

Tackling Child Poverty Delivery Plan

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is a statement by Shirley-Anne Somerville on the tackling child poverty delivery plan. The cabinet secretary will take questions at the end of her statement, and therefore there should be no interventions or interruptions. You have up to 10 minutes, cabinet secretary.

14:26

The Cabinet Secretary for Social Justice (Shirley-Anne Somerville): Eradicating child poverty is the Government's top priority and a national mission that belongs to all of us. Today, I am pleased to publish the Scottish Government's third and final tackling child poverty delivery plan. "Bringing Hope, Building Futures" is much more than a statutory milestone; it reaffirms our commitment to eradicating child poverty and transforming the lives of children, families and communities across Scotland. That commitment is shared collectively by all my ministerial colleagues, who have been critical to the plan's development.

I put on record my significant thanks to all the children, young people, parents and stakeholders who have shared their views and experiences throughout our wide-ranging consultation. I also thank parliamentary committees for their responses and Scotland's Poverty and Inequality Commission for the advice and challenge that it has given. Those views have helped to inform our approach and the actions that I will set out today.

The actions in the plan build on eight years of progress. That progress has been made despite years of austerity from successive United Kingdom Governments, and despite external shocks that include Brexit, the Covid pandemic, Russia's illegal full-scale invasion of Ukraine and the on-going cost of living crisis.

We are making a real difference. In 2023-24, rates of relative child poverty fell to the lowest level in almost a decade—standing 9 percentage points below the UK average—with rates rising in England and Wales. That progress matters, but we must continue to go further. With the Scottish parliamentary elections due to take place in May, the plan that has been published today sets out a robust and enduring framework that will enable the next Government to meet the statutory child poverty targets.

Focusing on action during the first year, the plan is backed by considerable investment, including every penny of funding that was previously committed to our two-child limit payment, and it provides foundations on which any incoming Administration can build and reflect its own policy priorities and plans for accelerating progress.

"Bringing Hope, Building Futures" retains our focus on the drivers of poverty reduction and outlines four key themes: increasing earned incomes; reducing the cost of living; maximising incomes from social security and benefits in kind; and supporting children and families to thrive. It also retains our focus on the families who are at greatest risk of poverty and recognises that women's poverty is children's poverty. Underpinning that is our commitment to enabling whole family support and realising a transformative shift towards support that is more joined-up, easier to navigate and shaped around what families really need.

I turn to how we will drive progress on those priorities during the coming year. Through the Scottish budget and spending review, we set out plans that will help more parents to increase their earned incomes. Those plans include investing £90 million a year in our devolved employability services; delivering a national breakfast club offer for all primary school children, which is backed by more than £100 million across the next three years; and providing up to £9 million through a new raising income through skills and education—RISE—initiative for colleges, to help parents access the skills and education that they need.

Today, I confirm our plans to go further still to strengthen in-work support for parents and remove barriers relating to skills, childcare and transport. First, in partnership with Scotland's colleges, we will invest £2 million in a new training access fund to provide training opportunities for parents in low-paid work. Secondly, we will invest up to £4.2 million to deliver 200 paid work placements in our national health service for parents at risk of poverty—helping more parents into good-quality NHS jobs. Thirdly, we will invest an additional £15 million to support low-income families to access the childcare that they need to enter and stay in employment. Fourthly, we will invest up to £19 million to develop a new transport to employment offer for low-income parents—helping parents with travel costs and increasing the travel options available. Finally, we will invest £10 million in a new flexible workforce development fund to help incentivise employers to support upskilling and progression opportunities for parents and implement fair work policies—investing in support that is good for families and for economic growth.

We also set out plans in the budget to help tackle the cost of living for families. They include investing a record £4.1 billion over the next four years to support the delivery of 36,000 affordable homes; providing a further £1 million in our islands

cost crisis emergency fund; and continued investment in our energy efficiency programmes, including warmer homes Scotland.

Building on our record commitment to invest £106 million in discretionary housing payments next year, we will go even further. The UK Government's decision to freeze local housing allowance rates is wrong and is making it harder for families to make ends meet. That is why I am confirming our intention to invest up to a further £9 million in discretionary housing payments to support those impacted. That investment is homelessness prevention in action and will support up to an estimated 18,000 families to meet rent costs and maintain their tenancies.

As a result, we have committed a total of £159 million next year to the mitigation of UK Government policies, including the bedroom tax and the cruel benefit cap. Investment through social security remains the most direct way to increase family incomes and keep children out of poverty. From April, all Scottish benefits will increase in line with inflation. That means that our unique Scottish child payment will be worth £28.20 per child per week, keeping an estimated 50,000 children out of relative poverty next year. We have already committed to going further by introducing a targeted Scottish child payment premium for children under the age of one, increasing the total payment to £40 per week during 2027-28, benefiting an estimated 12,000 children and providing enhanced support in the first crucial year of a child's life.

We have also committed to investing more than £27 million in welfare, income maximisation and debt advice services over the next two years, which is expected to support at least 80,000 households annually.

Although we encouraged more ambitious reform to the child maintenance system, the UK Government has failed to act. As a result, we will make further targeted investment, providing up to £275,000 to One Parent Families Scotland and Fife Gingerbread to help more separated families to secure regular and reliable child maintenance payments.

"Bringing Hope, Building Futures" reinforces our commitment to supporting children and families to thrive. That includes our continued investment in our Scottish attainment challenge and free school meals. Today, I confirm two further steps. First, we will expand the reach of the family nurse partnership programme, so that up to an additional 500 young parents can benefit from that trusted support next year. Secondly, we will invest a further £1 million to expand the successful MCR Pathways school-based mentoring programme, so that up to 5,500 care-experienced and disadvantaged young people can benefit across Scotland.

Providing support in a way that is joined up, easy to navigate and responsive to need is essential. I saw exactly that earlier this week, when the First Minister and I visited CentreStage, which brings to life what is possible when we work together across organisations and sectors.

Building on such approaches, as well as the £50 million of whole family wellbeing funding that has already been committed, the budget includes a £20 million whole family support third sector delivery fund. The fund, which was launched today, will help to scale up support that wraps around families and their communities, with funding available to partners who can work nationally or across multiple local authority areas to deliver an integrated, person-centred approach. That has the potential to be truly transformational, enabling our vital third sector to scale up what we know works and providing a helping hand for families that connects them to the wider services that they need to thrive.

I am pleased to announce two further steps to strengthen support for families. First, we will invest an additional £2.2 million to double the coverage of whole family support in general practice in Glasgow, delivering targeted preventative support for 500 families. Secondly, we will invest up to £5 million in activity that seeks to make the best use of data to enable all families to receive the services and support that they need to thrive.

Beyond that, Social Security Scotland will play a key role by continuing its important work to share data, by strengthening how it proactively signposts clients to relevant support and advice services, and by building referral pathways with partners in the longer term.

I said at the beginning of my statement that eradicating child poverty is a national mission that belongs to us all. Ending child poverty cannot be achieved by Government alone—it requires all of Scotland to play its part, and the plan acts as a catalyst to accelerate progress ahead of 2030.

If returned after the Scottish elections, this Government commits to working with partners across Scotland to drive forward the change that is needed—strengthening the role of our vital third sector, engaging business through our investment and working hand in hand with Scotland's local authorities and our national health service. Only by eradicating child poverty can we unlock Scotland's full potential.

Scottish Government policies are estimated to keep 100,000 children, or one in every 10, out of relative poverty next year. That is the scale of the difference that we have made together in Scotland

and the impact that our action can have against the strongest of headwinds. By taking forward the plan, which was laid in Parliament today, we can bring hope to families across Scotland and build futures that are free from the scourge of poverty.

The Deputy Presiding Officer: The cabinet secretary will now take questions on the issues raised in her statement. I intend to allow around 20 minutes, after which we will move on to the next item of business.

Alexander Stewart (Mid Scotland and Fife) (Con): I thank the cabinet secretary for early sight of the statement. The Scottish National Party talks a good game on child poverty, but it has failed to back up those words with actions; it has failed to close the attainment gap, one in five children lives in poverty, and it has failed to make work a viable route out of poverty. Instead, it has funnelled billions into an ever-growing benefit bill.

What Scotland needs is a system that helps people to move beyond reliance on state support. Instead, under the current plan, the SNP appears to be content to manage poverty through a growing benefits budget, rather than tackling the structural issues that keep families trapped.

Many of the measures that have been announced in the statement sound good on paper, but, as we know, the SNP is often strong on rhetoric but light on delivery. The cabinet secretary is committed to increasing all benefits with inflation, but how much will that add to the already blooming benefit bill? How can the cabinet secretary justify that level of spending on social security when child poverty remains so high, and will the cabinet secretary address the underlying cause of poverty, rather than just diverting more and more public money into benefits?

Shirley-Anne Somerville: I am not entirely sure that Alexander Stewart did not write that speech before he got my statement and this version of the plan. If he was remotely listening, particularly at the start of my statement, he would have heard that I talked about exactly how we were tackling the barriers that people face when they struggle to get into employment. I spoke about not just the £90 million—now with a multiyear commitment—for our employability service, but also the £19 million that is going into the transport to employment offer, and the £15 million for childcare for priority families that need that support to enter employment.

The speech, the statement and the plan are all about tackling the roots of poverty. I make no apology for lifting children out of poverty. That is the mission of this Government. [*Interruption*.]

The Deputy Presiding Officer: Mr Stewart.

Shirley-Anne Somerville: I admit that high-level modelling was done on the Tories' plans when they said that they would put a two-child limit on the Scottish child payment that would mean an estimated 10,000 fewer children being lifted out of poverty.

The Tories are more interested in pushing children into poverty, but this Government will continue to lift children out of poverty. That is the ambition on delivery that the SNP Government has.

The Deputy Presiding Officer: I remind members who wish to ask questions to press their request-to-speak button.

Claire Baker (Mid Scotland and Fife) (Lab): I apologise for forgetting to put my card in.

I thank the cabinet secretary for advance sight of the statement and for the accompanying documents. The Child Poverty (Scotland) Act 2017 put a legal requirement on the Scottish ministers to meet the 2030 target. The Scottish Government was committed to meeting the target, regardless of international events or decisions made at UK level. There were no conditions attached to that target.

Last year, it was confirmed that the interim target had been missed, after many warnings that that would happen. Although any reduction in child poverty is to be welcomed, the reality is that there will be a reduction of 1 per cent in 20 years in relative child poverty. Given the lack of progress in the past 10 years, does the cabinet secretary believe that meeting the 2030 target is still credible? The First Minister told people this week to judge him in 2031 if the target is missed, but we should recognise the impact of the failure to meet the interim target, which is resulting in Herculean efforts being required over the next four years.

The Poverty and Inequality Commission said that, to meet the 2030 target, we need three or four measures on the scale of the Scottish child payment. Does the cabinet secretary believe that the plan delivers that? The removal of the two-child cap by the UK Labour Government will have a positive effect. Significant funding earmarked for mitigation has also been released. What additional measures in the action plan has the money been used for? If the money had not been released, what resources were planned for the child poverty action plan?

Shirley-Anne Somerville: I refer Claire Baker to annex 1 of the plan, which details how the two-child limit payment allocation has been invested. I mentioned some of that in my statement. There is £50 million for the whole family support package, the new £20 million whole family support for the third sector delivery fund, the flexible workforce development fund and the additional money for the child poverty fund, which will tackle additional

childcare support. Annex 1 includes further detail on that.

The Government recognises that any child in poverty is one child too many, which is why there is no complacency on our part. We are very clear that there has been progress. Scottish Government policies are estimated to keep 100,000 children out of relative poverty in 2026-27. That is due to the Government delivering over a variety of projects and policies. It is important that we also take cognisance of the fact that Scottish Government policies are estimated to keep 70,000 children out of deep poverty next year.

I recognise the scale of the challenge that we face and that it is the Scottish Government's responsibility to meet those targets. I wish that we had a UK Labour Government that matched our scale of ambition; unfortunately, that is not what we saw when the UK Government's much-delayed plan was eventually delivered. In saying that, though, we continue to commit to delivery and action, as I have set out in the plan today.

Paul McLennan (East Lothian) (SNP): Westminster's cost of living crisis is hitting the most vulnerable the hardest. On top of ever-increasing energy costs, households across East Lothian continue to suffer from cruel policies such as the benefit cap and the bedroom tax. Will the cabinet secretary tell Parliament how actions in the plan will further mitigate UK Labour's cruel austerity measures?

Shirley-Anne Somerville: Paul McLennan is right to point out the UK Government's choice to continue some of the policies of previous Conservative Governments that, to me, exemplify austerity. We look at the amount that we are spending on the benefit cap, the bedroom tax and, as announced today, the further £9 million through discretionary housing payments to support 18,000 families. We would not have had to fund that, and could have spent that money in other ways, if the UK Labour Government had not frozen the local housing allowance, but that was its choice. We would not have had to fund the work that we are doing to assist One Parent Families Scotland if the UK Government, in its child poverty strategy, had delivered reform of child maintenance services. Once again, when we consider how much we are spending on mitigation—a record £159 million next year—that is investment that we are making to pick up the pieces of a Government that has failed to deliver at a UK level.

Roz McCall (Mid Scotland and Fife) (Con): I welcome the focus on parental employment. As the cabinet secretary will know, I have been asking for that focus for the past four years, so I am happy to see that the cabinet secretary has finally taken my advice.

The statement highlights that today's announcements build on approaches that include the whole family wellbeing fund and whole family support. The cabinet secretary will be aware that there is fragmented funding across Scotland when it comes to the whole family wellbeing fund, so what steps is the Government taking to ensure that money that is already allocated is making a difference for families across the whole of Scotland and not just those in certain pockets and in the central belt?

Shirley-Anne Somerville: To be clear, the money does not just go to the central belt. A number of local authorities, both urban and rural, wish to take part in the fairer futures partnerships, for example. In Edinburgh today, the First Minister and I saw yet another example of a local authority using Scottish Government funding and its own innovation to deliver whole family support. We will continue to make sure, through the oversight that comes with my responsibility for tackling child poverty, that whole family support is delivered.

I will be generous and acknowledge the fact that Roz McCall thinks that I listened to her advice. However, the minor detail is that she did not follow that up and vote for the funding in the budget. Here we go once again—Roz McCall is claiming some success because, at some point, I have listened to her wise words, but she actually forgot to vote for the budget to deliver it. That is a key responsibility of parliamentarians, which she failed to deliver on.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): There is much to welcome in the statement. I will focus on the Scottish child payment, which, from April, will be £28.20 per child per week in qualifying households and, in particular, on the targeted child payment premium of £40 a week for a child under the age of one.

I will give the cabinet secretary the facts of real life. As at 31 December 2025, in Midlothian, 6,245 children were benefiting from the Scottish child payment; in the Borders, the figure is 5,775. Does the cabinet secretary agree that that is an investment for each child—12,020 children—in their wellbeing and their future prospects and, indeed, in the future prospects of Scotland itself?

The Deputy Presiding Officer: Can I make a plea at this stage, as I am conscious of the time and the number of members who still wish to ask a question, for more succinct questions and answers?

Shirley-Anne Somerville: Christine Grahame points to the delivery by the Scottish Government and the real impact that it makes across Scotland. All members can reflect on the number of families who are benefiting from the Scottish child payment. The payment impacts on their wellbeing

and, of course, there are implications for the future of Scotland as well.

Monica Lennon (Central Scotland) (Lab): The SNP went into the 2021 election promising universal free school meals for all primary pupils. When in government, the roll-out to all primary 1 to primary 7 children was promised by August 2022, but thousands of children are still waiting, years later. Does the cabinet secretary agree with the education secretary, who admitted this week that school meal debt is still an issue and a burden that no child or family should face? Does the cabinet secretary accept that the support from the school meal debt fund is a sticking plaster, and can she advise the Parliament when—

The Deputy Presiding Officer: That is enough questions.

Monica Lennon: —the SNP will fulfil its promise to Scotland's children?

The Deputy Presiding Officer: It is not three, four or five questions: it is one question.

Shirley-Anne Somerville: I am very proud of what the Scottish Government has delivered with the universal provision up to P6, our work to deliver based on Scottish child payment eligibility in P6 and P7, and the work of the pilots in our secondary schools.

I am particularly proud that the education secretary has announced this week that school meal debt has been scrapped. That shows that, once again, the Scottish Government is delivering for families across Scotland. We know that times are difficult for them, and we have delivered to help them with that.

Clare Haughey (Rutherglen) (SNP): It is hugely encouraging to hear about the ambitious action that the SNP Government is taking through its delivery plan, and I welcome the breadth of the measures that have been detailed by the cabinet secretary. The First Minister has made it clear that ending child poverty is the Government's number 1 mission. Will the cabinet secretary set out the Government's progress and how the framework will drive further improvements?

Shirley-Anne Somerville: Because of the Scottish Government's actions, the proportion of children in Scotland who are living in relative poverty has reduced, with the 2023-24 rate being the lowest it has been in a decade. Rates of both relative and absolute child poverty were 9 percentage points lower than the UK average in 2023-24.

Our new plan takes on further work and delivers new policies that will assist us to meet our final targets. It is backed by considerable investment, including the more than £111 million that is in the tackling child poverty fund and whole family support funding. In their totality, the actions in the plan will keep 100,000 children out of relative poverty next year.

Maggie Chapman (North East Scotland) (Green): The Poverty and Inequality Commission has told us that we will not meet the 2030 targets without additional social security support. Scottish Parliament information centre analysis shows that, on its own, the Scottish child payment does not really tackle the increasing deep poverty that children and families face.

The minimum income guarantee was a big idea for tackling poverty, and the minimum income guarantee expert group provided proposals last year showing how we could provide a top-up benefit to guarantee everyone a minimum dignified income. However, the minimum income guarantee appears nowhere in either the statement or the plan. Has the Scottish Government given up on its minimum income guarantee idea?

Shirley-Anne Somerville: I was very grateful for the work that the expert group undertook to look at a minimum income guarantee. Although it raised some challenges and recommendations for the Scottish Government—and, indeed, the next Scottish Government—in relation to first steps on that, it also highlighted the fact that, in the current devolutionary set-up, we do not have the powers to have a minimum income guarantee in Scotland.

However, in this plan we have looked not only at social security and income through social security—for example, through the premium for under-ones—but at the root causes of poverty, which is why there has been such a focus on additional investment in employability and on the barriers that might prevent someone from getting into, or staying in, employment.

On the issue of deep poverty, I point to the fact that Scottish Government policies are estimated to keep 70,000 children out of deep poverty in 2026-27.

Willie Rennie (North East Fife) (LD): The cabinet secretary should have admitted that the Government has failed to meet its target on the poverty-related attainment gap and has also failed to meet the interim target on child poverty. However, I welcome the Wise Group's relational mentoring service, work on the ready for industry, success and excellence—RISE—programme in colleges and the new flexible workforce development fund. Are those developments an indication of a new direction of travel for Government policy on tackling child poverty, with a focus on work and employment?

Shirley-Anne Somerville: That focus has always been there, as is demonstrated by the fact

that previous plans have also looked at the root causes of poverty and how to tackle them. The drivers in this plan are very similar to those in the previous plan, and that is because stakeholders have told us that those are the right areas to focus on.

I welcome Mr Rennie's comments on the Wise Group funding and on RISE, which is a very good example of the college sector coming forward with a proactive suggestion that is to do not only with skills but with childcare and transport. That is the way in which the plan has been developed, and that is the way in which the Government and ministers have worked together with others to tackle barriers in order to make the most of employability efforts and the most of our college sector. I hope that, when Mr Rennie has more time to go through and reflect on the plan, he will see more examples of that.

Marie McNair (Clydebank and Milngavie) (SNP): I welcome the delivery plan and the impact that these measures will have on households in my constituency. Will the cabinet secretary set out more detail of the employability support and how parents in Clydebank and Milngavie will be supported to increase their income through work, as well as through access to expanded training opportunities?

Shirley-Anne Somerville: I mentioned some of those measures in the answer that I just gave to Willie Rennie, but I will point again to the £9 million going to colleges through the RISE initiative, which will support up to 2,400 parents to access skills and education, as well as the new training access fund and the flexible workforce development fund. That support will benefit people not only in the member's constituency but across Scotland. Along with our investment in transport and childcare, it will help more parents to enter and progress through the workforce and to increase their earned incomes. That is an important part of the plan.

Stephen Kerr (Central Scotland) (Con): Conservative members want to tackle the root causes of child poverty, and I was pleased to hear the emphasis that the cabinet secretary gave to programmes that support employment and upskilling, as we recognise that the most effective route out of poverty is through sustained employment and upskilling.

The statement is long and detailed. How much of the spending that the cabinet secretary announced is genuinely new funding? How much of it is simply a repackaging? Will she commit to publishing outcomes for the initiatives that she included in her statement? Not all of them were accompanied by specific outcomes.

Shirley-Anne Somerville: It is pleasing that Mr Kerr reflected on the fact that the statement is long and detailed—as, indeed, is the action plan that goes with it—because there are a great deal of new announcements in it. For the sake of time, I will not go through them all, but there are particular announcements on the different packages that have been sustained and developed and then the new initiatives through our tackling child poverty fund and the whole family investment. As I said, there is also an annex on the two-child limit mitigation that breaks down exactly how that funding will be spent.

I am sure that Mr Kerr has just forgotten that there is an annual statement on the child poverty work, in which we set out the outcomes delivered by that work. I look forward to the Government delivering that statement when we return in June.

The Deputy Presiding Officer: I can squeeze in Mr Kidd if his question is brief and the answer is succinct.

Bill Kidd (Glasgow Anniesland) (SNP): Last week, I had the pleasure of hosting young people from the Child Poverty Action Group's cost of the school day voice network in Parliament to discuss their manifesto. I must say that they made a lot more sense than many adults—which members have heard before—by stressing the need to ensure that children and young people are involved in shaping policy.

The Deputy Presiding Officer: Can we have a question please, Mr Kidd?

Bill Kidd: Will the cabinet secretary say how we can ensure that children's and young people's voices are properly heard and how the new third sector fund will act as a new door?

Shirley-Anne Somerville: The new third sector fund will be a national front door to public services throughout Scotland. That is one example—but only one—of how the voices of children and young people have shaped the approach. I thank Young Scot, the Child Poverty Action Group and Aberlour Children's Charity. We engaged with children and young people directly at official and ministerial levels to hear from them about what they wanted to see in their plan. I hope that, as well as its being a Scottish Government publication, they feel that it is their plan, because it is the Government delivering for them and for the future of Scotland.

The Deputy Presiding Officer: That concludes the statement. There will be a short pause before we move on to the next item of business.

Assisted Dying for Terminally Ill Adults (Scotland) Bill: Stage 3

14:58

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is stage 3 proceedings on the Assisted Dying for Terminally Ill Adults (Scotland) Bill. In dealing with the amendments, members should have the bill as amended at stage 2—that is, SP bill 46A—the marshalled list and the groupings of amendments. The division bell will sound and proceedings will be suspended for around five minutes for the first division of the stage 3 proceedings today. The voting period for the first division will be 30 seconds. Thereafter, I will allow a voting period of one minute for the first division after a debate. Members who wish to speak in the debate on any group of amendments should press their request-to-speak buttons or enter RTS in the chat function as soon as possible after I call the group.

Members should now refer to the marshalled list of amendments.

Section 12—Signing by proxy

The Deputy Presiding Officer: Group 9 is on signing by proxy. Amendment 94, in the name of Liam McArthur, is grouped with amendments 190 to 192, 65 and 68.

15:00

Liam McArthur (Orkney Islands) (LD): My amendments 94, 65 and 68 relate to the issue of signing by proxy. The bill would allow a proxy to sign a first or second declaration form on behalf of a patient who is unable to do so. I put on record my thanks to the Law Society of Scotland for its advice and engagement on those matters.

Amendment 94 would change section 12(4)(a) to the effect that a proxy would not be able to sign a declaration unless the proxy

"has read the declaration to the person making it".

The amendment seeks to address concerns from the Law Society that the provision as it stands, which requires the proxy to be

"satisfied that the person understands the nature and effect of the making of the declaration",

could imply more extensive assessment and be open to legal challenge. My intention was always for the signing proxy merely to stand in place of the terminally ill adult who is unable to sign for themselves.

In response to concerns raised, amendment 94 would have the effect of requiring the proxy to read out the declaration and then sign it in the presence of the adult. That would change the proxy's position to a facilitative one for an adult who is unable to sign their own name. I am satisfied that that would address the concerns that have been raised while allowing the provision to work as intended.

Amendments 65 and 68 respond to a Delegated Powers and Law Reform Committee recommendation that the affirmative procedure should apply to regulations under section 12(5)(e).

The other amendments in the group—amendments 190 and 191, in the name of Jeremy Balfour, and amendment 192, in the name of Fergus Ewing—stem from a misunderstanding of the purpose and role of the proxy in the bill. Amendment 191 seeks to add various criminal offences into the proxy provisions. However, I again make it clear that the purpose behind those provisions is simply to allow a person who cannot sign a first or second declaration for themselves to ask a proxy to do it for them, and that the bill provides clear rules on who can and cannot be a proxy.

I also note the Government's concerns about competence in relation to amendment 191 and the reservation of employment rights. There are no risks here of behaviour to criminalise. It is still the requesting person who makes the declaration, with a proxy standing in for the signing. The declarations must also be signed and witnessed by others, as is set out in the bill. A person must be assessed as eligible by two doctors acting independently. Then, after a second declaration is signed and witnessed, the terminally ill adult must request provision of the substance and decide whether to use it.

Mr Ewing's amendment 192 would reinsert a required role for a solicitor, which is the issue that the Law Society of Scotland first sought to have me address. I therefore cannot support amendment 192, although I understand and sympathise entirely with Mr Ewing, who finds himself in the same position that I found myself in when I was drafting my bill.

I move amendment 94.

Jeremy Balfour (Lothian) (Ind): Amendment 190 relates to section 12 and concerns the responsibilities and potential criminal liability of proxies who are involved in the assisted dying process. My amendment addresses a matter that goes to the integrity and safety of the system that would be established under the bill's framework.

I wonder whether, in winding up, Liam McArthur will tell me what happens if someone falsely signs by proxy. From reading the bill, I see no punishment or anything that would happen if such a situation happened, so I would be interested to

know his reflections on that at the end of the debate on this group.

The bill allows, in very specific circumstances, for a proxy to act on behalf of an individual who is making a decision. The measure is designed to assist a terminally ill adult who might be physically unable to sign or communicate, while ensuring that the decision reflects their true voluntary intent. However, as with any process that allows a person to act on behalf of another, there is a risk of abuse, coercion or falsification. A declaration that is made falsely or under pressure would completely undermine the safeguards that we all want in the bill, and the amendment seeks to put such safeguards in place. Such a declaration would strike at the very principle that assisted dying is a choice that is made freely and by the person themselves.

Amendment 190 would establish clear and enforceable criminal offences for any proxy who knowingly contravenes section 12(4). That is because, as I said a moment ago—again, I would be happy if Liam McArthur could clarify this point when summing up—there seems to be no punishment for someone who falsely signs by proxy. That includes signing a declaration in contravention of the law or making a false statement about their capacity, disqualification status or understanding of the person who is making the decision. We are not talking about technical or minor offences—they involve serious risk to life, so the amendment would put in place appropriate penalties to reflect that gravity.

Importantly, the amendment would also clarify that, even if the person who is seeking an assisted death does not proceed to the point of death, such a falsification will have placed the adult at serious risk and should be treated as such. That is crucial, because it would prevent a potential loophole whereby a proxy could force a declaration but avoid accountability simply because the process was interrupted by a third party.

The amendment is about more than just rules on paper; it is about protecting vulnerable individuals at the moment of profound vulnerability. It would ensure that proxies cannot act without accountability, that the integrity of the declaration process is preserved and that the safeguards that Parliament has sought to put in place can never be bypassed.

In a debate such as this, it is right that much attention has been paid to the role of doctors and to assessment and eligibility criteria, but the responsibility of proxies is just as crucial. A single forced declaration could fundamentally undermine the system, place a terminally ill adult at risk and erode public confidence in the legislation.

Amendment 191 would complement amendment 190 by ensuring that the professional integrity and conscience of solicitors and legal professionals is fully respected. Although the law should require oversight in such a delicate matter, no professional should ever be forced to act as a proxy against their conscience or professional judgment. Amendment 191 would remove any ambiguity about that from the bill by ensuring that legal professionals would not have to do that. I have seen what the Scottish Government says about risks around employment law, and Mr McArthur has picked that up as well, but I would be interested to hear from the cabinet secretary—in his speech on the group or in an intervention—whether this issue will be part of the negotiations with the United Kingdom Government.

Jamie Hepburn (Cumbernauld and Kilsyth) (SNP): I am genuinely open-minded on the issue and understand the point that has been made, but I wonder whether amendment 191 is strictly necessary, as there is nothing in any area of law that requires a solicitor to act on behalf of a person if they do not want to. I presume that, at any stage, a solicitor could refuse to do so, as they are not required to do so. Therefore, I am not entirely clear about the necessity of amendment 191.

Jeremy Balfour: That is a fair point, but I am seeking to introduce a safeguard. Several decades ago, when I was a trainee solicitor, I would be passed a file and told to go and do something by a partner or another senior member. I do not want there to be a situation in which a junior member of a legal team is asked to do something by a senior member of the firm that would go against his or her conscience and feels that they have to do it because refusing might affect their legal career—I appreciate that that would happen only infrequently.

I understand that the issue relates to employment, so I seek clarification from the cabinet secretary that it will be part of the negotiations with the UK Government, if the issue cannot be addressed in the bill.

For the reasons that I have set out, I strongly urge members to support amendment 190, if not amendment 191, to ensure that there are absolute safeguards in place to protect everyone.

The Deputy Presiding Officer: I call Stephen Kerr to speak to amendment 192, in the name of Fergus Ewing, and other amendments in the group.

Stephen Kerr (Central Scotland) (Con): I am pleased to present amendment 192 on behalf of Fergus Ewing. The amendment would introduce a simple but crucial safeguard by requiring that any declaration that is signed by a proxy must be witnessed and certified by a practising solicitor.

At first glance, that might seem like a minor procedural adjustment but, in reality, it addresses a glaring inconsistency in the bill. Across Scots law, the involvement of a solicitor is standard whenever sensitive or legally binding documents are executed on behalf of another person. Whether it is for powers of attorney, wills or contracts with serious consequences, a solicitor's oversight ensures that the document is valid, that a person who is acting on someone else's behalf fully understands their responsibilities and that there is a clear professional record of the transaction. Yet the bill proposes that, for one of the most sensitive and irreversible acts that a person can take, no such oversight is required. That is astonishing.

By mandating a practising solicitor to witness a proxy declaration, certify that all statutory requirements have been followed and record their professional credentials on the document, amendment 192 would bring clarity, transparency and accountability. It would reduce the risk of error, misunderstanding or even potential abuse and it would assure everyone involved—the individual making the declaration, the proxy and the medical practitioners—that the legal formalities have been properly observed.

That is not a bureaucratic obstacle; it is a safeguard consistent with the standards that we already apply in other areas of law. The solicitor's role would not be to question the person's wishes; it would be to ensure that the process is carried out correctly and lawfully. In matters of such gravity, that oversight is not optional; it is essential. Supporting the amendment is not about creating unnecessary hurdles; it is about protecting individuals and upholding the integrity of the system. It is about ensuring that, when a proxy acts on someone else's behalf, a professional legal check is in place to prevent mistakes or disputes and to give confidence to all parties that the declaration is fully compliant with the law.

For those reasons, I urge members to support the amendment and ensure that the bill meets the same standards of care, diligence and legal oversight that are expected throughout Scots law.

The Cabinet Secretary for Health and Social Care (Neil Gray): On amendment 190, the Scottish Government has noted several issues. First, the liabilities set out in the amendment do not follow standard procedure. For reasons of consistency across sentencing, a custodial sentence of more than 12 months should not be imposed upon conviction on a summary complaint. Furthermore, prescribing a minimum penalty in cases where death has resulted would significantly limit the discretion of the court to sentence proportionately according to circumstances. In certain cases, such as the falsifying of an address, the minimum penalty of five years could be disproportionate.

There is also a lack of clarity around the penalty provisions. There is some doubt about whether, despite the terms set out in the agreement, it might still be necessary to prove that there has been a serious risk of death before a penalty can be imposed. The reference to falsifying a proxy or declaration is also unclear and does not align with the offence of knowingly signing a declaration or making false statements.

Ross Greer (West Scotland) (Green): I share the Government's concerns about the drafting of the amendment, but Mr Balfour's key point—that there should be consequences if someone is essentially acting as a false proxy—is correct. Is it the Government's understanding that that would be covered by the coercion offence in the bill? I assume that if somebody were to act in that manner, it would be possible to prosecute them for the criminal offence of coercion as a result of that separate section of the bill.

Neil Gray: Mr Greer makes a fair point, on which I cannot comment. It is an area that I have not been voting on and that I have not passed comment on, because it involves an ethical consideration. However, Mr Greer's point is on the record.

The Scottish Government considers that amendment 191 might raise issues of legislative competence relating to the H1 employment and industrial relations reservation in the Scotland Act 1998. There are also technical issues with the definition of a solicitor and with the lack of definition of an advocate, which is relevant given that the latter term is used elsewhere in the bill in another context.

In response to Mr Balfour's query, I say that the UK Government has given agreement in principle to allow for opting out of participating in assisted dying. The detail of a section 104 order will be for discussion and negotiation. I know that that does not fully address Mr Balfour's point, but it is the best that I am able to do.

15:15

Jeremy Balfour: I thank the cabinet secretary for his helpful remarks.

I am not concerned only about solicitors and proxies opting out. Is the cabinet secretary able to give an indication of other areas in which the UK Government may be willing to grant an opt-out? We had a long debate about that on Tuesday, but I am still not clear on who could opt out. Which organisations would be able to do so? Can the cabinet secretary share any further information on that point?

Neil Gray: Unfortunately, that is the best that I can put on the record, because that issue will be subject to discussion and negotiation. We cannot provide a guarantee with regard to what the UK Government will commit to beyond what it has already put on the record. I recognise that that is a challenge for colleagues, and I wish that it were not the case. We have covered the matter in great detail, but that is where we are.

As far as the remaining amendments in the group are concerned, the Scottish Government has no comment to make, aside from the technical points that can be found in the commentary.

The Deputy Presiding Officer: I invite Liam McArthur to wind up and to press or withdraw amendment 94.

Liam McArthur: I thank Jeremy Balfour and Stephen Kerr for setting out the rationale for the amendments that they spoke to, and I thank the Scottish Government for identifying the issues that it has with the relevant amendments.

I repeat that I have some sympathy with the points that Mr Balfour and Mr Kerr have made. When I was drafting the bill, much of what they have articulated was in my thinking. However, I suspect that their view stems from a misunderstanding of the role of the proxy, which is a facilitative one. In his intervention, Ross Greer helpfully reminded members that the bill's protections on coercion apply. Rather than carving out the proxy role and coming to the view that it is unprotected and that there are no sanctions, members need to read the bill in its entirety.

My amendment 94 reflects the concerns that the Law Society of Scotland raised with me at stage 1. Changes were made at stage 2 that allowed some of those concerns to be addressed.

Jamie Hepburn: I understand Mr McArthur's point that amendment 94 reflects the Law Society of Scotland's concerns. However, I think that the present wording of section 12(4)(a) is sensible, and I am a little concerned about the proposed replacement of that wording with the idea that the declaration would simply have to be read out by the proxy. I invite Mr McArthur to say a bit more about what the Law Society's concerns were, so that I can get a better understanding of the issue.

Liam McArthur: The Law Society was concerned that the relationship that would be required between the proxy and the individual requesting an assisted death would be more extensive as a result of the way in which the provision is now phrased, following stage 2. Rather than simply involving the proxy in a facilitative role, it would require an assessment to be made of the individual's state of mind, which is not the role of the proxy. The witnesses and the medics who were involved in the process would provide the safeguards. As I said, Ross Greer helpfully indicated that the provisions on coercion would still apply across the board.

As I said, amendment 94 reflects the concerns that the Law Society expressed at stages 1 and 2. I am satisfied, as I think the Law Society is, that amendment 94 would address those concerns. Therefore, I urge members to support amendment 94, and my amendments 65 and 68, and to reject the other amendments in the group, for the reasons that I have set out.

The Deputy Presiding Officer: The question is, that amendment 94 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

As this is the first division of today's stage 3 proceedings, I suspend the meeting for around five minutes to allow members to access the digital voting system.

15:18

Meeting suspended.

15:24

On resuming—

The Deputy Presiding Officer: We come to the vote on amendment 94. Members should cast their votes now.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)

Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Constance, Angela (Almond Valley) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Swinney, John (Perthshire North) (SNP)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Arthur, Tom (Renfrewshire South) (SNP)
Boyack, Sarah (Lothian) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Mountain, Edward (Highlands and Islands) (Con)

The Deputy Presiding Officer: The result of the division is: For 64, Against 52, Abstentions 4.

Amendment 94 agreed to.

Amendments 190 and 191 not moved.

Amendment 192 moved—[Stephen Kerr].

The Deputy Presiding Officer: The question is, that amendment 192 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Adamson, Clare (Motherwell and Wishaw) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Constance, Angela (Almond Valley) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Greene, Jamie (West Scotland) (LD)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hoy, Craig (South Scotland) (Con)

Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Eagle, Tim (Highlands and Islands) (Con)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McLennan, Paul (East Lothian) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (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)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

Abstentions

Boyack, Sarah (Lothian) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Whitfield, Martin (South Scotland) (Lab)

The Deputy Presiding Officer: The result of the division is: For 50, Against 67, Abstentions 3.

Amendment 192 disagreed to.

After section 12

Amendment 95 moved—[Jackie Baillie].

The Deputy Presiding Officer: The question is, that amendment 95 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

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)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, 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)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Findlay, Russell (West Scotland) (Con)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gallacher, Meghan (Central Scotland) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hoy, Craig (South Scotland) (Con)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lumsden, Douglas (North East Scotland) (Con)
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)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McCall, Roz (Mid Scotland and Fife) (Con)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mochan, Carol (South Scotland) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Slater, Lorna (Lothian) (Green)
Smith, Liz (Mid Scotland and Fife) (Con)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Arthur, Tom (Renfrewshire South) (SNP)
Brown, Siobhian (Ayr) (SNP)
Dey, Graeme (Angus South) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Gulhane, Sandesh (Glasgow) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McKee, Ivan (Glasgow Provan) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Regan, Ash (Edinburgh Eastern) (Ind)
Swinney, John (Perthshire North) (SNP)

Abstentions

Mountain, Edward (Highlands and Islands) (Con)

The Deputy Presiding Officer: The result of the division is: For 101, Against 19, Abstentions 1.

Amendment 95 agreed to.

Amendment 96 moved—[Sue Webber].

The Deputy Presiding Officer: The question is, that amendment 96 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Adamson, Clare (Motherwell and Wishaw) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Briggs, Miles (Lothian) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Constance, Angela (Almond Valley) (SNP)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)

Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South 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)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Abstentions

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Boyack, Sarah (Lothian) (Lab)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Mountain, Edward (Highlands and Islands) (Con)

The Deputy Presiding Officer: The result of the division is: For 50, Against 66, Abstentions 5.

Amendment 96 disagreed to.

Section 13—Recording of declarations and statements

Amendment 39 moved—[Bob Doris].

15:30

The Deputy Presiding Officer: The question is, that amendment 39 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is closed.

Ariane Burgess (Highlands and Islands) (Green): On a point of order, Presiding Officer. I apologise. I could not connect to the app. I would have voted yes.

The Deputy Presiding Officer: Thank you, Ms Burgess. Your vote will be 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)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, 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)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hoy, Craig (South Scotland) (Con)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Slater, Lorna (Lothian) (Green)
Smith, Liz (Mid Scotland and Fife) (Con)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Dey, Graeme (Angus South) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Webber, Sue (Lothian) (Con)

Abstentions

Arthur, Tom (Renfrewshire South) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Mountain, Edward (Highlands and Islands) (Con)

The Deputy Presiding Officer: The result of the division is: For 113, Against 5, Abstentions 3.

Amendment 39 agreed to.

Amendment 193 not moved.

Amendment 194 moved—[Daniel Johnson].

The Deputy Presiding Officer: The question is, that amendment 194 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is closed.

Jackie Baillie (Dumbarton) (Lab): On a point of order, Presiding Officer. My app would not connect. I would have voted yes.

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

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Lennon, Monica (Central Scotland) (Lab)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adamson, Clare (Motherwell and Wishaw) (SNP)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Carson, Finlay (Galloway and West Dumfries) (Con)
Dey, Graeme (Angus South) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Haughey, Clare (Rutherglen) (SNP)
Hoy, Craig (South Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Arthur, Tom (Renfrewshire South) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)

Mountain, Edward (Highlands and Islands) (Con)

The Deputy Presiding Officer: The result of the division is: For 65, Against 53, Abstentions 3.

Amendment 194 agreed to.

Amendment 195 moved—[Daniel Johnson].

The Deputy Presiding Officer: The question is, that amendment 195 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Lennon, Monica (Central Scotland) (Lab)
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)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
Mochan, Carol (South Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adamson, Clare (Motherwell and Wishaw) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Carson, Finlay (Galloway and West Dumfries) (Con)
Dey, Graeme (Angus South) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Griffin, Mark (Central Scotland) (Lab)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hoy, Craig (South Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Minto, Jenni (Argyll and Bute) (SNP)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Mountain, Edward (Highlands and Islands) (Con)

The Deputy Presiding Officer: The result of the division is: For 60, Against 56, Abstentions 2.

Amendment 195 agreed to.

Amendment 40 moved—[Bob Doris]—and agreed to.

Amendment 196 moved—[Jeremy Balfour].

The Deputy Presiding Officer: The question is, that amendment 196 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Stevenson, Collette (East Kilbride) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
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)
Dornan, James (Glasgow Cathcart) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gosal, Pam (West Scotland) (Con)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hoy, Craig (South Scotland) (Con)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Smith, Liz (Mid Scotland and Fife) (Con)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Webber, Sue (Lothian) (Con)
Whitfield, Martin (South Scotland) (Lab)

Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Abstentions

Adamson, Clare (Motherwell and Wishaw) (SNP)
Boyack, Sarah (Lothian) (Lab)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Mountain, Edward (Highlands and Islands) (Con)
Villalba, Mercedes (North East Scotland) (Lab)

The Deputy Presiding Officer: The result of the division is: For 39, Against 78, Abstentions 5.

Amendment 196 disagreed to.

Section 14—Recording of cancellations

Amendment 197 moved—[Liz Smith].

The Deputy Presiding Officer: The question is, that amendment 197 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Adamson, Clare (Motherwell and Wishaw) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Briggs, Miles (Lothian) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Haughey, Clare (Rutherglen) (SNP)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sweeney, Paul (Glasgow) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Boyack, Sarah (Lothian) (Lab)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Chapman, Maggie (North East Scotland) (Green)
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)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)

Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

Abstentions

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Mountain, Edward (Highlands and Islands) (Con)

The Deputy Presiding Officer: The result of the division is: For 57, Against 62, Abstentions 2.

Amendment 197 disagreed to.

Section 14A—Right to advocacy

The Deputy Presiding Officer: We move to group 10, which is on advocacy services. Amendment 198, in the name of Ross Greer, is grouped with amendments 199 to 207 and 312.

Ross Greer: At stage 2, the Health, Social Care and Sport Committee agreed to my amendments to establish a right to advocacy for patients who embark on this process. Advocacy is essential to mitigate the drawbacks of a dispersed service, rather than a centralised, specialist service.

Either way, an advocacy service would be required. That is based on the positive experiences of equivalent services in the states in Australia that operate assisted dying and in New Zealand. In some cases, they are referred to as pathfinders, but typically they are called advocates.

I am particularly grateful for the insight and generosity of Dr Sandra Lucas, Dr Rhona Winnington and Gillian McElroy of the University of the West of Scotland, who helped me to develop the proposals.

Amendments 198, 199, 201 to 206 and 312 are lodged with the support of Liam McArthur or the Scottish Government. They would resolve feedback on the drafting of sections 14A and 14B, which were inserted at stage 2. I have already circulated the purpose and effect notes for the amendments to members. Their effect would be to clarify grammar and definitions, make the amendments consistent across the two sections of the bill, and ensure that there are enforcement mechanisms for the advocacy service standards.

Those amendments are largely technical in nature, so I will not speak in any further detail of them.

Rhoda Grant (Highlands and Islands) (Lab): The member said that those amendments are technical in nature, but my reading of amendments 199 and 200 is that they push back somewhat, because someone has to be actively seeking assisted dying, rather than just considering it, to get advocacy services. I think that that is a backward step.

Ross Greer: The amendments that I referred to as technical excluded amendment 200. I am about to come on to that amendment, which is one of the substantive amendments that I will talk to.

For clarity, the amendments that are technical are amendments 198, 199 and the others that I mentioned. I believe that amendment 199 is technical. Amendment 200 is the substantive one that I will speak to, and amendments 201 through 206 are technical.

Before I speak to amendment 200, I wish to speak to amendment 204, because it is paired with amendment 259, which we will come to in group 19. Together, these two amendments would take the intended role and responsibilities of the advocate and move them from the right to advocacy section of the bill into guidance. That is intended to improve operability and make it easier to adapt the role definition in future, based on experience of the system.

That being said, I feel that it is essential to keep in the bill the clear expectation of what the advocate does. The advocate is not a human information service or, necessarily, just a navigator, although I am glad that the information service provisions, which were proposed by Jackie Baillie at stage 2, were agreed to.

Based on the Australian and New Zealand experiences, I see the advocate as being an active participant in the process, alongside and on behalf of a patient who has requested their support. They are a constant safeguard, for example, against undue influences on and infringement of the rights of the patient. They have an important pastoral role, too, noting the immense—

Brian Whittle (South Scotland) (Con): Will the member take an intervention?

Ross Greer: Yes.

Brian Whittle: I am grateful to Ross Greer for taking my intervention, and I will support the amendment. The only thing that concerns me about amendment 200 is that, for a person to request an advocate, they must know and understand that the advocacy service is available to them. How would he tackle that problem?

Ross Greer: As I said, I will come on to talk about amendment 200 in more detail in a moment, but there is provision for the information service to

make patients aware of the option of advocacy. The key point about requesting it is what I am about to come to. To briefly summarise this section—

Alasdair Allan (Na h-Eileanan an Iar) (SNP): Will the member take an intervention?

Bob Doris (Glasgow Maryhill and Springburn) (SNP): Will the member take an intervention?

Ross Greer: I will take Alasdair Allan first and then I will come to Bob Doris.

Alasdair Allan: Mr Greer has indicated that he may be about to speak to the question that I was going to raise. Can he clarify the reasoning behind leaving out the word "require" and inserting "request"? In practical terms, what would that mean for someone?

Ross Greer: I will skip to that section, because that is obviously what members are most interested in. The reason for changing from "require" to "request" was that concerns were raised with me that the plain and ordinary meaning of "require" would imply that someone else, other than the patient, could make the judgment that the patient does not require advocacy.

Pam Duncan-Glancy (Glasgow) (Ind): Will the member take an intervention?

Ross Greer: Changing from "require" to "request" would leave it entirely up to the patient. If the patient wished to have an advocate, they would have an advocate, because it would be down to their request. Leaving the provision with "require" would suggest that someone else could decide whether the patient actually requires the advocate.

If Bob Doris is still keen to intervene, I will take his intervention, and then I will come to Pam Duncan-Glancy.

Bob Doris: Based on a previous intervention, I will go back to amendment 199.

My reading of amendment 199 is that, if a person goes to their doctor and says, "I am thinking about an assisted death—can you help me in any way in relation to that?", the doctor would not be able to say, "There are advocacy services available—would you like to avail yourself of them?", because the person is only considering it. However, if the person went to their doctor and said, "I want an assisted death," the doctor would be able to say, "Here are some advocacy services."

That does not seem to be the right way forward. I would have thought that advocacy services would help a person reach their decision in an informed way and advocate for them on that basis, without any predetermined outcome, but amendment 199 would seem to reverse that in some way.

Ross Greer: That is why I think amendment 200 is particularly important, because that is where it comes down to the patient requesting advocacy. The specific language in amendment 199 is based, in part, on suggestions from the Law Society of Scotland about making sure that the language in the bill is entirely legally clear. In response to Mr Doris's point, that is why I was keen to insert amendment 200, so that it would be down to the request from the patient.

I will take Pam Duncan-Glancy's intervention at this point.

Pam Duncan-Glancy: I am listening carefully to the points that Mr Greer is making about some of the technicalities of the issue, and I understand the Law Society of Scotland's points on it.

Does the member also share my concern that requesting something does not necessarily mean that the provision would be there? Does he recognise that advocacy is already hugely underfunded in Scotland and that, without ensuring that it was available, people could request such things but they would never be provided? Does he have any thoughts on that? Is there anything in the member's amendment that worries him about that?

Ross Greer: That is a worry that I have, and not just in relation to this bill. We are well aware in this Parliament that, over our 27-year history, we have legislated to create a whole range of rights for individuals that public services have been unable to deliver in practice.

What was amended into the bill at stage 2 is what establishes the right to advocacy. Amendment 200 would make the right to advocacy easier, because it would be entirely down to whether the patient wants it or not. The current language in the bill, which I take responsibility for because it was my stage 2 amendment, says "require" rather than "request". If we leave it as "require", it leaves open the question of who gets to decide whether a patient requires it or not, but "request" means that it comes down entirely to the decision of the patient. That is the rationale for amendment 200, but what is already in the bill as a result of stage 2 amendments is what establishes advocacy as a right for the patient.

15:45

Audrey Nicoll (Aberdeen South and North Kincardine) (SNP): I am interested in the issue around the word "independent". I understand the rationale for the member's amendments, but I am interested in what reassurance can be provided that an independent advocacy service is truly

independent. That circles back to the issue of coercion, which has cropped up regularly over the past few days.

Ross Greer: I am grateful to Audrey Nicoll for making that point. The definition of independent advocacy is one that we are debating across several bills in the Parliament right now, particularly in relation to care-experienced young people.

The concept of advocacy being independent is to ensure that the patient does not feel that it is provided by somebody who is otherwise already engaged in the process. For example, the advocacy is not provided by one of the practitioners who is making the clinical decisions around things such as prognosis. The advocate is someone entirely separate to that. Their job is purely to advocate on behalf of the patient, unaffected by the other decisions that are being made, particularly on any judgment that may be clouded—not clouded, as that is negative—or affected if they are also making clinical decisions. This approach separates the advocate out from the clinical element of the process.

Alasdair Allan: I wonder whether the member could reassure me about amendment 204. Am I incorrect in reading that to mean that it would remove the provisions that define in detail what the advocacy service is to do? I am keen to ensure that we have a proper definition somewhere in the bill that avoids, for instance, undue influence. Does amendment 204 remove that definition, or have I misread it?

Ross Greer: That is what I was referencing a moment ago: the amendments move some of that from the bill to the statutory guidance. I ask Dr Allan and any other member who is interested in that issue to cross-reference amendment 204 with amendment 259, which we will come to in group 19. That moves the definition into the guidance, and it is about making sure that we can keep the definition up to date. It would not be locked into primary legislation. There would be a definition, but we would put it in the guidance so that we can keep it up to date as the system develops.

Brian Whittle: Will the member give way?

Ross Greer: I will take Mr Whittle again. I am conscious of time, Presiding Officer, so I will try to round off after that.

Brian Whittle: I apologise to the member—I just want clarity on that issue, because advocacy is paramount and crucial in the bill. On Bob Doris's point on amendments 199 and 200, I want to clarify that the intention of the amendments is to ensure that people who seek assisted dying or consider assisted dying should be able to get advocacy services. It does not quite say that, but is that the intention?

Ross Greer: The short answer to that is yes. Apart from the ones that I have spoken to in detail, the amendments are based on advice that we have had from the Scottish Law Society and the Government and so on, on making sure that the definitions are legally clear and operable.

Amendment 200 is the most critical of those. It is designed to ensure that, ultimately, it is entirely down to the patient. If a patient embarks on the process and starts those discussions with their doctor, the decision about whether they receive advocacy would be only the patient's. That is why it is at the patient's request and nothing else.

I will try to draw my remarks to a conclusion. Before I close, I want to speak briefly to Murdo Fraser's amendment 207. That amendment would have the Scottish Government create an independent advocacy oversight body and an accreditation scheme, rather than what is currently proposed, which is a model in which the Scottish Government sets the advocacy service standards and any provider is mandated by their contract to comply with those standards.

I understand the intention of Murdo Fraser's amendment, but I am afraid that I cannot support it.

I checked with Dr Lucas and Dr Winnington, who are the experts in such advocacy services across the world, based on their professional experience of operating within those services, not only as clinicians but, more recently, as academics. They said that all other advocacy systems have that governmental approach, and it would risk increasing complexity in the scheme if we were to establish another body that is responsible for it.

The current model mirrors provisions in existing legislation for independent advocacy. The advocacy service standards in the Social Security Scotland context are being mirrored. That approach ensures consistency when we are talking about independent advocacy, what it means and where the standards of provision are set out. For that reason, I ask Murdo Fraser not to move amendment 207, and I ask members to support all my amendments in the group.

I move amendment 198.

Murdo Fraser (Mid Scotland and Fife) (Con): As Ross Greer has properly identified, amendment 207 proposes the establishment of a new statutory entity to be known as the independent advocacy oversight body, which would be charged with the accreditation, monitoring, auditing and reporting of advocacy services operating under the act. It would replace what was inserted at stage 2, which was the ability of ministers to make regulations to

establish advocacy services. Although that was an improvement to the bill, my concern is that it does not go far enough and that there is a need for independence.

The purpose of the body would be to ensure that all advocacy providers meet formal standards of competence, independence and accountability. Amendment 207 would oblige the body to enforce those standards, maintain robust records and produce an annual public report, all while maintaining appropriate confidentiality protections.

Crucially, the amendment would place on the Scottish ministers a statutory duty to provide sufficient funding to enable the body to discharge its functions effectively, which is the point that was raised a moment ago by Pam Duncan-Glancy. Without such funding, the safeguards that are envisaged here—which I know Mr Greer supports—could not be realised in practice. We have to ensure that the funding is in place.

I absolutely accept the principle of advocacy services and welcome the fact that Ross Greer's amendments were agreed to at stage 2. However, the operation of such a service requires clear procedural frameworks and oversight. The establishment of a statutory body would provide precisely that structure, offering independent supervision of advocates within assisted dying services in the national health service, which is the point that Audrey Nicoll made in her intervention.

Rhoda Grant: I am interested in amendment 207, but my one concern is about something that Mr Fraser will be aware of. In rural areas where there are accreditation services, people tend to be locked out of gaining accreditation because of the long distances that they have to travel. We see that again and again. In a way, we would need more advocates in rural areas, just because of the sheer distances from services. If the bill becomes law, everyone should have face-to-face advocacy to support them through the process.

Murdo Fraser: I very much agree with Rhoda Grant. If we are going to have advocacy, it needs to be available to everybody, and on a face-to-face basis. Part of the reason why I am lodging amendment 207 is that we need an independent body that is responsible for ensuring that advocacy is available. We could make sure that that applies throughout Scotland.

The amendment is not merely procedural; it is a fundamental safeguard that would ensure that those who are charged with supporting some of the most vulnerable individuals in our healthcare system are properly trained, accountable and subject to independent scrutiny.

Liam Kerr (North East Scotland) (Con): Amendment 207 says that the Scottish ministers must fully fund the new body. Can the member indicate how much that might end up costing?

Murdo Fraser: I am afraid that I cannot give Mr Kerr a figure; nor could I give him a figure for what the cost of providing advocacy services under the bill as it stands might be. We are all in the same place in that respect.

I urge colleagues to support amendment 207, which represents a necessary measure to underpin the safe and effective operation of the legislation.

Neil Gray: From a delivery perspective, there remains a lack of clarity around how an advocacy service would be funded or monitored in practice. I note what I have just heard from Mr Fraser about any estimations of cost. Establishing advocacy service standards and putting in place arrangements to oversee compliance with them would require extensive consultation and significant additional resourcing.

With that being said, amendment 206 is necessary to correct a technical issue in that, although section 14B(1) references a duty under section 14A(2) as it relates to advocacy service providers, the duty under section 14A(2) is placed on Scottish ministers.

Amendment 206 also resolves a practical issue with section 14B(1) to clarify that providers of independent advocacy services must comply with the advocacy service standards, and that not complying would be treated as a breach of contract. That amendment has been worked on with support of the Government.

From a legal perspective, amendment 207 would place on the Scottish ministers a duty to establish a body but would not provide the usual suite of powers that accompany the establishment of a body, so it is not clear what type of body it would be. There is no enforcement provision in relation to the bar on providing services without accreditation, and the provision might also encroach on the B2 data protection reservation of the Scotland Act 1998 by providing the body with powers to issue guidance to ministers and others on the protection of individuals' privacy.

I also note that the setting up of a fully funded independent advocacy oversight body would be a significant new financial undertaking.

I largely agree with the other amendments in Ross Greer's name that are of a technical nature, and I have no further specific comments to make on the remaining amendments.

Liam McArthur: I thank Ross Greer not just for these amendments but for the work that he did on the advocacy provisions in the bill throughout stage 2. They have improved the bill and

strengthened the protections in it. I do not have anything to add to what he has already said about the range of amendments that have been lodged to address concerns that have been raised by Law Society of Scotland, the Government and others.

On the substantive amendment 200, when I reflected on the concerns that have been expressed by some colleagues, I shared some of those concerns. When I first saw the amendment, I thought that it might restrict rather than reinforce or expand the rights, but from the explanation that Ross Greer has given, I can see ways in which that can be safeguarded against.

On Murdo Fraser's amendment 207, I am not persuaded of the benefits of replacing section 14B on advocacy service standards with an advocacy oversight board and accreditation scheme. Advocacy services are well established in Scotland. Ross Greer set out the academic expert input on that. Section 14B requires ministers to set out in regulations the relevant standards in relation to the provisions of the bill. I believe that that is a proportionate way of ensuring that appropriate standards are set and maintained over time, in the interests of, I anticipate, a relatively small number of individuals who might seek to access such services. On that basis, I cannot support amendment 207.

The Presiding Officer (Alison Johnstone): I call Ross Greer to wind up and to press or withdraw amendment 198.

Ross Greer: I will be brief in summing up. I want to make one general point and give two specific responses.

The general point is to emphasise to colleagues that the intention of the amendments is to either clarify or fix drafting issues following stage 2 or, critically, to make sure that advocacy is available to any patient who wants it. That goes back to the debate that we had about the difference between "require" and "request". If we agree to amendment 200, for a patient who is undergoing this process, even if they do not get to the end of it because they decide that it is not what they want, if they want advocacy, they will get it. The danger with leaving in the word "require" is that there is then the question of who gets to decide whether a patient requires it. Conceivably, a patient could request advocacy, but the system in some way might decide that they do not require it. That is the situation that I am trying to avoid by having the provision say "request" rather than "require".

Bob Doris: I am sorry to prolong the debate. If a person requests advocacy and then decides not to proceed with an assisted death, but the advocate is empowering them in other ways—say, in relation to a palliative care pathway—will that advocacy stay in place for as long as that person needs it, or will they receive it only while they are still actively considering assisted death? There is an inequality of arms there in some respects.

Ross Greer: I am envisaging that the advocate would be there for their transition to whatever form of care they decide to receive instead. If it was palliative care, I cannot say that the advocate would stay with them throughout that journey; we do not know how long that might be or what form it might take. However, one of the critical roles of the advocate is to be there for that transition. It may be that the patient has decided not to go ahead with an assisted death. It may be that they have been rejected at the point of assessment by a medical practitioner, which, as we can all imagine, could be an acutely distressing moment for the patient. Having the advocate there, as somebody who is alongside the patient in that situation and can help them cope with and process such a decision by the practitioner, is, I think, particularly important.

Jamie Hepburn: Could the member do us a favour and remind us which amendment we should cross-refer with amendment 204?

Ross Greer: Amendment 204 is paired with amendment 259, which is in group 19, on guidance. That is where we move the detail of what the advocate is to provide from legislation into guidance, to make sure that we can keep it up to date.

I have just two brief responses to finish with, Presiding Officer. Pam Duncan-Glancy's point about availability and funding, which was also discussed by other members, including Murdo Fraser, is critically important. I draw members' attention to section 14A(2) of the bill, which already places a duty on Scottish ministers

"to ensure that independent advocacy services are available to the extent necessary for that right to be exercised by the individuals who have it."

Finally, on Audrey Nicoll's point—

Pam Duncan-Glancy: Will the member take an intervention?

Ross Greer: I am trying to round off, but I do not want to curtail the debate, so I will take one final intervention.

Pam Duncan-Glancy: I thank the member for taking the intervention, and I thank members for their continued patience. Does the member have any indication from any conversations that he has had with the Government on where funding for this particular advocacy service could come from? Will other advocacy services that are supporting people through other parts of legislation in Scotland see reductions in their funding as a result, or is the member convinced that there would be additional resource?

Ross Greer: My position is certainly that it would be additional resource. Obviously, that would get us into wider debates about budget allocations. Members will appreciate that I have no shortage of revenue-raising proposals to put to Parliament every year at budget time, so I can always come up with a way to fund this service that would not come at the expense of other services. I am sure that the cabinet secretary would be grateful to hear my thoughts on a public health levy on supermarkets, for example, but that is for another time.

Audrey Nicoll's point about the definition of independent advocacy is very important. I draw members' attention to section 14A(4)(b)—the final part of section 14A—which is where we have defined "independent". I will read out that paragraph for inclusion in the *Official Report*:

> "advocacy services are independent if they are provided by a person who is not previously known to the individual or their immediate family and is not otherwise involved in provision of care or support to the individual including the provision of services under this Act."

That is how we define "independent". It is consistent with other definitions of independent advocacy that exist in legislation and that, indeed, we will be discussing next week when we debate the Children (Care, Care Experience and Services Planning) (Scotland) Bill—the Promise bill.

I think that that is an adequate explanation of what my amendments in the group intend to do. I emphasise to members that they are largely either technical in nature or, in the case of amendment 200, are intended to ensure that advocacy is available to everyone who wants it.

I press amendment 198.

The Presiding Officer: The question is, that amendment 198 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division. Members should cast their votes now.

The vote is closed.

Craig Hoy (South Scotland) (Con): On a point of order, Presiding Officer. My app was frozen, but I would have voted no.

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

Jim Fairlie (Perthshire South and Kinross-shire) (SNP): On a point of order, Presiding Officer. I voted no.

The Presiding Officer: Thank you, Mr Fairlie.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Lennon, Monica (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)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
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)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adamson, Clare (Motherwell and Wishaw) (SNP)

Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Brown, Siobhian (Ayr) (SNP)
Carson, Finlay (Galloway and West Dumfries) (Con)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Constance, Angela (Almond Valley) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (North East Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Haughey, Clare (Rutherglen) (SNP)
Hoy, Craig (South Scotland) (Con)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Stephen (Central Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Ross, Douglas (Highlands and Islands) (Con)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Boyack, Sarah (Lothian) (Lab)
Mountain, Edward (Highlands and Islands) (Con)

The Presiding Officer: The result of the division is: For 68, Against 48, Abstentions 2.

Amendment 198 agreed to.

Amendment 199 moved—[Ross Greer].

The Presiding Officer: The question is, that amendment 199 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division. Members should cast their votes now.

The vote is closed.

Kenneth Gibson (Cunninghame North) (SNP): On a point of order, Presiding Officer. My app did not connect. I would have voted yes.

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

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
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Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
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Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
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Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
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Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
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Lochhead, Richard (Moray) (SNP)
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Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
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)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)

Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)

Against

Adamson, Clare (Motherwell and Wishaw) (SNP)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Brown, Siobhian (Ayr) (SNP)
Carson, Finlay (Galloway and West Dumfries) (Con)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Constance, Angela (Almond Valley) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
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)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Haughey, Clare (Rutherglen) (SNP)
Hoy, Craig (South Scotland) (Con)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Ross, Douglas (Highlands and Islands) (Con)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Mountain, Edward (Highlands and Islands) (Con)

The Presiding Officer: The result of the division is: For 67, Against 52, Abstentions 1.

Amendment 199 agreed to.

Amendment 200 moved—[Ross Greer].

The Presiding Officer: The question is, that amendment 200 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (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)
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)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
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)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)

Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adamson, Clare (Motherwell and Wishaw) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Brown, Siobhian (Ayr) (SNP)
Carson, Finlay (Galloway and West Dumfries) (Con)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (North East Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Haughey, Clare (Rutherglen) (SNP)
Hoy, Craig (South Scotland) (Con)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Ross, Douglas (Highlands and Islands) (Con)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Mountain, Edward (Highlands and Islands) (Con)

The Presiding Officer: The result of the division is: For 64, Against 53, Abstentions 1.

Amendment 200 agreed to.

Amendment 201 moved—[Ross Greer].

The Presiding Officer: The question is, that amendment 201 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
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)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sweeney, Paul (Glasgow) (Lab)

Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adamson, Clare (Motherwell and Wishaw) (SNP)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Brown, Siobhian (Ayr) (SNP)
Carson, Finlay (Galloway and West Dumfries) (Con)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Constance, Angela (Almond Valley) (SNP)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Haughey, Clare (Rutherglen) (SNP)
Hoy, Craig (South Scotland) (Con)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Ross, Douglas (Highlands and Islands) (Con)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Mountain, Edward (Highlands and Islands) (Con)

The Presiding Officer: The result of the division is: For 70, Against 52, Abstentions 1.

Amendment 201 agreed to.

Amendment 202 moved—[Ross Greer].

The Presiding Officer: The question is, that amendment 202 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South 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)
Slater, Lorna (Lothian) (Green)

Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adamson, Clare (Motherwell and Wishaw) (SNP)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Brown, Siobhian (Ayr) (SNP)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Constance, Angela (Almond Valley) (SNP)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Haughey, Clare (Rutherglen) (SNP)
Hoy, Craig (South Scotland) (Con)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Ross, Douglas (Highlands and Islands) (Con)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Arthur, Tom (Renfrewshire South) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Mountain, Edward (Highlands and Islands) (Con)

The Presiding Officer: The result of the division is: For 71, Against 48, Abstentions 3.

Amendment 202 agreed to.

Amendment 203 moved—[Ross Greer].

The Presiding Officer: The question is, that amendment 203 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South 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)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adamson, Clare (Motherwell and Wishaw) (SNP)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Brown, Siobhian (Ayr) (SNP)
Carson, Finlay (Galloway and West Dumfries) (Con)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Constance, Angela (Almond Valley) (SNP)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Haughey, Clare (Rutherglen) (SNP)
Hoy, Craig (South Scotland) (Con)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Ross, Douglas (Highlands and Islands) (Con)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Mountain, Edward (Highlands and Islands) (Con)

The Presiding Officer: The result of the division is: For 70, Against 52, Abstentions 1.

Amendment 203 agreed to.

Amendment 204 moved—[Ross Greer].

The Presiding Officer: The question is, that amendment 204 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)

Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adamson, Clare (Motherwell and Wishaw) (SNP)
Baker, Claire (Mid Scotland and Fife) (Lab)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Brown, Siobhian (Ayr) (SNP)
Carson, Finlay (Galloway and West Dumfries) (Con)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Haughey, Clare (Rutherglen) (SNP)
Hoy, Craig (South Scotland) (Con)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Mountain, Edward (Highlands and Islands) (Con)

The Presiding Officer: The result of the division is: For 68, Against 54, Abstentions 1.

Amendment 204 agreed to.

16:15

Amendment 205 moved—[Ross Greer].

The Presiding Officer: The question is, that amendment 205 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)

McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South 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)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adamson, Clare (Motherwell and Wishaw) (SNP)
Baker, Claire (Mid Scotland and Fife) (Lab)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Carson, Finlay (Galloway and West Dumfries) (Con)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Constance, Angela (Almond Valley) (SNP)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Haughey, Clare (Rutherglen) (SNP)
Hoy, Craig (South Scotland) (Con)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Ross, Douglas (Highlands and Islands) (Con)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Mountain, Edward (Highlands and Islands) (Con)

The Presiding Officer: The result of the division is: For 70, Against 50, Abstentions 1.

Amendment 205 agreed to.

Section 14B—Advocacy service standards

Amendment 206 moved—[Ross Greer]—and agreed to.

Amendment 207 moved—[Murdo Fraser].

The Presiding Officer: The question is, that amendment 207 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adamson, Clare (Motherwell and Wishaw) (SNP)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Mackay, Gillian (Central Scotland) (Green)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McLennan, Paul (East Lothian) (SNP)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Rennie, Willie (North East Fife) (LD)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)

Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (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)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (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)

Abstentions

Boyack, Sarah (Lothian) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Villalba, Mercedes (North East Scotland) (Lab)

The Presiding Officer: The result of the division is: For 50, Against 71, Abstentions 25.

Amendment 207 disagreed to.

Section 15—Provision of assistance

Amendment 97 moved—[Neil Gray]—and agreed to.

The Presiding Officer: I call amendment 98, in the name of Liam McArthur, already debated with amendment 90. I remind members that, if amendment 98 is agreed to, amendment 208 will be pre-empted.

Amendment 98 moved—[Liam McArthur].

The Presiding Officer: The question is, that amendment 98 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

The vote is closed.

Carol Mochan (South Scotland) (Lab): On a point of order, Presiding Officer. I would have voted yes.

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

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bibby, Neil (West Scotland) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
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)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Sarwar, Anas (Glasgow) (Lab)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Boyack, Sarah (Lothian) (Lab)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Carson, Finlay (Galloway and West Dumfries) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Grant, Rhoda (Highlands and Islands) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Regan, Ash (Edinburgh Eastern) (Ind)
Stevenson, Collette (East Kilbride) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Whittle, Brian (South Scotland) (Con)

Abstentions

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Roddick, Emma (Highlands and Islands) (SNP)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)

The Presiding Officer: The result of the division is: For 87, Against 10, Abstentions 25.

Amendment 98 agreed to.

Amendment 209 not moved.

Amendment 210 moved—[Brian Whittle].

The Presiding Officer: The question is, that amendment 210 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Bibby, Neil (West Scotland) (Lab)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Constance, Angela (Almond Valley) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dowey, Sharon (South Scotland) (Con)

Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Simpson, Graham (Central Scotland) (Reform)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Balfour, Jeremy (Lothian) (Ind)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gallacher, Meghan (Central Scotland) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

Abstentions

Arthur, Tom (Renfrewshire South) (SNP)
Boyack, Sarah (Lothian) (Lab)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gray, Neil (Airdrie and Shotts) (SNP)
Kerr, Stephen (Central Scotland) (Con)
Mountain, Edward (Highlands and Islands) (Con)

The Presiding Officer: The result of the division is: For 47, Against 70, Abstentions 6.

Amendment 210 disagreed to.

Amendment 211 moved—[Stephen Kerr].

The Presiding Officer: The question is, that amendment 211 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

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

Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Dowey, Sharon (South Scotland) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hoy, Craig (South Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Simpson, Graham (Central Scotland) (Reform)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (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)

Abstentions

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Mountain, Edward (Highlands and Islands) (Con)
Villalba, Mercedes (North East Scotland) (Lab)

The Presiding Officer: The result of the division is: For 48, Against 71, Abstentions 4.

Amendment 211 disagreed to.

The Presiding Officer: I remind members that, if amendment 212 is agreed to, I cannot call amendment 41, due to pre-emption.

Amendment 212 moved—[Jeremy Balfour].

The Presiding Officer: The question is, that amendment 212 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adamson, Clare (Motherwell and Wishaw) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Constance, Angela (Almond Valley) (SNP)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hoy, Craig (South Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Simpson, Graham (Central Scotland) (Reform)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Abstentions

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Boyack, Sarah (Lothian) (Lab)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Kerr, Stephen (Central Scotland) (Con)
Mountain, Edward (Highlands and Islands) (Con)

The Presiding Officer: The result of the division is: For 50, Against 69, Abstentions 5.

Amendment 212 disagreed to.

Amendment 41 moved—[Bob Doris].

The Presiding Officer: The question is, that amendment 41 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Bibby, Neil (West Scotland) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dowey, Sharon (South Scotland) (Con)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harvie, Patrick (Glasgow) (Green)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lumsden, Douglas (North East Scotland) (Con)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Mochan, Carol (South Scotland) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Regan, Ash (Edinburgh Eastern) (Ind)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Simpson, Graham (Central Scotland) (Reform)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Thomson, Michelle (Falkirk East) (SNP)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Boyack, Sarah (Lothian) (Lab)
Clark, Katy (West Scotland) (Lab)
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) (Ind)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Gulhane, Sandesh (Glasgow) (Con)
Harper, Emma (South Scotland) (SNP)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hoy, Craig (South Scotland) (Con)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Marra, Michael (North East Scotland) (Lab)
McCall, Roz (Mid Scotland and Fife) (Con)
McNeill, Pauline (Glasgow) (Lab)
Minto, Jenni (Argyll and Bute) (SNP)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Swinney, John (Perthshire North) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

Abstentions

Burnett, Alexander (Aberdeenshire West) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Kerr, Stephen (Central Scotland) (Con)
Mountain, Edward (Highlands and Islands) (Con)
O'Kane, Paul (West Scotland) (Lab)
White, Tess (North East Scotland) (Con)

The Presiding Officer: The result of the division is: For 65, Against 47, Abstentions 6.

Amendment 41 agreed to.

Amendment 213 moved—[Sue Webber].

The Presiding Officer: The question is, that amendment 213 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adamson, Clare (Motherwell and Wishaw) (SNP)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
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)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Sarwar, Anas (Glasgow) (Lab)
Simpson, Graham (Central Scotland) (Reform)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

Abstentions

Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Mountain, Edward (Highlands and Islands) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

The Presiding Officer: The result of the division is: For 42, Abstentions 78, Abstentions 3.

Amendment 213 disagreed to.

Amendment 214 moved—[Brian Whittle].

The Presiding Officer: The question is, that amendment 214 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Choudhury, Foysol (Lothian) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Golden, Maurice (North East Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Simpson, Graham (Central Scotland) (Reform)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Chapman, Maggie (North East Scotland) (Green)
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)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hoy, Craig (South Scotland) (Con)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Slater, Lorna (Lothian) (Green)
Smith, Liz (Mid Scotland and Fife) (Con)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Arthur, Tom (Renfrewshire South) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Mountain, Edward (Highlands and Islands) (Con)

The Presiding Officer: The result of the division is: For 10, Against 111, Abstentions 4.

Amendment 214 disagreed to.

Amendment 42 moved—[Liam McArthur].

The Presiding Officer: The question is, that amendment 42 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

The vote is closed.

16:30

Collette Stevenson (East Kilbride) (SNP): On a point of order, Presiding Officer. My app appears to have frozen. I would have voted no.

The Presiding Officer: Thank you, Ms Stevenson. We will ensure that that is recorded.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
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)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Carson, Finlay (Galloway and West Dumfries) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)

Ross, Douglas (Highlands and Islands) (Con)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Simpson, Graham (Central Scotland) (Reform)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Mountain, Edward (Highlands and Islands) (Con)

The Presiding Officer: The result of the division is: For 77, Against 46, Abstentions 1.

Amendment 42 agreed to.

Amendments 215 and 216 moved—[Sue Webber]—and agreed to.

Amendment 217 moved—[Sue Webber].

The Presiding Officer: The question is, that amendment 217 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adamson, Clare (Motherwell and Wishaw) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Choudhury, Foysol (Lothian) (Ind)
Dowey, Sharon (South Scotland) (Con)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Webber, Sue (Lothian) (Con)
White, Tess (North East Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Chapman, Maggie (North East Scotland) (Green)
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)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Simpson, Graham (Central Scotland) (Reform)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)

Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Wells, Annie (Glasgow) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)

Abstentions

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Boyack, Sarah (Lothian) (Lab)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Mountain, Edward (Highlands and Islands) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

The Presiding Officer: The result of the division is: For 40, Against 76, Abstentions 5.

Amendment 217 disagreed to.

Amendment 43 moved—[Liam McArthur].

The Presiding Officer: The question is, that amendment 43 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
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)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (North East Scotland) (Con)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
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)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Carson, Finlay (Galloway and West Dumfries) (Con)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McMillan, Stuart (Greenock and Inverclyde) (SNP)

McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mochan, Carol (South Scotland) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Ross, Douglas (Highlands and Islands) (Con)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Simpson, Graham (Central Scotland) (Reform)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Boyack, Sarah (Lothian) (Lab)
Mountain, Edward (Highlands and Islands) (Con)

The Presiding Officer: The result of the division is: For 74, Against 48, Abstentions 2.

Amendment 43 agreed to.

Amendment 10 moved—[Jackie Baillie]—and agreed to.

Amendment 218 moved—[Brian Whittle].

The Presiding Officer: The question is, that amendment 218 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adamson, Clare (Motherwell and Wishaw) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Haughey, Clare (Rutherglen) (SNP)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Simpson, Graham (Central Scotland) (Reform)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Balfour, Jeremy (Lothian) (Ind)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)

Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

Abstentions

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Mountain, Edward (Highlands and Islands) (Con)
Villalba, Mercedes (North East Scotland) (Lab)

The Presiding Officer: The result of the division is: For 56, Against 63, Abstentions 5.

Amendment 218 disagreed to.

Amendment 219 not moved.

Amendment 220 moved—[Stephen Kerr].

The Presiding Officer: The question is, that amendment 220 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bibby, Neil (West Scotland) (Lab)
Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mochan, Carol (South Scotland) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Rennie, Willie (North East Fife) (LD)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Simpson, Graham (Central Scotland) (Reform)
Slater, Lorna (Lothian) (Green)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Thomson, Michelle (Falkirk East) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Boyack, Sarah (Lothian) (Lab)

Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Chapman, Maggie (North East Scotland) (Green)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Harper, Emma (South Scotland) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Swinney, John (Perthshire North) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)

Abstentions

Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mountain, Edward (Highlands and Islands) (Con)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

The Presiding Officer: The result of the division is: For 87, Against 27, Abstentions 9.

Amendment 220 agreed to.

Amendment 99 moved—[Sue Webber].

The Presiding Officer: The question is, that amendment 99 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Briggs, Miles (Lothian) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Boyack, Sarah (Lothian) (Lab)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
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)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)

Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Simpson, Graham (Central Scotland) (Reform)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

Abstentions

Mountain, Edward (Highlands and Islands) (Con)

The Presiding Officer: The result of the division is: For 58, Against 65, Abstentions 1.

Amendment 99 disagreed to.

Amendment 11 moved—[Jackie Baillie]—and agreed to.

The Presiding Officer: I remind members that, if amendment 100 is agreed to, I will be unable to call amendments 12 to 16, due to pre-emption.

Amendment 100 moved—[Sue Webber].

The Presiding Officer: The question is, that amendment 100 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adamson, Clare (Motherwell and Wishaw) (SNP)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
McCall, Roz (Mid Scotland and Fife) (Con)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
O'Kane, Paul (West Scotland) (Lab)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)

Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Regan, Ash (Edinburgh Eastern) (Ind)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Simpson, Graham (Central Scotland) (Reform)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)

Abstentions

Arthur, Tom (Renfrewshire South) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Matheson, Michael (Falkirk West) (SNP)
Mountain, Edward (Highlands and Islands) (Con)

The Presiding Officer: The result of the division is: For 44, Against 76, Abstentions 4.

Amendment 100 disagreed to.

Amendment 12 moved—[Stuart McMillan].

The Presiding Officer: The question is, that amendment 12 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
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)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (North East Scotland) (Con)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sweeney, Paul (Glasgow) (Lab)

Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Carson, Finlay (Galloway and West Dumfries) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hoy, Craig (South Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Simpson, Graham (Central Scotland) (Reform)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Mountain, Edward (Highlands and Islands) (Con)

The Presiding Officer: The result of the division is: For 78, Against 44, Abstentions 2.

Amendment 12 agreed to.

Amendments 13 to 15 moved—[Stuart McMillan]—and agreed to.

Amendment 16 moved—[Stuart McMillan].

The Presiding Officer: The question is, that amendment 16 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (North East Scotland) (Con)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)

Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Simpson, Graham (Central Scotland) (Reform)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (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

Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Carson, Finlay (Galloway and West Dumfries) (Con)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hoy, Craig (South Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Mountain, Edward (Highlands and Islands) (Con)

The Presiding Officer: The result of the division is: For 75, Against 48, Abstentions 1.

Amendment 16 agreed to.

16:45

Amendment 221 moved—[Brian Whittle].

The Presiding Officer: The question is, that amendment 221 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Briggs, Miles (Lothian) (Con)
Brown, Siobhian (Ayr) (SNP)
Choudhury, Foysol (Lothian) (Ind)
Dey, Graeme (Angus South) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Ewing, Fergus (Inverness and Nairn) (Ind)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (North East Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
McKee, Ivan (Glasgow Provan) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bibby, Neil (West Scotland) (Lab)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Chapman, Maggie (North East Scotland) (Green)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)

Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hoy, Craig (South Scotland) (Con)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McCall, Roz (Mid Scotland and Fife) (Con)
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)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Simpson, Graham (Central Scotland) (Reform)
Slater, Lorna (Lothian) (Green)
Smith, Liz (Mid Scotland and Fife) (Con)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Arthur, Tom (Renfrewshire South) (SNP)
Boyack, Sarah (Lothian) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Mountain, Edward (Highlands and Islands) (Con)

The Deputy Presiding Officer (Annabelle Ewing): The result of the division is: For 14, Against 104, Abstentions 5.

Amendment 221 disagreed to.

Amendment 101 moved—[Liam McArthur].

The Deputy Presiding Officer: The question is, that amendment 101 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
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)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (North East Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (Con)

Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
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)
Slater, Lorna (Lothian) (Green)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Wells, Annie (Glasgow) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Baker, Claire (Mid Scotland and Fife) (Lab)
Choudhury, Foysol (Lothian) (Ind)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Gosal, Pam (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Simpson, Graham (Central Scotland) (Reform)
Stevenson, Collette (East Kilbride) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Webber, Sue (Lothian) (Con)
White, Tess (North East Scotland) (Con)

Abstentions

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Balfour, Jeremy (Lothian) (Ind)
Carson, Finlay (Galloway and West Dumfries) (Con)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hoy, Craig (South Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Matheson, Michael (Falkirk West) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
Mountain, Edward (Highlands and Islands) (Con)
Ross, Douglas (Highlands and Islands) (Con)

The Deputy Presiding Officer: The result of the division is: For 93, Against 19, Abstentions 11.

Amendment 101 agreed to.

The Deputy Presiding Officer: Amendment 102, in the name of Neil Gray, has already been debated with amendment 90. I remind members that, if amendment 102 is agreed to, amendment 222 will be pre-empted.

Amendment 102 moved—[Neil Gray].

The Deputy Presiding Officer: The question is, that amendment 102 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bibby, Neil (West Scotland) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
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)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Eagle, Tim (Highlands and Islands) (Con)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)

Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hoy, Craig (South Scotland) (Con)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
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)
Sarwar, Anas (Glasgow) (Lab)
Simpson, Graham (Central Scotland) (Reform)
Slater, Lorna (Lothian) (Green)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Duncan-Glancy, Pam (Glasgow) (Ind)
Ewing, Fergus (Inverness and Nairn) (Ind)
Grant, Rhoda (Highlands and Islands) (Lab)
Kerr, Stephen (Central Scotland) (Con)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Regan, Ash (Edinburgh Eastern) (Ind)
Ross, Douglas (Highlands and Islands) (Con)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Stevenson, Collette (East Kilbride) (SNP)
White, Tess (North East Scotland) (Con)

Abstentions

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baker, Claire (Mid Scotland and Fife) (Lab)
Boyack, Sarah (Lothian) (Lab)
Carson, Finlay (Galloway and West Dumfries) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Matheson, Michael (Falkirk West) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
Mountain, Edward (Highlands and Islands) (Con)
O'Kane, Paul (West Scotland) (Lab)

The Deputy Presiding Officer: The result of the division is: For 99, Against 15, Abstentions 9.

Amendment 102 agreed to.

The Deputy Presiding Officer: As amendment 102 has been agreed to, amendment 222 has been pre-empted.

Amendment 103, in the name of Neil Gray, has already been debated with amendment 90. I remind members that, if amendment 103 is agreed to, amendments 104, 105 and 223 will be pre-empted.

Amendment 103 moved—[Neil Gray].

The Deputy Presiding Officer: The question is, that amendment 103 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Balfour, Jeremy (Lothian) (Ind)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bibby, Neil (West Scotland) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)

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)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South 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)
Smith, Liz (Mid Scotland and Fife) (Con)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Wells, Annie (Glasgow) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
Boyack, Sarah (Lothian) (Lab)
Carson, Finlay (Galloway and West Dumfries) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Grant, Rhoda (Highlands and Islands) (Lab)
Hoy, Craig (South Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Webber, Sue (Lothian) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Abstentions

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baker, Claire (Mid Scotland and Fife) (Lab)
Johnson, Daniel (Edinburgh Southern) (Lab)
Matheson, Michael (Falkirk West) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
Mountain, Edward (Highlands and Islands) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Ross, Douglas (Highlands and Islands) (Con)

The Deputy Presiding Officer: The result of the division is: For 96, Against 18, Abstentions 9.

Amendment 103 agreed to.

The Deputy Presiding Officer: Since amendment 103 has been agreed to, I cannot call amendments 104, 105 and 223, due to pre-emption.

After section 15

Amendment 44 moved—[Bob Doris].

The Deputy Presiding Officer: The question is, that amendment 44 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
Bibby, Neil (West Scotland) (Lab)

Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Eagle, Tim (Highlands and Islands) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Griffin, Mark (Central Scotland) (Lab)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Chapman, Maggie (North East Scotland) (Green)
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)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hoy, Craig (South Scotland) (Con)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
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)
Smith, Liz (Mid Scotland and Fife) (Con)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Mountain, Edward (Highlands and Islands) (Con)

The Deputy Presiding Officer: The result of the division is: For 16, Against 103, Abstentions 4.

Amendment 44 disagreed to.

Amendment 106 moved—[Sue Webber].

The Deputy Presiding Officer: The question is, that amendment 106 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
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)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Simpson, Graham (Central Scotland) (Reform)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Abstentions

Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Mountain, Edward (Highlands and Islands) (Con)
Sturgeon, Nicola (Glasgow Southside) (SNP)

The Deputy Presiding Officer: The result of the division is: For 54, Against 67, Abstentions 3.

Amendment 106 disagreed to.

Section 16—Final statement

Amendment 224 moved—[Audrey Nicoll].

The Deputy Presiding Officer: The question is, that amendment 224 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Constance, Angela (Almond Valley) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Greene, Jamie (West Scotland) (LD)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Lumsden, Douglas (North East Scotland) (Con)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Simpson, Graham (Central Scotland) (Reform)
Smith, Liz (Mid Scotland and Fife) (Con)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Swinney, John (Perthshire North) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greer, Ross (West Scotland) (Green)
Harper, Emma (South Scotland) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

Abstentions
Mountain, Edward (Highlands and Islands) (Con)

The Deputy Presiding Officer: The result of the division is: For 77, Against 47, Abstentions 1.

Amendment 224 agreed to.

Section 17—Death certification

The Deputy Presiding Officer: Group 11 is on death certification. Amendment 45, in the name of Liam McArthur, is grouped with amendments 46, 47 and 225. I point out that, if amendment 47 is agreed to, I cannot call amendment 225, due to pre-emption.

Could those members who are leaving the chamber please do so quickly, without lots of chats?

Liam McArthur: My amendments 45, 46 and 47, lodged following collaboration with the Scottish Government, address issues raised by National Records of Scotland and Public Health Scotland. Taken together, they would amend section 17, on death certification.

My amendments would ensure that the medical certificate of cause of death would refer to the person's underlying terminal illness and the use of an approved substance in an assisted death. That amends the provisions agreed at stage 2 that mandated that the cause of death be recorded as the terminal illness and that the use of an approved substance be recorded as "other relevant medical information".

I have been clear throughout that the death certificate must record both the illness or condition that the terminally ill adult had and the approved substance that was provided and used by the person to end their life. My preference was that the illness should be recorded as the primary cause of death, with the substance also noted and recorded on the death certificate.

Pam Duncan-Glancy: I recall some of the exchanges that we had on the issue at stage 2. Liam McArthur will be aware that I suggested at stage 2 that, although it would be important to record on the death certificate the illness or the terminal illness that the person lived with, it should also be recorded that the person died by assisted dying. Can the member say whether it will be noted that the substance was used uniquely in that circumstance? If it is not to be noted that it was used uniquely in that circumstance, does the member agree that that will leave a gap in the data, which will therefore not necessarily accurately record the number of assisted deaths in Scotland?

Liam McArthur: Pam Duncan-Glancy is absolutely right that there was extensive debate at stage 2 between us about that, but other members, understandably, had concerns and questions about how that would work in practice. I have always been clear that the death certificate would have to contain information on the underlying condition and the substance.

On data gathering, in order to understand the extent to which the choice is being accessed and who is accessing it—in discussing later groupings, we will come on to the other data that Public Health Scotland will need to gather as part of that reporting function under the bill—we need to capture how many people are accessing assisted death, while anonymising the data, for obvious reasons. I am sure that Pam Duncan-Glancy would agree with that.

However, I recognise the concerns that have been raised about how the current provision would work and the potential impact on data collection—as I say, those concerns were raised by National Records of Scotland and Public Health Scotland. I understand that, from a practical perspective, there may be other ways of managing the issue to ensure that there is no adverse impact on current data recording or reporting on terminal illnesses. As Pam Duncan-Glancy will recall, that issue was very much part of the debate at stage 2.

Michael Marra: Can Liam McArthur confirm whether a post-death review will be required in every case following the recording of a death and who, in those circumstances, will conduct the review? I ask that because, as the member may be aware, in the case of the Isle of Man bill, the lack of compulsory post-death reviews has been raised by the UK Ministry of Justice as being potentially non-compliant with human rights obligations under article 2 of the European convention on human rights. I would appreciate the member's response on that.

Liam McArthur: Again, Michael Marra may recall that we discussed that issue at stage 2. I am not sure whether he was part of the evidence sessions over five or six weeks of stage 1, but the committee heard reassurance from the Crown Office on the interaction that it would have, certainly over the first five-year period leading up to the review, and that the post-death review process would be fairly rigorous. At the five-year review point, there would be an opportunity to look at whether additional steps on data gathering needed to be taken. I agree that being less prescriptive may be beneficial and would allow those with relevant expertise to determine the best way of achieving the aims of the bill.

17:00

Stephen Kerr's amendment 225, which is pre-empted by my amendment 47, would ensure that the death certificate explicitly stated that the death occurred as a result of assisted dying using an approved substance. I understand and acknowledge the issue, but I remain of the view that the most transparent and accurate thing to do is to record both the terminal illness and the use of the substance on the death certificate, as is provided for by amendment 46.

Jamie Hepburn: I appreciate that this is a strange thing to request, but the member has suggested that amendments in other groups might supersede what is in the bill at the moment, which he is seeking to change with amendment 46. If we are going to make a decision on amendment 46, I need to understand what those changes might be, because, as things stand, I am not entirely persuaded.

Liam McArthur: I appreciate the difficulty, which we saw in an earlier group in relation to Ross Greer's amendments. Section 17 already sets out a fairly robust process for the gathering of data on assisted deaths, but I appreciate that members are looking for further information to be added to the reporting process. I think that what Jamie Hepburn is looking for is already in the bill. As I said in response to Pam Duncan-Glancy, there will be further requirements in relation to the information that Public Health Scotland may be required to seek, depending on the outcome of the votes on my amendments.

I move amendment 45.

Stephen Kerr: Amendment 225, in my name, is different from the amendments in the name of Liam McArthur in that it calls for the recording of the death to be explicitly explained in the context of assisted dying. I respect the fact that members will approach the wider issue of assisted dying from different perspectives. However, whatever view we take on that larger question, we should be able to agree that the official record of death should be clear and honest about how that death came about. If Parliament is being asked to create a lawful process for assisted dying, the public record should reflect that reality clearly and honestly. If the law changes how life may end, the least that we can do is ensure that the record of death tells the truth about what happened. Liam McArthur's amendment 46 simply says that

"the medical certificate of cause of death is to refer to both the terminal illness and the use of an approved substance",

which disguises how that second part came about. To me, that is not technical—it is about getting to the heart of trust in how the law should operate.

Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP): To flesh out the issue, if we are looking at statistical significance and the prevalence of disease, we should not lose sight of what the primary cause of death would have been, which is the underlying condition. Mr McArthur's amendment 46 would allow assisted dying to be put alongside the primary cause of death, but for medical purposes it is important that we understand the prevalence of disease across the population.

Stephen Kerr: I cannot dispute that, but the substance that ultimately killed the patient, whose death was brought about through assisted dying, is also statistically relevant. My amendment 225 would bring a clarity that does not exist in Liam McArthur's proposal alone. I acknowledge what is being said, but we need to be very clear. Clarity on what appears on the death certificate is very important, and the current phrasing in the bill, before we vote on amendments, is vague. That is accepted by Liam McArthur and others.

The Deputy First Minister and Cabinet Secretary for Economy and Gaelic (Kate Forbes): I think that Elena Whitham makes a really good point. Just for absolute clarity, would Stephen Kerr's amendment allow for the underlying condition to still be registered on the death certificate?

Stephen Kerr: Yes, it would. That is my intention. I wish to be as collegiate and consensual in my approach to this as possible, because of the sensitive nature of the issue that we are dealing with. I think that it is also important to be explicit that the substance was administered through an assisted death. I do not think that ambiguity in this respect is helpful at all.

The reality is that death certificates are a vital part of the official record of our society. Families, clinicians and public authorities rely on them, and they tell us plainly how a person's life came to an end. It is important that we are honest about that, and the clear wording that I am proposing would remove any doubt. It would give clinicians certainty about what must be recorded and ensure that deaths are documented in a way that is consistent with the law that is passed by this Parliament.

The wider issue, which I will rehearse one last time before I conclude, is that, if assisted dying becomes lawful in Scotland, the public will rightly expect openness about how the law operates. Accurate death certification is an essential part of that transparency. It ensures that statistics are reliable, that the impact of the law can be properly understood and that nothing is hidden behind vague language. Amendment 225 would simply ensure that, where assisted dying has taken place lawfully, that fact is recorded openly and

accurately. For legislation that deals with matters of life and death, such a level of clarity is not excessive; it is simply responsible law making.

Pam Duncan-Glancy: I have listened to Liam McArthur, Elena Whitham and Stephen Kerr on this point. It is obviously important that we record the underlying illness, because that is the condition that the person expected to die from. However, it is also important for us to note that an assisted death caused their death at that moment, otherwise we risk recording the death slightly inaccurately. If we say that the underlying condition caused the death at that moment but it did not do so and it was the assisted death that caused the death at that moment, we could be skewing some data.

I know that this point sounds technical, but that information would be really helpful not just for families, but to allow us to properly understand the course of a particular underlying condition and the likelihood of death from it. That is really important. On that basis, I think that Stephen Kerr's amendments are stronger, because they gather all of that information.

I take Liam McArthur's point that there are other reporting requirements laid out in amendments that we will debate later. Those are necessary, and they are also anonymised, which is also necessary. However, families must understand what happened to the person, and the death certificate is important in that regard.

I urge members to consider carefully both amendment 46 and amendment 225. My preference would be that we record both the underlying condition and the fact that it was an assisted death using a substance, not just the use of a substance and the underlying condition.

Neil Gray: I will first speak to Liam McArthur's amendments 45, 46 and 47. At stage 2, we expressed concern about the prescriptiveness of the provisions on death certification and the effect that that could have on data collection. We have therefore prepared the amendments for Liam McArthur. From a deliverability perspective, the amendments would give those responsible for data collection and reporting the flexibility to determine the best way of ensuring that both the terminal illness and the fact that somebody has had an assisted death are appropriately recorded in the death certificate without negatively impacting mortality data.

With amendment 225, we would still have the problem of the bill being too prescriptive regarding how that information is to be recorded, with potential impacts for data gathering that the other amendments in the group are seeking to resolve.

The Deputy Presiding Officer: I call Liam McArthur to wind up and to press or withdraw amendment 45.

Liam McArthur: I start by thanking Stephen Kerr and Pam Duncan-Glancy in particular, as well as Elena Whitham, for their contributions to the short debate on this group of amendments and for the tone in which they sought to prosecute their arguments, which reflected the debate at stage 2.

I do not think that there is any dispute about the public interest in having the fullest possible information and understanding of what is happening, both the underlying condition—for the reasons that Elena Whitham set out clearly—and the fact that the death was an assisted death. However, as well as resting on the cabinet secretary's argument about where the decisions on how that information is properly captured and framed best lie, as I said in my earlier contribution, I think that that is better left to others to determine. However, it is abundantly clear that the expectation is that both the elements that Pam Duncan-Glancy emphasised will be captured. It may be of reassurance to Stephen Kerr and Pam Duncan-Glancy that, in my discussions with the chief medical officer earlier in the bill's process, I was given some reassurance that the coding that they would use, and which they are used to using, for this process would allow the fact that a death was an assisted death to be properly captured.

In relation to the data gathering by Public Health Scotland that I referred to, and in trying to belatedly respond to Jamie Hepburn's earlier intervention, I point out that section 24(2)(d) says that the reported information would include,

"in relation to persons who were provided with an approved substance by virtue of section 15(1) … the substance so provided, and … where the person died as a result of using that substance, the type of place where the death took place (that is, in the person's home, in a hospital, in a hospice and the like)".

It may be that further information is added into that process, and I recognise that that is not the death certificate, but it is certainly relevant to our having a clear understanding of how this is working and who is choosing an assisted death.

Stephen Kerr: Because we are making here—to say the least—a landmark piece of legislation, we have to consider all the options. It is not impossible that, down the line, some of the substance ends up in the hands of people who self-administer it, but not on the basis of the legal process that is outlined in the bill. We must be able to clearly demark a death that has come about through the assisted death process that will fall under this law, if it is passed, as opposed to a death in which someone may have taken the substance who should not have been in possession of it. How would that be accounted for

unless it states very clearly on the death certificate that a death came about through assisted dying, as opposed to some other means? I hope that the member understands the spirit in which I am offering this concern, on which amendment 225 is based. We need to be clear about how it came about that an individual took the substance in the first place.

Liam McArthur: I accept the genuine way in which Stephen Kerr is arguing his case. As I said, I perfectly understand the motivation behind wishing to ensure the transparency that he spoke of in his earlier contribution. I can give him the reassurance that, by framing the legislation the way that I have suggested, as the cabinet secretary has articulated, it would be left to those who are used to developing data gathering to identify ways of doing that in a proportionate fashion. As I said, in discussions with me, the chief medical officer was very clear that the coding already allows for that sort of information to be properly captured. That is what we are looking to have done, and I think that, through my amendments, that would be achieved.

Brian Whittle: In the chamber, we often discuss the collection and interrogation of data and how important that is. When the Health, Social Care and Sport Committee was producing its report on the bill, we were looking for data from across the world. Liam McArthur's amendments and Stephen Kerr's amendment might not be in contest with each other; it is perfectly feasible to pass them all. Given what the bill is intended to do, it is important that we have clear data that we can interrogate.

17:15

Liam McArthur: Brian Whittle makes an entirely reasonable and fair point about where we want to get to. We are trying to determine how best to do that and where that decision is best left. The intent is absolutely clear. From the conversations that I have had with the chief medical officer, that is what they would expect as well.

Stephen Kerr: [*Made a request to intervene*.]

Liam McArthur: I will not take the intervention, if Mr Kerr does not mind.

The intent is absolutely clear, but leaving the matter to the people who are best able to come up with a way of capturing the information that we are intent on capturing—the underlying condition, the substance that is used and the fact that it is an assisted death—is the most appropriate way to proceed.

Keith Brown (Clackmannanshire and Dunblane) (SNP): I am quite attracted to the Government's explanation that amendments 45 to 47 would provide a less prescriptive and more flexible opportunity for data to be collected. Does that flexibility extend to being able not to mention that a death has been a result of assisted dying? It might be unfair to ask Liam McArthur this, but in what circumstances would a medical practitioner want to exclude that reason from the data? Can he help?

Liam McArthur: I am not sure that I can. I understand the rationale for trying to explore a variety of scenarios, but it is difficult to envisage a situation in which what Mr Brown suggests would be the case, given the protections that are already in the bill and the continued data gathering that would be required. Some of that has been enhanced by amendments that we have agreed to over the past couple of days. If there were any concerns in that respect, those would best be picked up in the development of the way in which we gather the data that all of us appreciate needs to be gathered in order to maintain robust and resilient gathering on different conditions and capture the fact that substances will be used for a process that will, by that stage, be legal.

I press amendment 45.

The Deputy Presiding Officer: The question is, that amendment 45 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is closed.

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

The Deputy Presiding Officer: Thank you, Dr Allan. Your vote will be recorded.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
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)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)

Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (North East Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Swinney, John (Perthshire North) (SNP)
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)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Carson, Finlay (Galloway and West Dumfries) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hoy, Craig (South Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Mountain, Edward (Highlands and Islands) (Con)

The Deputy Presiding Officer: The result of the division is: For 76, Against 42, Abstentions 2.

Amendment 45 agreed to.

Amendment 46 moved—[Liam McArthur].

The Deputy Presiding Officer: The question is, that amendment 46 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is closed.

Kenneth Gibson: On a point of order, Presiding Officer, I could not connect to the voting system. I would have voted yes.

The Deputy Presiding Officer: Thank you, Mr Gibson. Your vote will be recorded.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
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)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (North East Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Swinney, John (Perthshire North) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Duncan-Glancy, Pam (Glasgow) (Ind)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hoy, Craig (South Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Mountain, Edward (Highlands and Islands) (Con)

The Deputy Presiding Officer: The result of the division is: For, 77, Against 42, Abstentions 2.

Amendment 46 agreed to.

The Deputy Presiding Officer: I remind members that, if amendment 47 is agreed to, I cannot call amendment 225 due to pre-emption.

Amendment 47 moved—[Liam McArthur].

The Deputy Presiding Officer: The question is, that amendment 47 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is closed.

Ariane Burgess: On a point of order, Presiding Officer, I would have voted yes.

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

Finlay Carson (Galloway and West Dumfries) (Con): On a point of order, Presiding Officer, I would have voted yes.

The Deputy Presiding Officer: Thank you, Mr Carson. Your vote will be recorded.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (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)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Chapman, Maggie (North East Scotland) (Green)
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) (Ind)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
FitzPatrick, Joe (Dundee City West) (SNP)
Gallacher, Meghan (Central Scotland) (Con)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hoy, Craig (South Scotland) (Con)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McCall, Roz (Mid Scotland and Fife) (Con)
McLennan, Paul (East Lothian) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
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)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Swinney, John (Perthshire North) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Balfour, Jeremy (Lothian) (Ind)
Choudhury, Foysol (Lothian) (Ind)
Dowey, Sharon (South Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Kerr, Stephen (Central Scotland) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Regan, Ash (Edinburgh Eastern) (Ind)
Ross, Douglas (Highlands and Islands) (Con)
Smith, Liz (Mid Scotland and Fife) (Con)
Webber, Sue (Lothian) (Con)
Whittle, Brian (South Scotland) (Con)

Abstentions

Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Mountain, Edward (Highlands and Islands) (Con)

The Deputy Presiding Officer: The result of the division is: For, 98, Against 19, Abstentions 3.

Amendment 47 agreed to.

The Deputy Presiding Officer: Amendment 225 will not be called because of the pre-emption.

Section 18—Conscientious objection

Amendment 226 moved—[Pauline McNeill].

The Deputy Presiding Officer: The question is, that amendment 226 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is closed.

Brian Whittle: On a point of order, Presiding Officer, my voting app would not connect. I would have voted yes.

The Deputy Presiding Officer: Thank you, Mr Whittle. Your vote will be recorded.

For

Baillie, Jackie (Dumbarton) (Lab)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Duncan-Glancy, Pam (Glasgow) (Ind)
Golden, Maurice (North East Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Sweeney, Paul (Glasgow) (Lab)
Swinney, John (Perthshire North) (SNP)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Balfour, Jeremy (Lothian) (Ind)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
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)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hoy, Craig (South Scotland) (Con)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Slater, Lorna (Lothian) (Green)
Smith, Liz (Mid Scotland and Fife) (Con)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)

White, Tess (North East Scotland) (Con)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Baker, Claire (Mid Scotland and Fife) (Lab)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Mountain, Edward (Highlands and Islands) (Con)
O'Kane, Paul (West Scotland) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)

The Deputy Presiding Officer: The result of the division is: For, 16, Against 99, Abstentions 6.

Amendment 226 disagreed to.

Amendment 227 moved—[Jeremy Balfour].

The Deputy Presiding Officer: The question is, that amendment 227 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is closed.

Marie McNair (Clydebank and Milngavie) (SNP): On a point of order, Presiding Officer, my voting app would not connect. I would have voted yes.

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

For

Adamson, Clare (Motherwell and Wishaw) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Duncan-Glancy, Pam (Glasgow) (Ind)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
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)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)

Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Abstentions

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Mountain, Edward (Highlands and Islands) (Con)
Webber, Sue (Lothian) (Con)

The Deputy Presiding Officer: The result of the division is: For, 46, Against 72, Abstentions 4.

Amendment 227 disagreed to.

Amendment 228 moved—[Stephen Kerr].

The Deputy Presiding Officer: The question is, that amendment 228 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is closed.

Marie McNair: On a point of order, Presiding Officer. My app froze again. I would have voted no.

For

Adamson, Clare (Motherwell and Wishaw) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Choudhury, Foysol (Lothian) (Ind)
Duncan-Glancy, Pam (Glasgow) (Ind)
Ewing, Fergus (Inverness and Nairn) (Ind)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Golden, Maurice (North East Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Stephen (Central Scotland) (Con)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sweeney, Paul (Glasgow) (Lab)
Webber, Sue (Lothian) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Balfour, Jeremy (Lothian) (Ind)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
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)
Eagle, Tim (Highlands and Islands) (Con)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
FitzPatrick, Joe (Dundee City West) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)

Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Sarwar, Anas (Glasgow) (Lab)
Slater, Lorna (Lothian) (Green)
Smith, Liz (Mid Scotland and Fife) (Con)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
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)
Wells, Annie (Glasgow) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

Abstentions

Baker, Claire (Mid Scotland and Fife) (Lab)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carson, Finlay (Galloway and West Dumfries) (Con)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dowey, Sharon (South Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hoy, Craig (South Scotland) (Con)
Mountain, Edward (Highlands and Islands) (Con)
Villalba, Mercedes (North East Scotland) (Lab)

The Deputy Presiding Officer: The result of the division is: For 27, Against 83, Abstentions 10.

Amendment 228 disagreed to.

Amendment 107 moved—[Liam McArthur].

The Deputy Presiding Officer: The question is, that amendment 107 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Briggs, Miles (Lothian) (Con)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gallacher, Meghan (Central Scotland) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Smith, Liz (Mid Scotland and Fife) (Con)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Webber, Sue (Lothian) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)

Ewing, Fergus (Inverness and Nairn) (Ind)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Stevenson, Collette (East Kilbride) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)

Abstentions

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Balfour, Jeremy (Lothian) (Ind)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carson, Finlay (Galloway and West Dumfries) (Con)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Mountain, Edward (Highlands and Islands) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)

The Deputy Presiding Officer: The result of the division is: For 78, Against 30, Abstentions 13.

Amendment 107 agreed to.

After section 18

Amendment 17 moved—[Daniel Johnson].

The Deputy Presiding Officer: The question is, that amendment 17 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Constance, Angela (Almond Valley) (SNP)
Dowey, Sharon (South Scotland) (Con)
Eagle, Tim (Highlands and Islands) (Con)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Golden, Maurice (North East Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Lumsden, Douglas (North East Scotland) (Con)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Marra, Michael (North East Scotland) (Lab)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McKee, Ivan (Glasgow Provan) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Swinney, John (Perthshire North) (SNP)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Ewing, Fergus (Inverness and Nairn) (Ind)
FitzPatrick, Joe (Dundee City West) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hoy, Craig (South Scotland) (Con)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Stephen (Central Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)

MacDonald, Gordon (Edinburgh Pentlands) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
McArthur, Liam (Orkney Islands) (LD)
McCall, Roz (Mid Scotland and Fife) (Con)
McLennan, Paul (East Lothian) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Rennie, Willie (North East Fife) (LD)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Adamson, Clare (Motherwell and Wishaw) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Balfour, Jeremy (Lothian) (Ind)
Carson, Finlay (Galloway and West Dumfries) (Con)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Mountain, Edward (Highlands and Islands) (Con)
White, Tess (North East Scotland) (Con)

The Deputy Presiding Officer: The result of the division is: For 45, Against 66, Abstentions 9.

Amendment 17 disagreed to.

Amendment 229 moved—[Jackie Baillie].

The Deputy Presiding Officer: The question is, that amendment 229 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Dowey, Sharon (South Scotland) (Con)
Eagle, Tim (Highlands and Islands) (Con)
Findlay, Russell (West Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
O'Kane, Paul (West Scotland) (Lab)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sweeney, Paul (Glasgow) (Lab)
Webber, Sue (Lothian) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
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) (Ind)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)

Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Wells, Annie (Glasgow) (Con)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

Abstentions

Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Matheson, Michael (Falkirk West) (SNP)
Mountain, Edward (Highlands and Islands) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)

The Deputy Presiding Officer: The result of the division is: For 34, Against 76, Abstentions 8.

Amendment 229 disagreed to.

Amendment 230 moved—[Stephen Kerr].

17:30

The Deputy Presiding Officer: The question is, that amendment 230 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Adamson, Clare (Motherwell and Wishaw) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Choudhury, Foysol (Lothian) (Ind)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Golden, Maurice (North East Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Stephen (Central Scotland) (Con)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Ross, Douglas (Highlands and Islands) (Con)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Stevenson, Collette (East Kilbride) (SNP)
Sweeney, Paul (Glasgow) (Lab)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Balfour, Jeremy (Lothian) (Ind)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bibby, Neil (West Scotland) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
FitzPatrick, Joe (Dundee City West) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hoy, Craig (South Scotland) (Con)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)

Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
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)
Sarwar, Anas (Glasgow) (Lab)
Slater, Lorna (Lothian) (Green)
Smith, Liz (Mid Scotland and Fife) (Con)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Wells, Annie (Glasgow) (Con)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baker, Claire (Mid Scotland and Fife) (Lab)
Boyack, Sarah (Lothian) (Lab)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carson, Finlay (Galloway and West Dumfries) (Con)
Dowey, Sharon (South Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Mountain, Edward (Highlands and Islands) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Webber, Sue (Lothian) (Con)

The Deputy Presiding Officer: The result of the division is: For 27, Against 83, Abstentions 11.

Amendment 230 disagreed to.

Amendment 231 moved—[John Mason].

The Deputy Presiding Officer: The question is, that amendment 231 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Choudhury, Foysol (Lothian) (Ind)
Duncan-Glancy, Pam (Glasgow) (Ind)
Ewing, Fergus (Inverness and Nairn) (Ind)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Golden, Maurice (North East Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Stephen (Central Scotland) (Con)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
McKee, Ivan (Glasgow Provan) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Regan, Ash (Edinburgh Eastern) (Ind)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Stevenson, Collette (East Kilbride) (SNP)
Swinney, John (Perthshire North) (SNP)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bibby, Neil (West Scotland) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
FitzPatrick, Joe (Dundee City West) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)

Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hoy, Craig (South Scotland) (Con)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McCall, Roz (Mid Scotland and Fife) (Con)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Slater, Lorna (Lothian) (Green)
Smith, Liz (Mid Scotland and Fife) (Con)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Wells, Annie (Glasgow) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Baker, Claire (Mid Scotland and Fife) (Lab)
Boyack, Sarah (Lothian) (Lab)
Carson, Finlay (Galloway and West Dumfries) (Con)
Eagle, Tim (Highlands and Islands) (Con)
Matheson, Michael (Falkirk West) (SNP)
Mountain, Edward (Highlands and Islands) (Con)
O'Kane, Paul (West Scotland) (Lab)
Webber, Sue (Lothian) (Con)

The Deputy Presiding Officer: The result of the division is: For 27, Against 88, Abstentions 8.

Amendment 231 disagreed to.

Amendment 232 moved—[Paul O'Kane].

The Deputy Presiding Officer: The question is, that amendment 232 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Constance, Angela (Almond Valley) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Swinney, John (Perthshire North) (SNP)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)

Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

Abstentions

Mountain, Edward (Highlands and Islands) (Con)
Villalba, Mercedes (North East Scotland) (Lab)

The Deputy Presiding Officer: The result of the division is: For 58, Against 62, Abstentions 2.

Amendment 232 disagreed to.

Section 18A—No duty to raise assisted dying

The Deputy Presiding Officer: That takes us to group 12, which is on raising assisted dying. Amendment 18, in the name of Daniel Johnson, is grouped with amendments 233, 19, 234, 235, 242, 243, 49 and 244 to 246. If amendment 233 is agreed to, I cannot call amendment 19 due to pre-emption.

Daniel Johnson (Edinburgh Southern) (Lab): At the start of stage 3 proceedings, I set out that the Parliament has a choice about whether it wants an expansive bill that permits certain acts, or a restrictive bill that puts in place safeguards and allows those acts to be taken only by exception. My amendments in this group are critical to that and follow on from similar amendments that were lodged at stage 2.

Whether the matter of assisted dying is raised as a matter of course in dialogue with one's doctor, or raised only when an individual brings it up first, is a critical issue. I note that the amendments in the names of Brian Whittle and Jeremy Balfour have similar intent and effect.

Amendments 18 and 19 would make two simple, straightforward changes to section 18A. Section 18A(1) would be amended to say that

"No registered medical practitioner may raise the subject of the provision of assistance in accordance with this Act with a person"

and section 18A(2) would go on to say that

"nothing in subsection (1) would prevent a registered medical practitioner from discussing the matter with a person when the matter is raised by that person."

That would make it clear that this is about ensuring that the matter is discussed only when an individual chooses to raise it, that it is not proactively offered and that it does not become the norm or part of medical practice—it is by exception and requires clear intent from the patient.

I move amendment 18.

Brian Whittle: Daniel Johnson and I are in complete agreement on this issue. The relationship between a doctor and a patient is unique and involves complete trust. It is my moral view that there is no situation in which a doctor should discuss assisted dying with a patient unless the patient has first brought it up as an option that they would like to consider.

If we agree that the decision is the patient's alone and that we want to avoid any coercion, however inadvertent, no one can introduce assisted dying into a conversation without the possibility of coercion, however unintended, becoming part of that.

If we do not agree to my amendments 233 and 234, we are saying that it is okay for the healthcare

profession to offer the option of palliative care and social care and then say that the person can also consider assisted dying. There are no circumstances in which that can be allowed.

Amendment 233 would remove the section that allows registered medical practitioners to initiate a discussion of assisted dying with a terminally ill patient. Amendment 234 clarifies that healthcare professionals may participate in discussions on assisted dying only when a terminally ill adult initiates that conversation.

Kate Forbes: I am very sympathetic to Brian Whittle's amendments. I have two questions. First, in conversations with medical professionals, what did he hear from them about the burden on them to determine when to offer assisted dying alongside other medical options? Secondly, does he have concerns about what an offer of assisted dying being given at the point of diagnosis, for example, when someone is feeling most vulnerable, would do to them?

Brian Whittle: I will take the second question first. That is when the patient is at their most vulnerable. However, in my view, there are no circumstances in which assisted dying can be brought up by healthcare professionals.

In answer to the first question, it concerns me that the British Medical Association is against my amendments and thinks that it should be left to healthcare professionals to decide whether to raise the subject.

Miles Briggs (Lothian) (Con): I have worked with the BMA on a number of amendments to the bill. Professional judgment is really important. I wonder what the member would say about the areas in which the BMA wants professionals to be allowed to make judgments. Each and every one of us will have private conversations with medical professionals and we expect them to make judgments based on their professional capacity.

Brian Whittle: I have had similar conversations about professional judgment, but that does not mean that the BMA is right or that we should accept that professional judgment should be initiated in that particular instance.

I say again that the very act of introducing the idea of assisted dying into a conversation is, in and of itself, potentially coercive. It is my strong view that there is no circumstance in which anyone—let alone a medical professional in the unique and trusted relationship between patient and doctor—should discuss the idea of assisted dying unless the patient requests it.

The Deputy Presiding Officer: I call Jeremy Balfour to speak to amendment 235 and other amendments in the group.

Jeremy Balfour: I rise to speak along similar lines to those taken by my colleagues. We are debating an important group of amendments. We must ensure that there are strong and secure safeguards, that there is professional accountability and, most importantly, as Mr Whittle said, that there is protection for patients in the bill.

Amendment 235 addresses a critical point about the initiation of any discussion of assisted dying. I absolutely agree with Mr Whittle so, if members are not minded to support my amendments, I urge them to support those from Mr Johnson and Mr Whittle because, taken together, they would strengthen the bill.

The law must ensure that only the individual can raise the subject of assisted dying. Allowing healthcare professionals to introduce that topic without boundaries could be subtle coercion, particularly for vulnerable individuals, and could influence someone to consider assisted dying when they had had no prior intention of that. We previously heard from Mr Carson about a situation in which his mother had a proposition put to her by a doctor and followed it because he was the doctor and he would know best. I fear that that could happen here.

Rona Mackay (Strathkelvin and Bearsden) (SNP): I would argue that giving people access to information is not coercion. Similar restrictions were initially introduced in New Zealand and Australia, but they are now looking to reverse those restrictions because they severely prohibit patients' access to information. It seems very unfair that they should not be given that choice.

Jeremy Balfour: I am not against patients getting information. The point that I am trying to make is about who starts the conversation about getting the information. That is the subtle difference.

Brian Whittle: Does Jeremy Balfour agree that there is no intention to restrict access to information and that what matters is how that information is initially initiated, if that is a phrase? The information would be there, if the patient requested it.

Jeremy Balfour: That is the key point. It is about who initiates the conversation. Amendment 235 would provide clarity for medical practitioners on compliance and accountability, and it would align with the concerns that the royal colleges and other professional bodies have raised in correspondence that we have all seen. Ending a life is the most serious decision that we can imagine and we need safeguards around it.

Amendments 245 and 246 focus on—

17:45

Jamie Hepburn: Will the member take an intervention?

Miles Briggs: Will the member take an intervention?

Jeremy Balfour: I will just finish my sentence and I will then give way to both gentlemen.

Amendments 245 and 246 focus on professional accountability in relation to child safeguarding and end-of-life care.

Jamie Hepburn: I am very sympathetic to the arguments that have been deployed by Mr Johnson, Mr Whittle and, to an extent, Mr Balfour. However, I am slightly confused, or conflicted—that is probably a better term—by amendment 243, whereby a medical practitioner would have to "end the conversation immediately" if a young person under the age of 18 raised the subject of assistance to end their life. What would that mean in practice? Presumably, such a young person would be very vulnerable and in circumstances of distress. The notion that a medical practitioner would have to "end the conversation immediately", if taken at its literal face value, does not sit well with me.

Jeremy Balfour: If the member will let me progress a wee bit further, I will cover that. However, I will take Mr Briggs's intervention first.

Miles Briggs: I note that Jeremy Balfour referenced the conversation that Finlay Carson mentioned previously. Medics have conversations with patients—often very ill patients—about "Do not resuscitate" orders, especially before they have surgery, if they might have to be resuscitated by medical professionals. Would Jeremy Balfour also not want those conversations to be able to take place? That would be concerning. We need to allow medical professionals to exercise their judgment, and I support people making sure that their views are known, as is currently the case, in relation to "Do not resuscitate" orders. I am not sure what his view is on those processes, which we already have in place, for medical professionals and patients.

Jeremy Balfour: We could spend the next however many hours discussing "Do not resuscitate" orders. During Covid, many constituents contacted me about the matter and I was deeply worried by the stories that I heard about the absolute desire of doctors to put people on such orders without any discussion. We need to look at that, but on another day.

On assisted dying, I still think that it would be unnecessary for the doctor to start the conversation. DNRs are different. I think that, where somebody wants to start that conversation, they will do so. I do not think that we need the doctor to do it.

Brian Whittle: I am sorry to labour the point, but a "Do not resuscitate" order is different from someone saying, "I want to access assisted dying." People have conversations about "Do not resuscitate" orders when they are going into complex medical procedures that might leave them incapacitated and where, unless they are resuscitated, they will die. We are talking about a person requesting an assisted death. Those are two completely separate things.

Kate Forbes *rose—*

Jeremy Balfour: I want to make some progress, but I will take a final intervention from the Deputy First Minister.

Kate Forbes: Presiding Officer, forgive me for talking, through Jeremy Balfour, to the general point. For me, this goes to the absolute heart of a concern that constituents have raised with me frequently, which is that assisted death would be offered at the point where a patient was feeling most in shock or stunned about their diagnosis—and perhaps, considering how we have amended the bill, about their prognosis. For a doctor to offer assisted death as one option of many interventions seems to me to be an extremely difficult thing. I have heard from a number of individuals who have had cancer diagnoses, and they are concerned that assisted death would be offered at the precise moment when the person is feeling most vulnerable.

My second question is for the health secretary, if he is able to respond to it. I understand that doctors are under an obligation to provide all options at the point of diagnosis. Would Mr Balfour's amendments change the long-established position whereby a doctor must offer all options? If assisted dying becomes law, that position would mean that a doctor would be under an obligation to offer assisted dying at the point at which a patient was most in shock and was feeling most vulnerable.

Jeremy Balfour: I will leave it to the cabinet secretary to answer Ms Forbes's second question.

Brian Whittle and the Deputy First Minister have raised interesting issues. When I went to hospital appointments—which I did on numerous occasions—as a young child, and even when I was a teenager, my father would often go with me. I do not think that many members met my father, who was a senior partner in a legal firm. He was a pretty scary individual but, as soon as the consultant said something, he would accept that that was the decision. My father—an educated individual—listened to the doctor. I do not think that members who have not had hands-on experience of

receiving lots of medical advice have a clear understanding of the extent to which people take as gospel what the doctor tells them.

Alasdair Allan: Will Jeremy Balfour give way?

Jeremy Balfour: I will come back to Mr Allan after I have made a wee bit of progress.

I want to cover the situation of younger people as well. My amendment 245 would provide that, under section 20B, a doctor or health professional may face disciplinary action ranging from a warning or censure to temporary suspension.

My amendments in this group seek to clarify what would constitute a breach of the act and would enforce statutory responsibility. I am seeking not to punish honest mistakes but to guarantee that serious lapses that put patients or children at risk would be met with proportionate and transparent consequences. As I said, I believe that the public must be able to trust that the safeguards in the bill are absolute if it is to be passed.

I will take Mr Allan's intervention.

Alasdair Allan: I thank Jeremy Balfour for his generosity in taking interventions.

I hope that the concerns that Ms Forbes has raised might be addressed in some of the amendments that we are discussing today, not least Mr Johnson's amendments.

I return to the question that Mr Hepburn asked about why your amendment 243 contains a phrase about stopping the conversation instantly. Why would that be helpful?

The Deputy Presiding Officer: Always speak through the chair.

Jeremy Balfour: Amendment 244 seeks to complement the proposed protections by removing

"under the age of 18"

from section 20B. Safeguarding professional accountability should not be age limited.

Young adults face vulnerabilities that are similar to those that are faced by minors. It is ethically and clinically necessary that all patients are afforded the same standards of oversight and protection. Removing that arbitrary boundary would ensure consistent application of professional duties and patient safeguards.

To address the issue that was raised by Alasdair Allan and Jamie Hepburn, what I understand "end the conversation immediately" to mean—and what I think doctors would understand it to mean—is that the doctor would not simply stop the conversation and move on to the next subject, but they would not go into the subject in great detail and would not continue a conversation about it at that point. I think that doctors would understand that requirement and would be able to follow it.

Stephen Kerr: Although many of us are sympathetic to what Jeremy Balfour is saying, I want to gently test something with him. What is his response to what Brian Whittle revealed about the BMA's position with regard to doctors and their conduct with their patients?

Jeremy Balfour: The BMA will have to respond to the law that is brought forward. We are here to make the law, and the BMA will respond to that. I trust that it will do so appropriately.

Jamie Hepburn: Will Mr Balfour give way?

The Deputy Presiding Officer: To be fair, Mr Balfour has been extremely generous in taking interventions, and I think that we should allow him to conclude his remarks.

Jeremy Balfour: I will try to conclude.

Amendment 243 sets out what should happen if a person under 18 raised the subject. It sets out that they must be referred to

"appropriate safeguarding and mental health services",

that the interaction must be recorded and that the parents or guardians must be informed, if that would be safe. To pick up on a point that was made earlier, I note that that would be where the conversation would come to an end.

When a young person raises the idea of ending their life, that is not a clinical request but a moment of vulnerability that calls for support and care. My amendments would simply ensure that the law responded to such moments in a way that a compassionate society would want, with young people being protected and guided away from harm.

Deputy Presiding Officer, I appreciate that I have taken some time, and I am grateful for that time. I hope that members will accept my amendments, Mr Whittle's amendments or Mr Johnson's amendments, because, if we do not agree to any of those amendments, we will put some of the most vulnerable people in our society in a very dangerous position.

The Deputy Presiding Officer: I call Jackie Baillie to speak to amendment 49 and other amendments in the group.

Jackie Baillie: I will speak briefly only to amendment 49, which would simply update terminology so that reference to an "anticipatory" care plan would be replaced by reference to a "future" care plan. The amendment seems to enjoy the support of the bill's sponsor, Liam McArthur, and the Scottish Government, so I trust that it will enjoy the support of all members.

Edward Mountain (Highlands and Islands) (Con): This is only the second time that I have spoken in the debate, and I have lodged no stage 3 amendments, which is unusual for me.

This part of the bill troubles me more than most parts of it do. When is it appropriate to raise the issue of assisted dying? I do not support the bill, but, if it passes, we must ensure that the issue is raised at the right moment.

Let me be clear. I know that, when you get an adverse diagnosis, you are at your lowest ebb. Invariably, you have not listened to what you have been told, so you are reliant on members of your family to have listened with you. You do not have access to doctors and nurses afterwards. It might take you three or four weeks to get used to the diagnosis and to understand what it means. At that stage, you look for treatment options, and it is those treatment options that give you the confidence to go forward. Therefore, that is not the time—it never will be the time—to raise the issue of assisted dying.

The question is how we can legislate for that. Every time you go into hospital—I have been in a few recently—you are told about all the risks that you will face. You are told, "You could get a blood clot," "You could get this," or, "You could get that." You are given options. I did not want, at that stage, to be given assisted dying as one of my options. Actually, it would not have been relevant to me, but if it had been relevant, I would not have wanted to have been given that option.

I think back to my mother, who died with breast cancer. It took six months for her to die. She did not want to approach death. She wanted to live. She would not have wanted a doctor to have raised with her the option of assisted dying at any stage during those six months. However, on her final day, when she knew that she was not going to go any further, she asked the doctor what the prognosis was. It was right that the doctor told her, and it would have been right, if the bill had been passed, for the doctor to have given her options. However, that is such a difficult thing to do.

I do not envy members making this decision, but we should be very careful to ensure that, when we decide when the right time is for a doctor to tell a patient about their options, it is the right time for the patient, not the right time for the bill, for the doctor or for anyone else. We cannot remove hope from the patient when we do that.

The Deputy Presiding Officer: I call Pauline McNeill, who joins us remotely.

18:00

Pauline McNeill (Glasgow) (Lab): I want to make a short contribution on this group of amendments.

Doctors' opinions are very influential, in my experience. It is also my experience that that can vary among different cultures. I appreciate that many members have looked at different jurisdictions and the legislation that applies there, but we should see the legislation in the context of our own culture. That is my experience: that doctors are very influential in our society.

It should be clear that a doctor's opinion should not form any part of a diagnosis. That is a substantive issue in relation to the bill—which, as I have said on the record, I will not be supporting. However, if it is passed, I want to ensure that there are safeguards in it.

As we discussed yesterday, members of the medical profession will need to decide whether they wish to participate in the administration of assisted dying. In some ways, I feel that there could be a protection for those in the medical profession in the amendments in this group, because if it is clear that they will not be expected to introduce the option into the conversation, they will be asked not to. Those people's function, as I understand it, will be to administer and assist a person who wishes to take their life.

It seems to me that, if the bill were to pass, a review would be the best way to decide whether or not there are omissions, but the current provision is absolutely wrong.

I agree that there is some confusion here with the "Do not resuscitate" policy, which was misused during Covid. That is an NHS policy question, as well as a medical question.

I also agree with what Kate Forbes said about patients being vulnerable. We must provide a safeguard because of that. The greatest safeguard here, in terms of the ethics of the legislation, is to ensure that we are safeguarding the profession with clarity on what is expected at this point in a person's pathway to their diagnosis, should it be terminal.

Bob Doris: I am very sympathetic to the amendments in this group, particularly that of Daniel Johnson. Although his is a brief amendment, there is a lot more light and shade in it than in some of the others. This debate is indeed about light and shade.

First, I do not believe that raising assisted dying is a neutral act by any clinician. It is not a neutral act. It cannot be. People can try to make it a neutral act as much as they possibly can, but I do not think that it ever can be. There is a strong argument that a doctor should never raise assisted dying with a

patient. Rona Mackay—who I know has different perspectives on the bill—said that such protections have been included in some jurisdictions, and they are perhaps being reviewed. At least other jurisdictions that have passed assisted dying legislation thought that the proposed protection was important. That has been put on the record this afternoon.

Stephanie Callaghan (Uddingston and Bellshill) (SNP): [*Made a request to intervene*.]

Bob Doris: I see that Stephanie Callaghan wishes to make an intervention.

The Deputy Presiding Officer: Stephanie Callaghan, is your microphone on?

We cannot hear you. Have you double-checked that your microphone is on, Ms Callaghan?

We will have to come back to you, Ms Callaghan. Please continue, Mr Doris.

Bob Doris: I apologise to Stephanie Callaghan that I cannot take her intervention at this time. I hope that she will get an opportunity to put the point that she wishes to make on the record.

I was making the point that raising assisted dying cannot be a neutral act. At least, if we want it to be a neutral act, we need serious, significant guidance and regulation in this area, and I do not think that that is possible as things stand.

This is the picture that I would paint. Someone goes to their doctor and says, "Doctor, I've had lots of treatments for my cancer. They've been successful for a while, but I'm now in pain on a daily basis. You say there's no new breakthrough drug that I can use for it. I don't feel that I've got any quality of life. Is there anything else you can do for me?" The doctor has done a palliative pathway, a pharmaceutical review and all the things that we might expect the doctor to do. "Doctor," the patient says, "is there anything else that you can do for me?" I am not sure how I feel, in those circumstances, about how unethical it would be to say, "No, there's nothing I can do for you, but I should make you aware of this other thing called assisted dying."

I struggle with that. I see Brian Whittle shaking his head, but I struggle with that. I am conflicted in relation to that, which is the point that I am making to Brian Whittle. I have just put on record a completely artificial conversation that suits my interests within a debate. Every conversation between a doctor and patient will be different every day of the week. I do not know how we train the medical profession to get that balance right. I am conflicted on that, and I underline the fact that I do not think that raising the option of assisted dying is a neutral act, but it goes back to the light and shade comment that I wanted to make earlier with regard to how we do or do not provide the information.

Brian Whittle: Bob Doris highlights a very important issue. In that particular situation, which I do not think will be unheard of, all that a doctor should be able to do is tell the patient about medical interventions that are possible—for pain relief or whatever else—until assisted dying is requested. If we pass the bill, the availability of assisted dying will hardly be unknown across this country. For me, the doctor should not be able to raise assisted dying unless the patient asks for that information.

Bob Doris: I appreciate that intervention, but I am merely putting on the record my conflict in relation to all of this. I do not know how we will pass the bill without much clearer guidance in those everyday reality situations. I was trying to relate that to Parliament, and Mr Whittle has responded to that. I was very worried to hear—

Carol Mochan: Will the member take an intervention?

Bob Doris: Yes.

Carol Mochan: Sometimes, when we are discussing this matter, we are not concentrating on the fact that we are trying to offer choice to people with an already diagnosed terminal illness. The conversations with the doctor have to be about the choices that are there for the person. I take the point that was very well made by Edward Mountain, with the benefit of his personal experience. I understand the complexities of emotion, but, at some point, we need to be able to offer choice to the person. If someone has a terminal illness, they are probably already receiving complicated medications and treatments that have complicated side effects and might not save the person's life; perhaps they are prolonging it or providing pain relief. The doctor has to speak to a person about all those complexities. We need to remember that choice is key in this bill.

Bob Doris: I appreciate that Carol Mochan has put that on the record. I am conflicted. I know how I am going to vote at the end of stage 3, but that does not stop a person from being conflicted about the ethical matters that we are seeking to discuss.

Kate Forbes: Will the member take an intervention?

Bob Doris: I will finish this point first. It is about choice, but choice comes in many forms. Choice does not land equally on society or people. That is why we are having a long debate on indirect pressures, support networks, housing, social care packages, disabilities, capacity and everything else. Choice does not land equally on everyone. When we legislate in this Parliament, we have to make sure, where we can, that the law applies

equally, fairly and equitably to everyone. That is what I am trying to do and what I am wrestling with in this Parliament, but I appreciate Carol Mochan's intervention.

Kate Forbes: I want to go back, because what Carol Mochan puts on the record is extremely helpful in relation to that point about choice.

My two queries are about the difference between assisted dying and other forms of treatment and the point at which it is introduced into the conversation. My earlier point was about the point of diagnosis, when an individual is stunned and shocked and feels very vulnerable. They want their doctor to ensure that there are treatments available to sustain their lives or make their lives as comfortable as possible. To be offered, at the point of maximum vulnerability, the prospect of an assisted death would feel like there was very little choice for that patient. What does Bob Doris think about putting ourselves into the shoes of a patient in that position and how they would feel if assisted dying were offered at the point of maximum vulnerability?

Bob Doris: I cannot ever put myself into a patient's shoes, but I can try to put myself in the shoes of my father. When he got his terminal cancer diagnosis, and he was informed that there was nothing that could be done for him, he said that he felt powerless and distraught. I should have checked with my family whether it was okay for me to say that before I did, so I apologise to them for that. However, I can see the vulnerability.

Stephanie Callaghan: [*Made a request to intervene.*]

Bob Doris: I will take Stephanie Callaghan's intervention in one second. First, I make the point that I do not consider assisted dying a treatment option. When I heard earlier that it might be the duty of a clinician to outline all treatment options at the point of diagnosis, which would include assisted dying, I found it very alarming. Maybe I heard that wrong, but I think that I heard it during an interaction.

I am almost finished, but I do not want to prevent colleagues from intervening, so I will take Stephanie Callaghan's intervention now.

Stephanie Callaghan: Hopefully you can hear me. I certainly do not believe that it would be fair if a patient were told that at the point of diagnosis.

On Rona Mackay's point about Australia, when it first legislated, the legislation was all about coercion and protecting vulnerable people, and it prohibited doctors and health professionals from mentioning assisted dying. However, the core reason that it is reconsidering that now is that independent statutory reviews across multiple states found that it prevented informed choice and that many eligible patients did not know that the option existed for them. That has been especially true for people with low health literacy, those from diverse cultural and linguistic backgrounds, rural patients and those with dementia and other neurodegenerative conditions. The result was that people have died in severe distress without ever knowing that assisted dying was a lawful option.

Bob Doris: I am glad that Stephanie Callaghan had the opportunity to put that on the record, as informed choice is important.

I note that there was a Survation poll that showed that 10 per cent of people thought that assisted dying meant that they would get hospice provision and 42 per cent of people thought that it meant that life-prolonging treatment would cease, rather than that it meant actively bringing about a death. There is confusion about that.

Patrick Harvie (Glasgow) (Green): I recognise that this is perhaps one of the most emotional questions that we will discuss in all of the amendments.

Most of us will never have to have the conversation that doctors have to have with people every day, in which they inform them that their condition is terminal and discuss what they can expect in relation to symptoms, life expectancy or the distress that they might experience as a result of treatment. None of us will have to do that, and we want to be able to trust that doctors would do so with sensitivity and professional judgment.

Is it possible, though, that some of the amendments in this group—lodged out of an understandable desire to prevent issues being raised inappropriately—could have the unintended consequence of preventing and inhibiting appropriate discussion by doctors who would be exercising their skilled professional judgment?

Bob Doris: The amendments are not perfect, but not passing an amendment that prohibits proactively raising assisted dying is also a flaw in the legislation. There we are: we pay our money, we make our choice.

Raising assisted dying is not a neutral act, and I will vote for one of the amendments that makes clear the general inappropriateness of raising assisted dying as a treatment option.

Jamie Hepburn (Cumbernauld and Kilsyth) (SNP): I had not intended to speak, but I was prompted to do so because I was not able to intervene on Jeremy Balfour.

This is a very important part of the bill, because it is fundamental to the central motivation behind legislating in this area, and is predicated on the notion of the autonomy of the individual to exercise a decision.

If that is what it is predicated on, it should be incumbent on the individual to raise this issue. It should not be viewed as essentially another treatment option that the doctor could raise in the same way as other forms of treatment when a person has a terminal condition. That would fundamentally alter the nature of the dialogue that a doctor might have with their patient.

I fully respect and understand the professionalism of doctors and their ability to have sensitive conversations, and I trust them to do that on the basis that the issue has been proactively raised by the individual, understanding that they have that right. It is for that reason and on that basis that I am very supportive of Daniel Johnson's amendments 18 and 19. They are sensible and proportionate amendments, which I support.

The primary amendment that I wanted to speak to is amendment 243, but I see that Màiri McAllan wants to intervene.

18:15

The Cabinet Secretary for Housing (Màiri McAllan): I can see that this is a very finely balanced matter. As I try to make up my own mind on how to vote on the amendments, I wonder whether Jamie Hepburn can envisage a scenario in which some patients might have a consultation with their doctor and come very well equipped with an understanding of all the options available to them, but other people whom we represent might not have that wherewithal. Why would we take this most serious matter outwith the professional judgment of our medical practitioners, on whom we rely so much?

Jamie Hepburn: I recognise that point, and that is why it is very much about making a balanced judgment. I am inclined to agree with Brian Whittle's point that it is very unlikely—although I recognise that it is not impossible—that, if the Parliament legislates for a framework for assisted dying, people out there will not be aware that we have done so. I cannot absolutely discount that possibility, but it is about getting the balance right.

I refer back to my points about the changed nature of the relationship between the doctor and the patient. That is what concerns me.

Daniel Johnson: I thank Jamie Hepburn for his comments. Fundamentally, it is important that we recognise that the medical practitioner will not be the only source of possible information, but that they have a unique and distinct relationship with the patient in this context, and that is what we are discussing. To assume that the medical practitioner is the only possible source of information would be to misunderstand what we are considering right now.

Jamie Hepburn: I agree with that. That goes back to the point that I made. If we pass the bill next week, people will be aware that they have the right to raise the issue.

I will move on to amendment 243, in relation to which I intervened on Jeremy Balfour. I should say that, broadly speaking, paragraphs (b) (c) and (d) of the proposed new subsection that amendment 243 would insert make a lot of sense. However, I am concerned about proposed new paragraph (a), which would require the immediate cessation of a conversation with a patient who is under the age of 18, who almost certainly will be vulnerable and distressed. In those circumstances, if they look to speak to their clinician about assisted dying, it would be articulated in law that the clinician must immediately cease the conversation.

Jeremy Balfour is quite right that it is for us to make the law and that, if we pass laws that prescribe that doctors should act in a certain fashion, it is for doctors to act in accordance with those laws. However, I was not taken with Jeremy Balfour's comment that that requirement could be dealt with in a way that would allow the conversation to be moved on, because that is not what his amendment says.

If we are going to legislate, as is proposed in amendments 245 and 246, for a range of disciplinary and criminal sanctions against doctors, we need to protect doctors. There would be a real danger of causing significant challenges and difficulties for the medical profession if we were to agree to proposed new paragraph (a), inserted by amendment 243, under which the doctor would have to end that conversation. That would cause real problems.

Alex Cole-Hamilton (Edinburgh Western) (LD): Does Jamie Hepburn agree that it is very difficult to legislate for human interaction generally and that, when it comes to the holistic treatment of an individual—particularly someone in their late teens going through end-of-life care—it would be vital to have that kind of conversation, to give them agency and an understanding of the laws of the land, rather than just ceasing the conversation altogether?

Jamie Hepburn: I broadly accept and understand that point. However, I will go back to the fundamental point that we are making the law here, and that law has to be readable and understandable, and it has to provide protection for everyone. Although we are talking about legislating for the rights of individual patients, we also have to think about the position of the clinicians, that is, the medical professionals. I am afraid to say that, as drafted, amendment 243 would fail to meet the standard of protecting them, so I urge the Parliament to vote against it.

Neil Gray: The majority of the amendments in the group, and the debate on them, have involved considerations that are inherently ethical in nature. I do not wish to comment on the amendments because of the Government's neutral position. However, I have been asked a direct question by Ms Forbes, so I will clarify the duties on clinicians: all treatment options that, in their clinical opinion, are reasonable—and I stress the word "reasonable"—should be discussed. There is a question as to whether assisted dying would be deemed a reasonable treatment option. Mr Doris's family scenario—I am very sorry for what he has had to put on the record—outlines a case in which no reasonable treatment options were put on the table in that discussion.

I hope that that assists the Parliament; I am attempting to provide as much information as I can so that MSPs can come to their own ethical judgments.

Alasdair Allan: I see that the Government has not made comments about Daniel Johnson's amendments 18 and 19, for instance. However, the cabinet secretary has referred to the duty of a medical professional to make all options known to the patient. Is his understanding that amendments 18 and 19 would impinge on that duty by—in my view, helpfully—avoiding the need to mention assisted dying?

Neil Gray: I make no comment on those amendments, because those considerations are inherently ethical in nature. I am merely responding to the direct question that was posed to me by Ms Forbes. I must correct Dr Allan as it is reasonable treatment options that must be discussed by a clinician. The question as to whether assisted dying would be deemed a reasonable treatment option is for colleagues to wrestle with.

The Scottish Government has serious concerns that several of the amendments that are contained in this group raise issues of legislative competence.

Clare Adamson (Motherwell and Wishaw) (SNP): I thank members for the way in which they are approaching deliberation on the bill. However, I am concerned that, while the cabinet secretary has taken the position that the discussions so far are about ethics, we have also talked about what a treatment is and whether assisted dying is a treatment, and a member has mentioned assisted dying as a right of the patient. However, although the cabinet secretary talks about "reasonable" treatment, it is my understanding that, at the moment, a patient does not necessarily have the right to any particular treatment or to palliative care.

Neil Gray: I make no comment on what Ms Adamson has put forward. Those are ethical considerations, on which judgments are to be arrived at by MSPs, and I recognise the challenge in doing so. I have sought to provide as much information as I can on the current basis of clinical practice in order to aid MSPs in their deliberation on that.

Amendment 235 would replace section 18A with a new section that provides that practitioners who contravene the bill's provisions

"may be subject to professional, regulatory or disciplinary action in accordance with applicable law"

and that a practitioner

"must not be subject to any detriment, professional sanction, or adverse treatment for complying with"

the section. The Scottish Government considers that the amendment might raise issues of legislative competence relating to the H1 reservation of employment.

Likewise, amendments 245 and 246 might raise issues of legislative competence relating to the G2 reservation of the regulation of health professions.

Amendment 243 would require a conversation about assisted dying, if raised by someone under 18 years old, to be ended immediately. That might be contrary to clinical practice, which would normally expect practitioners to explore such statements in order to understand more about intent or level of risk. The amendment would also require referral to safeguarding and mental health services, but it does not specify whether the referral should be treated as, for example, a child protection or a mental health referral.

I have no comment on the remaining amendments in the group, other than—Jackie Baillie will be pleased to hear—on amendment 49, which would update "anticipatory care plan" to "future care plan", in line with current Scottish Government policy terms.

Liam McArthur: I echo Clare Adamson's comments about the debate and Bob Doris's comments about the confliction that arises in our discussions on this issue. They reflect the discussion that we had at some length at stage 2; Brian Whittle has described clearly the concerns that he set out then, and other members have had the opportunity to do likewise.

I will reflect on some of those comments as I go through my remarks, and I dare say that there will be interventions. There are a few things that I want to put on the record.

Section 18A of the bill, which was inserted at stage 2 through an amendment introduced by Miles Briggs, makes it clear that

"No registered medical practitioner is under any duty to raise"

assisted dying with a person and that they can use professional judgment in deciding if, and when, to discuss the matter. Daniel Johnson's amendments 18 and 19 would prevent a practitioner from raising assisted dying, but would allow them to respond if the issue were raised with them.

On the point that Jamie Hepburn and others made, I say that the bill is predicated on a terminally ill adult requesting assistance to begin the process. It also makes provision for guidance to be prepared, including on information about the lawful provision of assisted dying services. As I have listened to the debate, I have wondered whether more can be done in the guidance to express and satisfy the concerns that have been raised, rather than putting an outright ban in the bill, which would build in a rigidity about which medical professionals might be resistant.

Kate Forbes: I appreciated that being set out. A doctor told me about the ruling in the case of Montgomery v Lanarkshire Health Board, which said that there is a duty on a doctor to ensure that the patient is as informed as possible about all their treatment options.

Does Liam McArthur think that, as the law currently stands, and if amendments 18 and 19 were not agreed to, in an ideal scenario, assisted dying would be offered at the point at which a patient was informed of all their treatment options?

Liam McArthur: Kate Forbes will realise that, ultimately, that would be a matter for the courts to determine.

As Miles Briggs said in his intervention, the BMA has been explicit that it

"would not support a prohibition on doctors raising the issue of assisted dying with patients. Doctors should be able to talk to patients about all reasonable and legally available options; a provision that limits or hinders open discussion about any aspect of death and dying is likely to be detrimental to patient care."

Jamie Hepburn: Will Liam McArthur give way?

Liam McArthur: I will do so in a second.

The BMA went on to say:

"A prohibition would also create uncertainty and legal risks for doctors, which may inhibit effective doctor/patient communication and understanding."

Jamie Hepburn: If amendments 18 and 19 were to be agreed to, would Liam McArthur consider that that would cut across his fundamental motivation, which I understand reflects the right of the individual to exercise decision making?

Liam McArthur: Ultimately, Parliament will have to decide. I wrestled with some of those issues in the same way that Bob Doris did. I find myself largely where Patrick Harvie is—he articulated that we already vest in medical professionals an awful lot of responsibility about decisions on life-altering and potentially life-ending treatment. We trust their professional judgment. Over the past two days, we have discussed the training, experience and qualifications—and the development of those—that they would require to have if the bill were to be passed.

Ultimately, Parliament will need to decide whether it feels more comfortable with a ban on any instance in which a medical practitioner might raise the issue. As I said, the bill is predicated on the idea that it would be the patient who raised it.

18:30

Ross Greer: It seems that the two primary arguments against what is proposed in this group of amendments are, first, about trusting the professional judgment of clinicians and, secondly, the healthcare literacy argument that Stephanie Callaghan raised. I struggle far more with the first argument than I did before the pandemic, because of the experience of disabled people, but I am interested in Mr McArthur's view on the second point about healthcare literacy and availability of that information to patients.

It seems to me that the alternative route—I would not pretend that it is a perfect one—to providing that information to patients is covered by section 23A, which concerns the duty placed on the Scottish ministers to provide information. If the amendments were to be agreed to, does Mr McArthur still envisage a way in which the Government would be able to communicate that option through the provision of healthcare services more generally, and so remove the risk and the potential pitfalls of its being brought up in these very difficult individual conversations between doctors and patients?

Liam McArthur: That is a legitimate question. I am confident that ways would be found to make sure that the wider public, and patients in particular, were made as aware as possible. However, as Stephanie Callaghan said in her intervention, some jurisdictions that have introduced a so-called gag clause of this nature—Victoria, in Australia, and New Zealand being two of them—are now moving back from that because of what they have established from evidence of its impact on access to choice across the piece.

Bob Doris: I will be brief. Daniel Johnson's earlier intervention was quite important, but I do not think that Liam McArthur has addressed it. The medical practitioner, or general practitioner, has a critical role in establishing the trust in that relationship. However, they are not the only

individual in the world of health and social care, or anywhere else, who could raise the suggestion of assisted dying. I am not saying that they should, but there is something quite particular about the GP that would make it reasonable to preclude them from being able to raise it. It is not the only outlet in that special relationship. Will Liam McArthur respond to that?

Liam McArthur: Again, that is an entirely legitimate concern to raise. We are dealing with putting in place a ban on medical professionals raising the issue in the first instance.

An example that I used at stage 2—if it is not on the record, it would have happened in private conversations with colleagues during breaks in proceedings at Health, Social Care and Sport Committee meetings—was that of an individual who was with their medical professional, having received a diagnosis, whether at that point or some time previously. They had been informed of the prognosis and the implications of the diagnosis, including its terminal nature, and had come to the conclusion that that was not an experience that they wanted to go through. They were expressing suicidal ideation, for example. In those circumstances, would a medical professional be looking after the welfare and wellbeing of their patient by explaining what options were available, including an assisted death, as a pathway to discussing palliative care and other options that might be available and, perhaps, at the recommendation of the doctor, might be seen as more appropriate in the circumstances in which the patient found themselves?

Such discussions would not be possible if a ban were to be put in place. The medical professional would run the risk of finding themselves at odds with the legislation were they to raise the issue, it having not been raised by the patient in the first instance.

Brian Whittle: I am looking at the BMA's assertion that doctors

"should be trusted to use their professional judgement to decide when … a discussion about assisted dying would be appropriate"

based on a patient's cues. I have no idea what that means. What is a patient's cue? Any cue should surely come from the patient saying that it is something they want to discuss. To the point about a doctor's judgment about such a discussion being appropriate, I say that it is never appropriate unless a patient requests it.

Liam McArthur: Again, I understand that. To some extent, we are rehearsing a discussion that we had at stage 2—if not on the record, then at least in private. I have set out the example that the member and I discussed at that time. The BMA is making the point that medical professionals regularly have to respond to the reactions that they get from patients.

Audrey Nicoll (Aberdeen South and North Kincardine) (SNP): I seek clarification of the member's earlier response to the Deputy First Minister on the question whether assisted dying is understood to be a "reasonable" treatment option under the Montgomery ruling, which says that, by law, a doctor must offer all reasonable treatment options.

I am concerned about the member's response to that query. Some of that concern is driven by a conversation that I had with a consultant in my constituency, who is very anxious about this proposal in the context of the impact that it would have on the doctor-patient relationship.

Liam McArthur: I am not sure that I am able to add anything to what I have already said in response to Kate Forbes. Ultimately, the decision would be a matter for the courts to determine. As I said, we are wrestling with the question whether we trust medical professionals to exercise their judgment in the circumstances that they would face. Carol Mochan illustrated that in her interventions both earlier in this group and in previous groups.

I understand the motivation for wanting to protect patients from any suggestion that there is an inference that a particular treatment option is preferred or recommended by the medical practitioner. Nevertheless, I think that there are risks in putting in place a ban on a doctor using that judgment in particular circumstances. I wonder whether that may be better reflected through the guidance, which is where most of these matters already sit.

Michelle Thomson (Falkirk East) (SNP): I must admit that I am struggling to understand the member's point about a decision being made through the courts. The Montgomery ruling, which goes back to 2015, set out quite clearly what doctors must do. Why would it be a decision for the courts when that is already set out? I am trying to get to the nub of that, as I must admit that I do not understand it.

Liam McArthur: As Michelle Thomson will have seen, under section 18A there is no duty on a medical practitioner to raise the topic of assisted dying, so ultimately the court would have to take a decision as to whether, given the way in which the legislation is framed, there was a case to be determined. As I said, I could give an assurance on that question, but, to be honest, that is not really in my gift.

In that sense, I have concerns about amendments 18 and 19, as well as amendments

233 and 234 in the name of Brian Whittle, and also Jeremy Balfour's amendment 235.

I turn to Mr Balfour's amendment 243, which seeks to amend section 20B to provide that

"Where a person under the age of 18 raises the subject … with a … medical practitioner or other health professional",

the conversation must be ended and the person immediately referred to a child protection officer and to mental health services. Requiring medical professionals to shut down conversations about assisted dying when the subject is raised by a person under 18 would risk preventing open and honest communication at a point when a young person may be expressing distress or a desire to understand their condition or future care options.

Sensitive conversations are an important part of clinical practice and often lead to healthcare professionals being able to explore underlying concerns. Other members—I think that Alasdair Allan was one of them—expressed concern that shutting down the conversation would risk discouraging young people from speaking openly to their healthcare team, and the further escalation that is proposed in amendment 243 would risk breaching trust.

Although conversations should be handled with care, young people should be able to express themselves and ask for information about death and dying, including assisted dying, and healthcare professionals should be able to use their clinical judgment about whether further support might be required. The bill as drafted stipulates that a healthcare professional must not raise the topic of assisted dying with a person under the age of 18 unless the young person raises it themselves, and I think that that is still the right approach.

Similarly, amendment 244 would prevent assisted dying from being considered as part of an anticipatory care plan for any person, rather than just someone under the age of 18—again, I think that that provision is disproportionate.

Amendments 245 and 246 would create a range of penalties for those who contravene section 20B. As Mr Balfour will be aware, matters of addressing professional conduct are already provided for in our health services, both public and private, so I am opposed to those amendments.

Finally, amendment 49 is a technical and drafting amendment to section 20B to reflect the correct terminology, as Jackie Baillie set out, and I support that amendment.

The Deputy Presiding Officer: I call Daniel Johnson to wind up and to press or withdraw amendment 18.

Daniel Johnson: This is quite a group of amendments to attempt to sum up, but I do not think we should be surprised by that because we are all aware of the delicate and sensitive nature of the doctor-patient relationship and we know that we are contemplating legislation that will enable something that is quite different from what is ordinarily discussed and considered within that relationship. We must acknowledge that. Although we can talk about technicalities, as we have done with other groups of amendments, this group puts us in the consulting room.

I pay tribute to Edward Mountain. He did well in making the point that this is about when the right moment to have a discussion is, and his sharing of his insight and story was helpful. I have never been in that situation. The closest I have come to it was when my daughter was born and we were in hospital. I do not want to go into all the details, although I have shared some of them with Mr Mountain. I always thought that it was a euphemism when people said that the room was spinning when they were being told information and had to make decisions, but it is not a euphemism, because that is literally how it feels when you are faced with doctors telling you things in some detail, in 30 or 45 minutes, and you have to make decisions. The room spins and you do not take it all in. That is what happens when you contemplate life, and it would be more profound if you were contemplating death. I can only imagine what that is like, but it is important that we realise that, therefore, the introduction of information about the options is incredibly delicate. There is a question as to whether that is a matter for the bill itself or for guidance, but any guidance is out of our hands whereas the detail of the legislation is in our hands.

There has been much discussion about presenting all treatment options. I speak as someone who voted for the bill at stage 1, but who does not consider assisted dying to be a treatment option. It is an option, but it is not a treatment option. Treatment alters the course of a disease, improves a condition or alters a state of life. We are considering something quite different—the ending of life. That is in a different category from other things that a doctor might advise, such as analgesics or things that might alter an underlying disease.

Elena Whitham: Would the member accept that the way that the system currently works means that conversations with people who are terminally ill are indeed happening? I have spoken on the record about my mum, and there are many others like her. They have conversations with doctors about voluntarily stopping eating and drinking, about medication that might have a double effect and might hasten or bring about death, or about

withdrawing treatments in a way that will bring about their death. People are having those conversations with trusted doctors across the country at the moment.

Daniel Johnson: I understand that those things are happening, but we are talking about an option where the express objective is to end life and bring about death.

Lorna Slater (Lothian) (Green): Will the member take an intervention?

Daniel Johnson: I am happy to do so after I finish my point.

I recognise that none of those conversations is easy—that they are all quite difficult. The amendments are not about prohibiting those conversations; they are simply about the point at which they should be initiated.

18:45

Lorna Slater: I hope that the chamber has not lost sight of the purpose of the bill, which is to prevent suffering. The member says that the purpose of the bill is to bring about death, but I point out that the people who are eligible for the choice that we are discussing are those who are already dying. Death is already something that is ahead of them. They have to have had a diagnosis that they will die within six months. Death is already part of that conversation.

The evidence from Australia and elsewhere has shown that not everybody is aware of the option of assisted dying, especially people in vulnerable groups, people with language barriers and people in rural areas. I do not think that it is reasonable to suggest that a doctor could see an eligible patient—a patient who is dying and is suffering—and not be allowed to indicate that the option exists. To watch someone suffer and be unable to tell them that they have a choice that they are not aware of would be unbearable for a doctor.

We must all be realistic about the fact that not all suffering can be alleviated, even with the very best palliative care.

Daniel Johnson: I take the member's point. I do not mean to use the term "death" in a way that would take away from the points that have been made. I note, however, that the chamber elected not to make suffering a condition for consideration of the issue.

I accept that there is a point around information. I am asking the chamber to think about the impact that that information has when it comes from the doctor who is in consultation with the patient at that time. To reflect Jeremy Balfour's point, we need to think carefully about the authority that a doctor has in that relationship and the impact of their words.

I respect doctors' professional judgment but, unfortunately, they do not always get it right—I have experience of that. However, we need to understand that, given that we are talking about the point at which people are dealing with the most difficult healthcare considerations, if a doctor presents assisted dying as an option at the end of the list of options, that will have an impact. As Bob Doris put it, that is not a neutral option.

I do not believe that doctors are the only information source. Ross Greer's information was helpful in that regard. Members may decide that what I am proposing is not right, but it would be false to say that it would deprive people of information. If my proposal were accepted, we would need to think carefully about how that information could be provided. I am saying that we also need to think carefully about the impact of the information being provided by the self-same person who is presenting difficult news to a person.

My amendments do not prevent communication. They seek to strike a balance. One of the things that my amendments make clear is that, once the conversation has been initiated, nothing prevents it from taking place. There is a danger that, if we frame the proposal in other ways, some ambiguity might be caused, but I think that the position in my amendments is clear.

Ultimately, I have some concerns about the fact that a great deal of what happens will end up being dealt with in guidance. The conversations will involve nuanced interactions, and we cannot legislate for that. I think that that is unfortunate, in a sense. That is why, at stage 2, I lodged amendments that sought to provide an unusual level of parliamentary oversight with regard to the development of the guidance. Unlike any other form of guidance, that guidance will be incredibly sensitive. If the bill passes, the guidance that will be required will have things in it that will have a huge impact.

Other people have mentioned other jurisdictions where certain provisions have been put in place. All that I would say is that I do not think that the Parliament should be trying to short-circuit the process. Furthermore, it will be open to us to legislate further in the future. Simply saying that other places have looked at the issue and taken other options is not an argument against the amendments. Perhaps that is a journey that we need to go on.

Although I have a great deal of sympathy for what Jeremy Balfour has set out in amendment 243, I have problems with requiring a conversation to be ended immediately. I understand that such a situation would need to be treated very carefully, but phrasing the provision so tightly that the

conversation would have to be ended is problematic.

Jeremy Balfour: One of the really helpful things in the past three days has been that we are actually debating and listening to one another. I have heard a number of members express concerns about amendment 243, and it may save some time if I say now that I will not move it.

Daniel Johnson: I thank Mr Balfour for his intervention. That is helpful.

In a sense, I think that Parliament has accepted the principle. If we accept that it would not be right to raise the topic of assisted dying with an under-18-year-old, have we not already accepted that it is a sensitive matter that must be discussed only once that is instigated by the individual? I suggest that, if the under-18-year-old would be in a vulnerable state, anyone who was facing terminal illness would be in a vulnerable state, and they need to be treated equally sensitively.

I press amendment 18.

The Deputy Presiding Officer: The question is, that amendment 18 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is closed.

The Cabinet Secretary for Constitution, External Affairs and Culture (Angus Robertson): On a point of order, Presiding Officer. Unfortunately, I could not connect. I would have voted no.

The Deputy Presiding Officer: Thank you, Mr Robertson. Your vote will be recorded.

For

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Brown, Siobhian (Ayr) (SNP)
Choudhury, Foysol (Lothian) (Ind)
Constance, Angela (Almond Valley) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Leonard, Richard (Central Scotland) (Lab)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
McKee, Ivan (Glasgow Provan) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNeill, Pauline (Glasgow) (Lab)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Robison, Shona (Dundee City East) (SNP)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Simpson, Graham (Central Scotland) (Reform)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Swinney, John (Perthshire North) (SNP)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Balfour, Jeremy (Lothian) (Ind)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Chapman, Maggie (North East Scotland) (Green)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Findlay, Russell (West Scotland) (Con)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gosal, Pam (West Scotland) (Con)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Greene, Jamie (West Scotland) (LD)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hoy, Craig (South Scotland) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McCall, Roz (Mid Scotland and Fife) (Con)
McLennan, Paul (East Lothian) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)

Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

Abstentions

Arthur, Tom (Renfrewshire South) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Marra, Michael (North East Scotland) (Lab)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
Mountain, Edward (Highlands and Islands) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

The Deputy Presiding Officer: The result of the division is: For 41, Against 74, Abstentions 7.

Amendment 18 disagreed to.

The Deputy Presiding Officer: I remind members that, if amendment 233 is agreed to, I will be unable to call amendment 19 due to pre-emption.

Amendment 233 moved—[Brian Whittle].

The Deputy Presiding Officer: The question is, that amendment 233 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Balfour, Jeremy (Lothian) (Ind)
Boyack, Sarah (Lothian) (Lab)
Choudhury, Foysol (Lothian) (Ind)
Constance, Angela (Almond Valley) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Regan, Ash (Edinburgh Eastern) (Ind)
Simpson, Graham (Central Scotland) (Reform)
Sweeney, Paul (Glasgow) (Lab)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bibby, Neil (West Scotland) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Chapman, Maggie (North East Scotland) (Green)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Greene, Jamie (West Scotland) (LD)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hoy, Craig (South Scotland) (Con)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Stephen (Central Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)

McNeill, Pauline (Glasgow) (Lab)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Slater, Lorna (Lothian) (Green)
Smith, Liz (Mid Scotland and Fife) (Con)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

Abstentions

Arthur, Tom (Renfrewshire South) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
Mountain, Edward (Highlands and Islands) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

The Deputy Presiding Officer: The result of the division is: For 13, Against 102, Abstentions 6.

Amendment 233 disagreed to.

Amendment 19 not moved.

Amendment 234 moved—[Brian Whittle].

The Deputy Presiding Officer: The question is, that amendment 234 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Choudhury, Foysol (Lothian) (Ind)
Constance, Angela (Almond Valley) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McKee, Ivan (Glasgow Provan) (SNP)
Regan, Ash (Edinburgh Eastern) (Ind)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Simpson, Graham (Central Scotland) (Reform)
Sweeney, Paul (Glasgow) (Lab)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bibby, Neil (West Scotland) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Chapman, Maggie (North East Scotland) (Green)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hoy, Craig (South Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)

Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McCall, Roz (Mid Scotland and Fife) (Con)
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)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Sarwar, Anas (Glasgow) (Lab)
Slater, Lorna (Lothian) (Green)
Smith, Liz (Mid Scotland and Fife) (Con)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Arthur, Tom (Renfrewshire South) (SNP)
Boyack, Sarah (Lothian) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
Mountain, Edward (Highlands and Islands) (Con)

The Deputy Presiding Officer: The result of the division is: For 21, Against 96, Abstentions 5.

Amendment 234 disagreed to.

Amendment 235 not moved.

The Deputy Presiding Officer: We will have a 20-minute comfort break. We will return at 19:15.

18:55

Meeting suspended.

19:17

On resuming—

The Presiding Officer (Alison Johnstone): Members will note that we will shortly reach the next time limit, but we still have two more groups of amendments to debate. As a consequence, I am minded to accept, under rule 9.8.5A, a motion without notice to propose that the time limit be extended by 30 minutes. I invite the Minister for Parliamentary Business and Veterans to move the motion.

Motion moved,

That, under rule 9.8.5A, the time limit be extended by up to 30 minutes.—[*Graeme Dey*]

Motion agreed to.

Section 19—Criminal liability for providing assistance

The Presiding Officer: We move to group 13. Amendment 108, in the name of Sue Webber, is grouped with amendments 236, 109 and 237.

Sue Webber (Lothian) (Con): There is a profound and dangerous omission in the bill: it is silent on what should happen if the lethal substance fails to end a person's life. Section 19(3) offers immunity to those who assist a person in an attempt to end their own life in accordance with the legislation, but it provides no guidance on the limits of that protection. If a first attempt did not succeed, the law would be entirely unclear. Could a doctor intervene further without the risk of criminal liability, or would any subsequent action potentially be prosecutable? That is not a minor gap, and it would leave patients and healthcare professionals in legal and ethical uncertainty.

My amendments 108 and 109 attempt to address the ambiguity by specifying the boundaries of lawful protection. Amendment 108 would clarify that section 19(3) would apply only to assistance that was connected to the person's original lawful request. It would explicitly exclude protection for any actions that were taken to complete a death once the initial attempt had begun. In other words, it would draw a line between lawful assistance and further intervention beyond the original request.

Even if my amendments are agreed to, the need for such clarification highlights the serious flaw in the bill. The current text fails to clearly define the scope of immunity, which could leave a potentially catastrophic gap. Doctors and carers could be left uncertain about their legal position in a situation in which a patient survived an initial attempt, and patients themselves might be exposed to risk, because the law offers no road map for managing a failed attempt.

It is a glaring example of how the bill, as drafted, is bad law. Legal protections must be precise, predictable and complete, especially in legislation

authorising assistance in ending life. The fact that these amendments are necessary at all underscores the bill's fundamental weakness. Instead of offering a coherent, safe and accountable framework, the bill leaves critical questions unanswered, creating both legal ambiguity and practical danger. On that measure, the bill fails. It does not provide clarity, it does not protect professionals and, more important, it does not safeguard patients. Its silence on failed attempts exposes an unacceptable and serious flaw.

I move amendment 108.

The Presiding Officer: I call Stephen Kerr to speak to amendment 236, and also to amendment 237, in the name of Fergus Ewing.

Stephen Kerr: I will present my remarks as two distinct sets of remarks, because one is offered on behalf of Fergus Ewing, who cannot be here.

Before I do so, though, I want to take a few seconds to thank colleagues for the way in which our proceedings have been conducted today. I am grateful for the respectful way in which we have been able to present views that we feel very passionately about. It is really good, and I especially thank Edward Mountain, Bob Doris and Daniel Johnson for the personal accounts that they gave in the previous group of amendments. We all have our personal stories to bring to the bill, and I am grateful to those who are sharing them.

Group 13 brings us to the most important legal boundary in the bill. Sue Webber is right to point out that there is a fudging of the line between lawful assistance and the direct causing of another person's death. Amendment 236 is intended to make that boundary clear. It would not change the bill's overall purpose; rather, it would ensure that the limits of the law were understood by clinicians, families and the public.

At the heart of the amendment is a simple principle. Although the bill permits assistance to a terminally ill adult who has chosen that path, nothing in it should authorise an act in which another person directly causes that individual's death. That distinction matters. In other countries where similar laws exist, the question has often arisen about where the boundary lies between assisted dying and euthanasia. They are not the same thing. Assisted dying involves a person carrying out the final act themselves, whereas euthanasia involves another person administering the means of death.

If the Parliament is to legislate in this area, that boundary must be unmistakably clear. At the moment, it is not, so amendment 236 sets out plainly that

"nothing in this Act permits any person to carry out an act which directly causes the death of another person."

The amendment seeks to define assistance narrowly, limiting it to "preparatory or facilitative acts", and to make it clear that if someone administers a substance, operates a device or performs any act that directly brings about death, that conduct remains subject to criminal law.

That matters not only for legal clarity but for public confidence. Doctors who find themselves working within that framework must know exactly where the legal boundary lies—and it is our duty to make that clear. Families must understand what the law permits and what it does not—and, again, it is our duty in this Parliament to make that clear. The public must be confident that Parliament has not created a pathway that quietly shifts from assistance to the direct administration of death. Again, it is incumbent on us to make that clear.

Assistance must never quietly become something more, and amendment 236 seeks to ensure that the distinction remains clear and firmly anchored in law. It would protect vulnerable individuals by making it clear that the final act could not be transferred to another person. The amendment would also protect medical professionals, because no doctor should ever be left uncertain as to whether a particular action crossed the line into conduct that the criminal law still prohibits.

Members across the chamber will approach the wider question of assisted dying from different convictions. As I have said before, I respect that, but whatever view we take on the principle, we should at least agree that the law that we pass must be clear, careful and precise. Amendment 236 would provide that clarity. By ensuring that assistance did not become something else, it would keep the legal boundary where Parliament intends it to be. It would help ensure that the law that we pass today would not leave confusion for those who must live with its consequences tomorrow. For legislation of such gravity, that clarity is not excessive—it is essential.

I now turn to amendment 237, in the name of Fergus Ewing. As I have said, these are his remarks.

Amendment 237 seeks to provide greater clarity on the meaning of "lawful assistance" in the bill. It would ensure that those involved in the assisted dying process—especially medical practitioners, carers and others who may support an individual—had a clear understanding of the boundaries of lawful behaviour.

The amendment seeks to define "lawful assistance" as

"assistance provided in full compliance with all the provisions of this Act",

which includes adherence to the procedural steps that are required for making declarations and assessments under sections 6 to 8. In seeking to incorporate the reporting and record-keeping duties that are set out elsewhere in the bill, it would ensure that actions would be supported by transparent documentation.

In addition, amendment 237 seeks to recognise the role of guidance that is issued by the Scottish ministers. Explicitly including such guidance in the definition of "lawful assistance" would ensure that lawful assistance aligned with not only the letter of the act but the administrative and practical expectations that would accompany its implementation.

Amendment 237 would play a vital role in preventing individuals from inadvertently falling outside the law as a result of misunderstanding, and it should be supported by members across the chamber.

The Presiding Officer: I call Stuart McMillan.

Stuart McMillan (Greenock and Inverclyde) (SNP): I am sorry—I requested to speak by accident.

The Presiding Officer: I call the cabinet secretary.

Neil Gray: The Scottish Government has no comment to make on any of the amendments in this group.

The Presiding Officer: I call Liam McArthur.

Liam McArthur: I thank Sue Webber and Stephen Kerr for setting out the rationale for their amendments.

Sue Webber's amendments 108 and 109 seek to provide that it would be a crime, and that it would give rise to civil liability, to assist someone to end their life after the point at which they had been provided with the substance and had not died as a consequence.

The bill makes it absolutely clear that only the actions that are specified in it with regard to assisting a terminally ill adult to end their own life would be lawful. The bill also makes it clear that the final act to bring about death must be taken by the person themselves, while the management of complications would remain subject to standard clinical practice.

It is not clear how the requirements in amendments 108 and 109 would interact with the doctor or nurse providing care and taking steps to make the person comfortable, so I cannot support them.

Stephen Kerr: At some point in the past few days, we had an exchange about the phrase, "making people comfortable". Frankly, I am still not clear what that might mean, but I ask Liam McArthur to test an assumption that I am making about what he is saying.

Let us consider a situation in which someone had taken a substance, it had not worked and they were clearly in distress. Is Liam McArthur saying that he would expect the healthcare professionals to fulfil their traditional role in helping the person to overcome that distress and, where practical, to make a recovery from the effects of the substance that they had taken—as opposed to what Sue Webber and I are trying to do with our amendments, which is to create a clear legal boundary between assistance that was provided under the bill to someone who had requested and received approval to have an assisted death, and euthanasia, where healthcare professionals' involvement might lead to the person's death?

That is the point on which we are seeking clarity in this group. Will Liam McArthur comment on the assumptions that I have made in the scenario that I have described, which I have tried to describe as sensitively as I can?

19:30

Liam McArthur: We are going back over the discussion that we had—I think—last night, but I certainly understand why we are all losing our sense of time at this stage.

As I said earlier, it is a matter of ensuring that clinicians respond to those instances in an appropriate way that is relevant to their training. Going back to some of our discussions around advance care planning, it is also a question of ensuring that the discussions that happen when medical professionals are talking to patients about the available options, once they are certain that they wish to proceed with an assisted death, cover the medications, the process that will happen and the effect that it will have. That will result in an informed discussion between the patient and the medic. The patient would have an opportunity to air and discuss any concerns or questions with a medical professional.

Sue Webber: Perhaps Mr McArthur can help me to understand. When he is talking about that informed discussion between the healthcare professional and the patient seeking the assisted death, is he suggesting that there would be a conversation between those people, in which the patient said, "Should I take the substance and it did not kill me, I would want you to make sure that my life ended"?

Liam McArthur: The answer remains the same as the response that I gave to the questions that were posed yesterday. It would be up to the judgment of the clinician, who would use their

professional skills and experience in order to make the patient comfortable.

It is not open to the medical professional, which is where Sue Webber is trying to direct the discussion, to euthanise the patient. There is standard practice at the moment for medical professionals to use their judgment in certain situations to relieve suffering and make the patient comfortable—in essence, to palliate the patient. That is what would occur in this situation.

For the same reasons, I do not support Stephen Kerr's amendment 236, which seeks to avoid doubt that I do not think legally exists and to clarify areas that I do not believe require further clarification. As I said, the bill is absolutely explicit in making it clear that the actions specified in the bill with regard to assisting a terminally ill adult to end their own life would be lawful. The bill is also clear that the final act to bring about death must be taken by the person themselves.

Meanwhile, Fergus Ewing's amendment 237 seeks to clarify and reiterate provisions that are already contained in the bill and in the law in Scotland as it stands. Although I understand the intent behind amendment 237, further detail would be set out in guidance produced by the General Medical Council, the Scottish ministers and others. Taken together, those mechanisms should provide sufficient clarity for practitioners.

Adding a further provision would potentially create a backdrop against which medical practitioners might be concerned about the potential for civil litigation arising for minor record-keeping issues or for questions about how particular guidance has been followed. As such, I cannot support amendment 237.

The Presiding Officer: I call Sue Webber to wind up and press or withdraw amendment 108.

Sue Webber: As we have heard, the issue in this group of amendments goes to heart of both the legal framework surrounding the bill and, frankly, the fundamental principles that underpin our criminal law.

In any other circumstance, taking a person's life is a crime. Enabling or assisting a suicide is also a crime. Right now, our laws rightly contain strong protections to prevent anyone from encouraging, facilitating or enabling another person's death. Those safeguards exist to protect the vulnerable and to ensure that the law remains firmly on the side of preserving life.

Stephen Kerr's amendments have sought to reinforce the importance of those legal boundaries. Fergus Ewing's amendments on lawful assistance would ensure a clear understanding of what lawful behaviour was and of the practical expectations in law. We have challenged Mr McArthur on his statement that the clinician would provide care and take steps to make the patient comfortable and on what would happen when the substance did not work, but I do not think that we have had that clarity from him today.

That is where my amendment and the other amendments in the group—

Liam McArthur: Will the member take an intervention?

Sue Webber: Yes, I will.

Liam McArthur: It might be helpful if I refer Sue Webber and other members to section 15(3A), which says:

> "For the avoidance of doubt, nothing in this section authorises any person to administer an approved substance to the adult on their behalf with the intention of bringing about the adult's death."

The situation is perfectly clear under the bill as it stands, and murder will remain murder if the bill passes.

Sue Webber: I am sorry, but I do not accept that. We have asked Mr McArthur today, yesterday, last night and at stage 2 what would happen and what a healthcare professional should do if an individual takes a substance and it does not lead to their death. Do they then perform their traditional role—I think that was it—and intervene to save their patient's life, or do they take steps that would lead to that patient's death? That is the answer that we have been seeking.

The clarification is in the amendments that we have presented today, because the provisions that we are considering demonstrate that the bill falls short of that. Without the amendments in this group, the bill will be deeply silent on the serious scenarios that we have outlined. What if that lethal substance does not end a person's life?

Stephen Kerr: I tried to elicit a definitive answer from the member in charge. My concern is that we are continuing to have this discussion because we are not clear about the answer to the serious moral conundrum that I do not particularly want doctors and healthcare professionals to have to face when it is not clear exactly what they should do in a situation when the substance that the individual has taken has not worked.

Does Sue Webber agree that the bill badly needs that clarity or that we should at least ask the member in charge to be much more specific about what he would expect medical professionals to do beyond the form of words that he has been careful to use? I respect the fact that he has been careful in his choice of words, but I think that we need some expansion on their meaning.

Sue Webber: Indeed, Mr Kerr. I believe that the original text fails to define the scope of immunity with the precision that legislation of this gravity demands. Without that clarity, doctors and carers could find themselves unsure of their legal position if a patient survives the initial attempt.

Edward Mountain: What I am trying to get my brain around is that we voted for an earlier amendment that means that the medical professional has to sit with the patient until the patient has died, and I am still not clear about what happens when things do not work out as anticipated after they take the drugs. That can happen for a variety of reasons.

What is that medical professional supposed to do? Are they supposed to sit on their hands, do nothing, wait to see whether the drugs work and let that person go through the most appalling pain and suffering, or are they supposed to do something? No one has given me the answer, and I am not sure whether the member knows the answer or whether she feels that I have missed something when I have been listening.

Sue Webber: I do not feel that I know the answer but, with the amendments in this group, I am trying to ensure that patients and healthcare professionals who face this profound legal and ethical uncertainty, at what would be an extraordinarily difficult moment for everyone, have a clear line so that they know whether their actions are legal or illegal.

Families must also understand what the law permits. As Mr Kerr said, assistance must never become anything more than assistance. Patients could be placed at risk because the law offers no clear framework for how such a situation could and should be handled, and that is not how serious legislation should operate.

The amendments in the group highlight the wider concern and, alongside my colleagues, I have been presenting a series of amendments that would remove the legal ambiguity and provide certainty for doctors, carers, patients and families. I will press amendment 108.

The Presiding Officer: The question is, that amendment 108 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hoy, Craig (South Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
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)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)

Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

Abstentions

Arthur, Tom (Renfrewshire South) (SNP)
Boyack, Sarah (Lothian) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Mountain, Edward (Highlands and Islands) (Con)

The Presiding Officer: The result of the division is: For 47, Against 69, Abstentions 4.

Amendment 108 disagreed to.

Amendment 236 moved—[Stephen Kerr].

The Presiding Officer: The question is, that amendment 236 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
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)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)

Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Abstentions

Arthur, Tom (Renfrewshire South) (SNP)
Boyack, Sarah (Lothian) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Mountain, Edward (Highlands and Islands) (Con)

The Presiding Officer: The result of the division is: For 49, Against 69, Abstentions 4.

Amendment 236 disagreed to.

Section 20—Civil liability for providing assistance

Amendment 109 moved—[Sue Webber].

The Presiding Officer: The question is, that amendment 109 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

The vote is closed.

Russell Findlay (West Scotland) (Con): On a point of order, Presiding Officer. I would have voted yes.

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

For

Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Dowey, Sharon (South Scotland) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gosal, Pam (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Hoy, Craig (South Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Mason, John (Glasgow Shettleston) (Ind)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Sarwar, Anas (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Swinney, John (Perthshire North) (SNP)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)

Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

Abstentions

Adamson, Clare (Motherwell and Wishaw) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baker, Claire (Mid Scotland and Fife) (Lab)
Constance, Angela (Almond Valley) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gray, Neil (Airdrie and Shotts) (SNP)
Leonard, Richard (Central Scotland) (Lab)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
Mountain, Edward (Highlands and Islands) (Con)
O'Kane, Paul (West Scotland) (Lab)
Roddick, Emma (Highlands and Islands) (SNP)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)

The Presiding Officer: The result of the division is: For 31, Against 73, Abstentions 16.

Amendment 109 disagreed to.

Amendment 237 moved—[Stephen Kerr].

19:45

The Presiding Officer: The question is, that amendment 237 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Briggs, Miles (Lothian) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Ewing, Fergus (Inverness and Nairn) (Ind)
Grant, Rhoda (Highlands and Islands) (Lab)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Sweeney, Paul (Glasgow) (Lab)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Balfour, Jeremy (Lothian) (Ind)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bibby, Neil (West Scotland) (Lab)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Chapman, Maggie (North East Scotland) (Green)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)

Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Stephen (Central Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Slater, Lorna (Lothian) (Green)
Smith, Liz (Mid Scotland and Fife) (Con)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Arthur, Tom (Renfrewshire South) (SNP)
Boyack, Sarah (Lothian) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Mountain, Edward (Highlands and Islands) (Con)
O'Kane, Paul (West Scotland) (Lab)

The Presiding Officer: The result of the division is: For 20, Against 96, Abstentions 6.

Amendment 237 disagreed to.

After section 20

Amendment 110 moved—[Neil Gray].

The Presiding Officer: The question is, that amendment 110 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
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)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Liam (North East Scotland) (Con)

Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Sarwar, Anas (Glasgow) (Lab)
Slater, Lorna (Lothian) (Green)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Duncan-Glancy, Pam (Glasgow) (Ind)
Hoy, Craig (South Scotland) (Con)
Mason, John (Glasgow Shettleston) (Ind)
Mundell, Oliver (Dumfriesshire) (Con)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Somerville, Shirley-Anne (Dunfermline) (SNP)
White, Tess (North East Scotland) (Con)

Abstentions

Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Carson, Finlay (Galloway and West Dumfries) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Stephen (Central Scotland) (Con)
Marra, Michael (North East Scotland) (Lab)
Matheson, Michael (Falkirk West) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Mountain, Edward (Highlands and Islands) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)

The Presiding Officer: The result of the division is: For 103, Against 7, Abstentions 11.

Amendment 110 agreed to.

Amendment 111 moved—[Neil Gray].

The Presiding Officer: The question is, that amendment 111 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
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)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)

Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Slater, Lorna (Lothian) (Green)
Smith, Liz (Mid Scotland and Fife) (Con)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Duncan-Glancy, Pam (Glasgow) (Ind)
Hoy, Craig (South Scotland) (Con)
Mason, John (Glasgow Shettleston) (Ind)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Stevenson, Collette (East Kilbride) (SNP)
White, Tess (North East Scotland) (Con)

Abstentions

Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Carson, Finlay (Galloway and West Dumfries) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Stephen (Central Scotland) (Con)
Marra, Michael (North East Scotland) (Lab)
Matheson, Michael (Falkirk West) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Mountain, Edward (Highlands and Islands) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)

The Presiding Officer: The result of the division is: For 102, Against 7, Abstentions 12.

Amendment 111 agreed to.

Amendments 238 and 239 not moved.

Section 20A—Provision of assistance outwith National Health Service

The Presiding Officer: Group 14 is on the administration, regulation and oversight of assisted dying services. Amendment 240, in the name of Jackie Baillie, is grouped with amendments 48, 241, 250, 292, 293, 66, 69, 309, 311 and 72 to 74.

Jackie Baillie: I will speak to amendments 240, 241, 48, 66 and 69 in my name and then address others.

In the case of amendments 240 and 241, the intention is to provide regulations that specify any settings or services in which assistance must not be provided. Amendment 48 simply updates terminology by replacing the reference to "the Care Inspectorate" with "Social Care and Social Work Improvement Scotland".

Amendments 66 and 69 are also technical amendments. They are about setting appropriate regulation-making powers for ministers under section 20A(1). Amendment 66 advises negative procedure; amendment 69 would require affirmative procedure.

They are all sensible amendments that update the bill. I will touch briefly on the other amendments in the group.

Fulton MacGregor's amendments 250 and 309 talk about one service in each health board area providing assisted dying. That clearly has financial implications and I am not sure whether those have been adequately considered. Equally, Daniel Johnson's amendments 292 and 311 talk about creating an office of the assisted dying registrar, Miles Briggs in amendment 293 wants to introduce an assisted dying review panel and Liam McArthur in amendments 72 to 74 makes provision for setting up an assisted dying service.

All four colleagues are legislating in a similar area and I question whether there would not be duplication if we were to support all those amendments. We would look quite silly if we did so. However, I leave colleagues to set out their views.

I move amendment 240.

Fulton MacGregor (Coatbridge and Chryston) (SNP): I ask colleagues from across the chamber to support my amendment 250 and the consequential amendment 309, which would ensure that any assisted dying provision in Scotland was delivered through a dedicated specialised service rather than through general practice.

I hear Jackie Baillie's point on that. The proposal is similar to other amendments. Amendment 250 is necessary to ensure that any system that we create is safe, informed and as compassionate as possible. It seeks to answer the question: if such a service is introduced, how should it be delivered? We must recognise the reality that faces general practice. As we know, GPs across the country are already operating under pressure. Asking general practice to absorb an entirely new, complex and emotionally demanding clinical responsibility risks placing further strain on the system.

More importantly, a briefing from the Royal College of General Practitioners suggests that many GPs would not feel able to participate in assisted dying. Engagement with the profession indicates that a significant proportion of GPs would choose not to take part whether for ethical, professional or personal reasons. That is entirely understandable but it also means that expecting assisted dying to operate through patients' own GPs would be neither practical nor equitable.

It is entirely possible that, in some communities—perhaps particularly in rural or less populated areas—many local GPs could opt out, which could result in a postcode lottery whereby access to a lawful service depended on where a person happened to live. Amendment 250 introduces a dedicated service that would avoid that risk.

Jeremy Balfour: I am sympathetic to what Mr MacGregor says but I wonder what the service that he proposes would cost. Perhaps I will ask the same question to other members with amendments in the group. Does Mr MacGregor have any idea of a costing for it and has he had any discussions with the Cabinet Secretary for Health and Social Care or the Cabinet Secretary for Finance and Local Government to work out whether we can afford it in Scotland?

Fulton MacGregor: I will come back to the costing issues. I will not be able to answer all of the questions that Jeremy Balfour asked me but I will come back to the matter and perhaps be able to answer some of what he asks.

Ross Greer: I am sympathetic to amendment 250 because it would ensure a level of equity of access throughout the country but the rationale that Fulton MacGregor outlined for it does not tally with its effect. His rationale seems to be that it would mean that assisted dying would not be provided by GPs but be an entirely separate service.

My reading of the amendment is that Scottish ministers could set out regulations that say that each health board must provide an assisted dying service, but that specialist service could be a system to which GPs opt in, particularly in the rural areas that Mr MacGregor mentioned, where the GP might be the only healthcare provider in that area. In such cases, that GP would be the appropriate person to opt in. Essentially, the specialist service could amount to a health board maintaining a list of GPs in its area for people to be referred to. However, Mr MacGregor seems to be suggesting that the amendment would mean that GPs could not provide the service and that it could be provided only by something separate and specialist. I am not sure that that is the effect of the amendment. Could he clarify that?

Fulton MacGregor: That is not what I am saying, and perhaps I will be able to clarify that a bit more as I go on.

By creating a specialised opt-in service, we allow clinicians who feel able and willing to participate to develop the expertise, training and professional resilience required for that sensitive work. That answers Ross Greer's question—they can opt in. Concentrating the experience in that way ensures that patients are supported by professionals who are confident, well prepared and equipped to manage the clinical and ethical complexity involved.

It is important to emphasise that a specialised service does not mean creating something outside the NHS, nor does it necessarily require new buildings or separate facilities. Such services could—and, in my opinion, should—be community based and delivered either in or close to the patient's own home. What distinguishes a service is not the building that it sits in but the dedicated teams that provide it. Those teams could bring together a multidisciplinary group of professionals who are capable of supporting the whole person—their physical needs or emotional and psychological wellbeing, their social circumstances and the needs of their family.

The reality is that any assisted dying provision would be a deeply human process that would affect patients, loved ones and professionals alike. Families may require support before the process, during it and afterwards, through bereavement. Patients need time to explore their choices, fears and circumstances. That level of care requires co-ordination, continuity and expertise, and a specialised service allows for exactly that. It would enable dedicated teams to support patients through the entirety of their journey, ensuring

consistency, trust and a continuity of care. At the same time, a patient's own GP could continue to provide all other aspects of care, ensuring that their existing relationship with primary care remains intact.

Such a model would also protect the workforce. The emotional weight and time commitment associated with assisted dying must not be underestimated. A dedicated service would allow for protected time and the provision of mandatory training and appropriate psychological support for the professionals involved. That is far more difficult to guarantee if the responsibility is dispersed across thousands of GP practices. I think that such a set-up would go a long way towards addressing many of the concerns that members have shared over the past couple of days. I will not go over all of them again, but some of them could be addressed by a single service.

There is also the question of expertise. Based on current estimates—I think that this has been highlighted already—most GPs would only rarely encounter an assisted dying request. That makes it extremely difficult to build the experience and confidence that are needed to navigate such a complex process. In this chamber, we regularly hear about the importance of enabling healthcare professionals to gain experience in relation to specialist work rather than distributing that work thinly across the system. The same principle should apply here.

To answer Jeremy Balfour's point, it is true that a specialist service might require greater investment. I do not know what those figures might be, but I believe that, when we are legislating for something that would have such profound implications for individuals and families, cost alone cannot be the deciding factor. Safety, expertise and dignity must come first. However, on the issue of cost, I would say to Jeremy Balfour that I do not see such a system being set up separately from what health boards have just now.

My amendment would also allow assisted dying services to sit as a delegated responsibility within Scotland's integration authorities and our health and social care partnerships, strengthening links with palliative care, social services and community support. That approach would not only improve co-ordination but also ensure that multidisciplinary expertise is built into the system from the outset.

Members may wish to note that my amendment 250 is supported by the Association of Palliative Care Social Workers, the Royal College of General Practitioners, the Royal College of Nursing, the Scottish Association of Social Work and Social Work Scotland. It has good and credible support from many organisations representing the people who would be working in such a system.

The Minister for Public Finance (Ivan McKee): Does Fulton MacGregor agree that setting up the service that he describes might be more cost effective than having the costs spread across a range of GPs throughout the country, who would have to absorb that service into their work and incur costs as a consequence? People are asking about the cost, but his proposal might be a less expensive way to go about things than the alternative.

Fulton MacGregor: I thank Ivan McKee for that helpful intervention. That was raised by some of the organisations that I have just outlined. The answer is unknown just now, but that approach might indeed be less expensive.

20:00

Jackie Baillie: I wonder whether you have managed to do any costings, or whether the Government has.

The Presiding Officer: Always speak through the chair.

Fulton MacGregor: I was quite open and honest in my answer to Jeremy Balfour about that: I have not done any costings personally. I worked with the organisations that I have outlined to draft the amendment, but that work did not include costings.

I urge members from across the chamber to support amendment 250.

The Presiding Officer: Before we move on, I wish to make members aware that we have passed the agreed time limit for the debate on this group to finish. I exercise my power under rule 9.8.4A(c) to allow debate on this group to continue beyond the limit in order to avoid the debate being unreasonably curtailed.

Daniel Johnson: The intent of amendment 292 is to provide direct accountability through oversight of data. My concern is that, across the bill, we would be creating general or corporate responsibilities, but some of those areas need the direct accountability of an office-holder. Unfortunately, the drafting of the amendment is not good enough, so, when Jackie Baillie suggested that some of the other members speaking to this grouping might be being silly, in my case, she was being quite accurate. [*Laughter.*] I will not move the amendment.

Miles Briggs: I worked with BMA Scotland on the proposal for amendment 293. The purpose of the amendment is to establish a formal process for the review of all assisted deaths as they occur, through an assisted dying review panel. The panel would review the documentation from each assisted death to ensure that the correct process

had been followed and to make recommendations for how the process and service could be improved, including—but not only—from a medical perspective. It would ensure that the documentation from each case was brought together centrally and analysed to ensure the compassionate, safe and practical operation of the act.

Review committees are common in other jurisdictions where assisted dying is provided, and they are included in legislation that was recently passed in the Isle of Man and in Jersey. The Isle of Man recently confirmed that a compulsory post-death review will be mandated in every case, and that reviews will scrutinise statutory declarations, medical records and compliance with all the safeguards that will be put in place.

Having a system for the routine monitoring and review of individual cases is important for those who provide assisted dying and for patients who might want to access it; it is also important in maintaining public trust and confidence in any system that is established. In a healthcare system, it is normal to discuss cases, to take on best practice and to learn from experience. An assisted dying service, if one comes into being through the bill, should be no different. It is difficult to see how that could happen when, under the current proposals in the bill, only a copy of the documentation would be kept and individual medical records would be spread across the whole country, with no way of bringing the information together for formal audit or review.

It was suggested at stage 2 that amendments to create a review panel were unnecessary and repetitious, because of the role of the Scottish fatalities investigation unit, which sits within the Crown Office and Procurator Fiscal Service, or because of the review that would be required under section 27 of the bill. However, neither of those options would provide the information, oversight or learning opportunities that would be presented by an assisted dying review panel, as I am proposing.

It is currently the case that the Crown Office and Procurator Fiscal Service investigates all sudden, suspicious, accidental or unexplained deaths in Scotland, but none of those terms apply to deaths under the provisions of the bill. In evidence at stage 1, COPFS said “it is likely” that the Lord Advocate would require all assisted deaths to be reported to COPFS, but there is no certainty about that at this stage.

At stage 1, the Crown Office also said that it would expect its involvement in investigating assisted deaths to be relatively short and unlikely to uncover concerns.

Section 27 is a retrospective review—

Jamie Hepburn: Will the member provide some clarification? I should say that I was initially not persuaded of the case for a review panel; the member is starting to persuade me, but I am unclear on this point. The Government commentary says—and it is clear in the amendment itself—that, while the bill stipulates that there are regulation-making powers, the member’s amendment is silent on whether those should be taken forward through the negative or the affirmative procedure, or whatever. Why is that?

Miles Briggs: Is the member referring to section 27 as it currently appears in the bill? I am trying to work out which part of the bill—

Jamie Hepburn: It says here that section 28 sets out “Regulation-making powers”.

Miles Briggs: I do not have those notes in front of me, so I am not quite sure what the Government has said in relation to where the provision would sit.

As things stand, the review function sits only within section 27, and it is important that we look at expanding that. My understanding is that the review under section 27 would take place only every five years—it is not a panel to look at reviewing the detail of any death that does occur—so I do not think that the two provisions are comparable.

To try to answer the question, the establishment of the panel under my amendment would also then be reportable to the chief medical officer, which is where the Government would have a role in ensuring that that information is made available to ministers and to the wider public.

To conclude, I hope that the need for the establishment of the panel is clear. It is important, if the bill proceeds, that we understand the information and have it all made centrally available, in order for us to know how the bill is operating and to ensure that there is consistency. It would also enable our medical professionals to come together to review and discuss cases and make sure that everything that we have discussed, after sitting for a number of days now, is being looked at properly, that best practice is being provided and that we are learning as the bill is taken forward. If we do not have the opportunity to put in place the panel, as I said, we will not have all that, so I urge MSPs to vote for my amendment 293.

Liam McArthur: I offer a word of consolation to Daniel Johnson, if I may—you have not really cut your parliamentary teeth until you have had to stand up and speak against your own amendment because you have only belatedly realised that it

would do the exact opposite of what you had intended it to do.

I will speak first to my own amendments. Amendment 74 would insert a new provision into the bill. Its purpose is to give the Scottish ministers appropriate powers to ensure that the process for lawful assistance to end life as set out in the bill's provisions can be integrated into existing NHS services and existing legislation regulating the provision of health and medical services can be modified as necessary to integrate lawful assisted dying.

The amendment is intended to operate in tandem with section 20A of the bill—inserted by Jackie Baillie at stage 2—which helpfully deals with the provision of assistance outwith the NHS. Section 74(1) would allow arrangements to be made

"for the provision of an assisted dying service"

made lawful through the bill. Amendment 73 would ensure that the definition of "assisted dying service" is closely tied to the provision of assistance under the bill.

The power that amendment 74 would provide to the Scottish ministers is, by necessity, a wide one, given the need for flexibility due to the complexities of Scottish health legislation, while still being tailored to the purpose that I have already mentioned. In other words, it would enable modification across the range of existing health legislation to allow for the necessary changes to be made to integrate assisted dying services with the existing services that are provided under the NHS.

Ross Greer: I have an instinctive hesitation about providing the Government with more Henry VIII powers, so I wonder whether the member can help me out. I am wondering what it is that is lacking in section 31, which gives the Government ancillary provision powers, and, indeed, in the National Health Service (Scotland) Act 1978, which underpins a lot of this. Both of those already give Government pretty broad powers in this area. What is the member envisaging that may be necessary that would not be covered, particularly by the section 31 powers in the bill? I am sure that he is coming at the issue from a position of good faith and I am minded to support him, but I have an instinctive concern about any provision of more Henry VIII powers to any Government.

Liam McArthur: In a general sense, I share the concerns that Ross Greer has identified. He is right that the provisions in section 31 already accommodate quite a bit of what I have set out. However, for the sake of completeness, and in recognition of the breadth of health legislation and the need for the Government to put in place a comprehensive system that addresses all aspects of the delivery of the service, I consider that amendment 74 and the consequential amendments to it are necessary to allow for that flexible approach.

Pam Duncan-Glancy: I have read the detail of amendment 74 and listened carefully to what Liam McArthur has just said. Is his vision or understanding that parts of the NHS would sit side by side, so that, for example, something that is already part of an NHS estate could be remodelled to include an assisted dying service? Is that the sort of thing that he thinks could be done through the regulations?

Liam McArthur: I have said from the outset that I envisage assisted dying to be an opt-in service. That has been reflected in some of the changes that I have made to the bill since its introduction. I have also recognised that the service will look different in my part of the world compared with the part of the world that Pam Duncan-Glancy represents. That reflects the delivery of health and care as things stand, and I think that it is the only way of making this work.

As I will come on to explain, part of the purpose of my amendments in this group is to give the Scottish ministers the power, by way of regulations and following consultation with the sector and with individual health boards, where appropriate, to set out how they envisage the delivery of the service. That would help to address the issues that Fulton MacGregor aims to address with his amendments—which I will come on to in a second—particularly access issues, which he rightly indicates can be problematic in more rural and island areas. The model that he describes exists in places such as Queensland and reflects the rurality of such places. That option needs to remain available, but it is not the only option.

As I said, the approach that I am seeking to take here is to allow the Scottish ministers, along with the sector and other relevant stakeholders, to develop that structure. Amendment 74 would create a consultation requirement to ensure that stakeholder views inform regulations that are made under the provision. The affirmative procedure would apply, giving the Scottish Parliament the final say on implementation.

I believe that my amendments in the group are the best route to ensuring that legally assisted dying can be safely, securely and appropriately delivered through existing NHS services.

I support Jackie Baillie's amendment 48, which would ensure that the correct term, "Social Care and Social Work Improvement Scotland", is used in section 20A. I also support her amendments 66 and 69, which would provide that regulations under section 20A(1) are subject to the negative

procedure—except for the first regulations made under that section, which would be subject to the affirmative procedure. That would correct an omission that was made after stage 2.

Ms Baillie's amendments 240 and 241 would adjust section 20A to require ministers to specify in regulations

"any settings or services where assistance must not be provided"

outwith the NHS. As section 20A stands, that would be something that regulations may include. I think that the provision as it stands is more pragmatic and provides flexibility for ministers, but I have no objections to Ms Baillie's amendments in that regard.

Fulton MacGregor's amendments 250 and 309, which would establish local services, would enable equitable access to dying people who wish to choose the end-of-life option. A similar system operates in some Australian states. However, as I said at stage 2, it should be for the sector to determine how to manage the assisted dying process within the parameters of the bill. Therefore, my sense is that it would be for the sector to determine whether each health board should or should be free to set up a specialist service.

20:15

Clare Adamson: I seek clarification. The member said that the service would be provided for patients within the NHS, but I am conscious that, once some patients access palliative care services or a hospice, they may no longer be funded through the NHS. Has the member given any consideration as to how that might affect those who are administering assisted dying for a patient or those who may not want to take part in the process?

Liam McArthur: The point that Clare Adamson makes highlights the need to ensure that the service is taken forward in consultation with the sector. It speaks to the points that I made earlier in response to Ross Greer's question. Helpfully, Jackie Baillie's amendments at stage 2 set out standards and parameters for the delivery by the public sector. The set of amendments that I am proposing in this group would provide flexibility.

Pam Duncan-Glancy: I hope that I am not testing Liam McArthur's or other members' patience by intervening. The member would probably agree with me that, given some of the changes that might be necessary to create an assisted dying service within the NHS, his amendment 74 has the potential to make significant structural changes to the NHS—in its functions, its estate and in a number of other areas. Would a parliamentary process be attached to those regulations? Does the member think that enough scrutiny would be applied to what is being proposed?

Liam McArthur: Pam Duncan-Glancy makes a fair point. That is why it needs to be done sensitively and in consultation with those who would be directly affected. There would be an option for parliamentary oversight through the subsequent approval of the regulations, and parliamentary oversight would be provided on the back of the work that would be carried out by ministers in consultation with the sector.

I will not reflect on Daniel Johnson's amendments and will draw a diplomatic veil over them.

I turn to Miles Briggs's amendment 293, which proposes that an assisted dying review panel be set up. As I said at stage 2, I understand the rationale—which he set out very clearly—but I am concerned that such a panel would duplicate existing rules and processes, which involve detailed reporting requirements throughout, not simply for a five-year review, but for on-going annual reviews. He anticipated what I was going to say about the evidence that the Crown Office gave to the Health, Social Care and Sport Committee, which pointed to the Scottish fatalities investigation unit's responsibilities in that area. I observe the Scottish Government's view at stage 2 that the proposed review panel would play a similar role as that provided for in section 27 of the bill. On that basis, I cannot support amendment 293.

Like Jackie Baillie, I thank all members for offering the Parliament a suite of options on which to reflect and vote.

Miles Briggs: It feels as though there is a gap for medical professionals who would undertake this work in different parts of the country, in terms of understanding how learning and reviews will be implemented across Scotland. What does the member think that the bill can do to ensure that that is improved? I do not think that section 27, which proposes a review after five years, offers a strong enough process. The minister may touch on that in his remarks—he is shaking his head, so maybe not. It is important for medical professionals so that they would have confidence that reviews would take place and so that the learning can be taken forward.

Liam McArthur: That is a valid point to make and concern to raise. Review and peer support for the medical professionals that would be involved in this will be important for overall governance. I would anticipate that being taken forward—probably by the professional bodies themselves—subsequent to the act being put in place. Certainly, that is the model that applies in other jurisdictions.

I hope that the Parliament will support the more flexible approach that is set out in my amendments.

Neil Gray: Amendment 48 is a necessary technical amendment—I think that that is two in a row that Jackie Baillie and I are agreeing on—which assists Jackie Baillie to correct the name of the Care Inspectorate in section 20A.

On amendment 250, setting up individual specialist services in each health board area would have major financial implications and, given the small numbers of people who are expected to request an assisted death, particularly in the early years of implementation, it seems likely that many of those local services would receive no, or very few, requests.

On amendment 292, I note that setting up an assisted dying registrar would have financial implications, although the amendment provides that those could be lessened by nominating an existing body to carry out the functions.

The only comment that I can make on Miles Briggs's amendment 293 is that the establishment and running of a review panel, as provided for by the amendment, would be likely to have major financial implications. I have no comment to make about the timescales.

For the remaining amendments in the group, the Scottish Government has no comment other than technical points to be found in its commentary.

The Deputy Presiding Officer: Jackie Baillie to wind up and press or withdraw amendment 240.

Jackie Baillie: For the record, I would never, ever describe Daniel Johnson as "silly". That said, I will not detain members for much longer—there is no need to add anything substantial to my original comments.

I am struck by the fact that, while some of the amendments are technical and enjoy the support of the cabinet secretary, some are about operational and delivery issues. It worries me that we have not alighted on a clear model of delivery. It is clear that, if the bill passes, there is more work to do on that. If it is to be successful, good law requires thought from those legislating to consider implementation and delivery. It would have been helpful to do more work in that regard and I am sure that, if the bill passes, more will be done.

I press amendment 240.

The Deputy Presiding Officer: The question is, that amendment 240 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

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)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
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)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hoy, Craig (South Scotland) (Con)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)

McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Burgess, Ariane (Highlands and Islands) (Green)
Chapman, Maggie (North East Scotland) (Green)
Dey, Graeme (Angus South) (SNP)
Eagle, Tim (Highlands and Islands) (Con)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Harvie, Patrick (Glasgow) (Green)
Mackay, Gillian (Central Scotland) (Green)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)

Abstentions

Arthur, Tom (Renfrewshire South) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Mountain, Edward (Highlands and Islands) (Con)

The Deputy Presiding Officer: The result of the division is: For 110, Against 9, Abstentions 3.

Amendment 240 agreed to.

Amendments 48 and 241 moved—[Jackie Baillie]—and agreed to.

After section 20A

The Deputy Presiding Officer: Group 15 is on referendum and reviews of act. Amendment 112, in the name of Stuart McMillan, is grouped with amendments 251 to 255, 117 to 119, 297 to 299, 313 and 314.

Stuart McMillan: I will focus my comments on amendment 112, because it is distinct from the other amendments in the group. Amendment 112 would provide for a referendum on the bill to be held no later than 7 November 2028. I chose that date to allow the section 104 order process to be completed, which ordinarily can take up to 18 months, although, as we now know, that would not be the case for this bill.

Crucially, if the bill were to be passed next week, it would be incomplete, because the section 104 order process would still have to be undertaken. As such, we would be asking the UK Government to act on the wishes of the Scottish Parliament, and we cannot guarantee that those wishes would be delivered accordingly.

Given the subject matter and Liam McArthur's engagement with members across the chamber, I believe that the UK Government would deliver something in accordance with the wishes and views of the Scottish Parliament—I genuinely believe that it would try to honour the will of this Parliament. However, we would be basing that on trust. We would give the UK Government the power to undertake the work on the section 104 order, and we would have no role thereafter.

Ultimately, amendment 112 would allow the Scottish electorate to have their say on what would be complete legislation once the section 104 order process had been concluded. That would mean that the public knew exactly what the bill entailed. People would be able to scrutinise all aspects of the bill, and they would know what every aspect of it involved.

Jamie Hepburn: I have no problem with the notion of putting things to the people per se, but I wonder what the practical effect of amendment 112 would be. The amendment says that there would be a referendum, but it does not specify what would happen, depending on the outcome of it.

Stuart McMillan: The amendment is about the general aspect of having a referendum. I absolutely appreciate and accept that, afterwards, further dialogue and discussion would be needed. However, this issue is of fundamental importance in the eyes of the many people in my constituency who have been in touch with me and of many folk across the country. This is a very contentious issue—there are people who support the proposal, and there are people who are very much against it.

Kate Forbes: On Stuart McMillan's point, there are, of course, differences of opinion in the chamber on the core bill, but we all agree that it should be scrutinised and made in Scotland. Although I am afraid to say that I do not support amendment 112, which would provide for a referendum on assisted dying, I am struck by the member's argument that a section 104 order, in essence, allows for no scrutiny at all by any of us here on the employment rights of our doctors and nurses. Putting total trust in the UK Government is a pretty hard ask for a nationalist, so I understand the sentiment that underpins the amendment, although I disagree with the proposal on a referendum. Does he, as a fellow nationalist, appreciate where I am coming from?

Stuart McMillan: I absolutely do. I understand that sentiment.

I tried to keep the constitutional element out of my proposal. I wanted to focus on the section 104 order process, because constituents, irrespective of their constitutional view—there are those who have the same view as the Deputy First Minister and me on this Parliament, and there are those who have a different view—have been in touch with me to ask for a say on the final bill, if it is passed next week, following the section 104 order process.

Alasdair Allan: I appreciate the frustration that Stuart McMillan has expressed, which is felt by people from various parties, about the situation relating to the section 104 order. He mentioned that this is a contentious issue, but does he accept that the Scottish Parliament deals with all sorts of contentious issues and that, in a representative democracy, it is normal for people's elected representatives to sort them out, unless it is a rule-changing constitutional issue?

20:30

Stuart McMillan: Certainly. As we know, there is no written constitution across these islands. I would gently push back to Dr Allan that the constitution that applies in these islands is not really worth the paper that it is not written on.

What I am proposing is to allow the public to have their say. Let the public decide. We have discussed a range of amendments. We are on day 3 and we are back in again tomorrow. Some amendments have strengthened the bill, while it could be argued that other amendments have weakened elements of it—I am thinking back to amendment 94, which was discussed earlier.

Whatever stage we get to next Tuesday, if the Parliament votes to accept and pass the legislation, it will still be incomplete because of the section 104 order process.

Brian Whittle: I have been involved in two referenda and neither of the two of them resolved the matter at all. There is still considerable consternation from the losing sides, and they tend to move. I wonder whether that is really the best way to resolve such an issue.

Stuart McMillan: Sadly, I have been on the losing side of the two referendums that I campaigned in, but the concept of referendums is important. They are a valuable tool for democracy. Just because there is no long history of having them across these islands does not mean that they are a bad thing. They are a valuable tool. I look at different jurisdictions across the world that use them more regularly, whether it be the Republic of Ireland, states of the US or Switzerland, to name just three examples. The concept of utilising referendums gives the public a positive opportunity to engage on particular issues.

Paul O'Kane (West Scotland) (Lab): Stuart McMillan referenced the Republic of Ireland. He would recognise that there is a constitutional provision in Ireland that says that, when there are to be amendments to the constitution, they are decided on by referendums. There is a variation of opinion in the state about whether that is the best way to decide elements of the constitution, which is obviously very different from the approach here. Crucially, a detailed citizens assembly process takes place before the development of a referendum there, which allows the question to be designed and the campaigning sides and all of that to be considered, for example. Does the member accept that we do not have that infrastructure here?

Stuart McMillan: I thank Paul O'Kane for raising those points. I do not disagree with his comments about the Republic of Ireland; that certainly highlights an approach. I will play with one constitutional point—the fact that, although there are some limitations on this Parliament's powers, I do not consider that to be a hindrance to the opportunity to allow the population of Scotland to have their say on a really important issue.

John Mason (Glasgow Shettleston) (Ind): The member has had a few negative comments, so I will give him a positive reaction. Does he agree that one of the differences between the 2014 independence referendum and the Brexit referendum in 2016 was that in 2014 the whole population got really engaged, thought it through, discussed it on the buses, heard it everywhere and made an informed choice? I happened to disagree with that choice, but that process gave that referendum a legitimacy, despite what has been said. The Brexit referendum was very rushed and I would suggest that people had not thought it through. Does Mr McMillan agree that there needs to be a proper length of time for people to think the

matter through, but that we could have confidence in the Scottish population to make a wise decision?

Stuart McMillan: I thank Mr Mason for his comments, and I do not disagree. The purpose of the amendment and the timescale would allow for that length of time.

As I indicated in my opening comments, the section 104 process would normally take up to 18 months after the stage 3 process finished in the chamber. I considered that that length of time would be advantageous to allow for the section 104 process and for campaign teams to get together—whomever they involved—to have the opportunity to engage.

It is fair to say that the population is engaged in the issue. I know that based on the folk who have been in touch with me, and I dare say that, based on discussions that I have had with colleagues, we have all had hundreds of emails, letters and phone calls coming into our offices, in addition to whatever is on social media.

Miles Briggs *rose—*

Stuart McMillan: I will take an intervention from Mr Briggs in a wee moment.

This issue is engaging many people across the country. I feel that, if we do not have the opportunity to have a referendum in the future on the bill and the section 104 provisions after they pass through Westminster—provided that the bill passes next Tuesday—it could have a negative impact on many constituents.

I will take Mr Briggs's intervention now.

The Deputy Presiding Officer: I ask Mr Briggs to be brief. Mr McMillan has been extremely generous in taking interventions, but I feel sure that he will very shortly—after Mr Briggs's intervention—come to a conclusion.

Miles Briggs: When a similar amendment was debated at stage 2, Stuart McMillan could not provide costings for holding a referendum. Does he have that information now that we have reached stage 3?

Stuart McMillan: No. I purposely did not provide that, because I feel that, when it comes to referendums, the aspect of democracy and having the opportunity for the public to have their say far outweighs the argument about the cost. That was one of the considerations that the Government mentioned in its notes for stage 2. With that, I am happy to conclude my remarks.

I move amendment 112.

The Deputy Presiding Officer :I call Audrey Nicoll to speak to amendment 251 and other amendments in the group.

Audrey Nicoll: During the consideration of stage 3 amendments, there has been on-going interest in how the bill might impact our palliative care provision, and not least our hugely valued hospices. As colleagues who represent constituencies that contain a hospice will know, they are very dependent on charitable giving; they rely on it for approximately two thirds of their income.

Therefore, we must tread carefully in crafting the bill to ensure that the already delicate funding situation for our hospices is in no way weakened. Amendments 251, 253 and 254 would alter section 22A to require formal assessment of the act's impact on hospices and palliative care every three years after it comes into operation. The amendments would ensure on-going monitoring rather than a single discretionary review and would require publication within six months, which would enhance transparency.

Marie McNair: Does Audrey Nicoll share my concerns that the evidence clearly shows that there is no favourable impact from assisted dying on funding for palliative care? The law has led to the closure of hospices in Canada and the reduction of palliative care funding in other countries that have legalised assisted dying. Does the member agree that it is false to suggest that assisted dying has had no impact on palliative care funding? There is clearly anxiety across the hospice movement at the moment.

Audrey Nicoll: I agree with the points that the member made, and the concerns about the impact of introducing assisted dying legislation on palliative care provision. I am aware that research in Europe shows that there has been a clear trend in palliative care funding being devalued. Where care funding has increased, it has not been anywhere near in line with funding in countries that do not have assisted dying. That has increased significantly. I take the point that the member made, and I agree with it.

Rona Mackay: I will repeat an intervention that I made yesterday. A House of Commons inquiry found no evidence of palliative or end-of-life care deteriorating following the introduction of assisted dying, and it observed that assisted dying often acted as a catalyst for improvement. That was a 14-month inquiry by the House of Commons, so I am not sure what evidence you are referring to.

The Deputy Presiding Officer: Always speak through the chair.

Audrey Nicoll: I would not argue with those findings, and I am sure that that evidence is robust, but there is evidence elsewhere that reflects a very different picture. The thrust of my amendments is to ensure that we can monitor, using an on-going

method, the impact of an assisted dying provision on palliative care.

By linking to section 22A(2), the assessments would cover staffing, operations, funding streams and regulation. That would provide clear evidence of how the act affects end-of-life care services over time, and would enable policy makers and the public to identify and address any emerging pressures or issues. Given the heavy reliance of hospices and palliative care on charitable donations, which can fluctuate depending on factors such as cost of living and sustainability of Government funding, that is significant.

As the anticipated costs of assisted dying have not yet been settled, we must take every precaution to ensure that there are no unintended consequences as a result of passing the bill, if it does pass. I trust that colleagues will feel able to support amendments 251, 253 and 254 as important additions to the bill.

The Deputy Presiding Officer: I call Stephen Kerr to speak to amendment 252 and other amendments in the group.

Stephen Kerr: I am grateful to Stuart McMillan for starting the group off. He provided us with a beautifully crafted diversion from the content of the bill with his discourse on referendums, which I am sure will not be the last time that we hear the word "referendums" in this place.

I will first speak on behalf of Douglas Ross, who says that, in relation to his amendment 252, colleagues from across the chamber will know well the vital contribution that hospices, where we are blessed to have them, make to our communities and to the lives of our constituents. As is well documented, hospices are heavily dependent on charitable giving to provide the services that they do. Strangely, we tolerate a very high level of dependency on public donations to fund end-of-life care that we simply would not tolerate in any other vital area of healthcare. Knowing, then, how vital public donations are—

Neil Gray: I recognise the point that Stephen Kerr is making; however, would he accept that hospices, as valued as they are—I declare an interest as the fantastic St Andrew's hospice is in my constituency—are not the only source of palliative or end-of-life care?

Stephen Kerr: I do not think that Douglas Ross is insinuating in his remarks that that is the case, but he is pointing out that, as I think Neil Gray has just said, some very high-quality end-of-life care is available in hospices. I specifically mention the local hospice in my home area, Strathcarron hospice, which does an incredible amount of good work. I have had the opportunity to be a beneficiary of the excellent work that it has provided for friends and family.

Douglas Ross is saying that we have—whether that is right or wrong—an in-built tolerance of the high level of dependency on public donations to fund that end-of-life care. He is not wrong when he says that that is something that we would not probably tolerate in any other area of our healthcare system. Knowing, then, how vital public donations are to the on-going viability of the hospice sector, Douglas Ross's amendment 252 would clarify that assessments under section 22A must explicitly consider

"funding from charitable donations and other non-statutory sources".

By including those sources, the review would capture the financial realities of hospices and palliative care providers that rely heavily on public generosity. I therefore trust that all members, especially those who are fortunate enough to represent constituencies that include a hospice, will be sure to endorse the amendment today.

I turn to my amendment 298. Group 15 allows us to consider something that sits quietly beneath much of the debate but that matters greatly to the people who will live with its consequences: the future of palliative—

20:45

Christine Grahame: On a point of order, Deputy Presiding Officer. I seek clarification. I have no problem with the member moving an amendment on behalf of Douglas Ross, but is Douglas Ross also voting in this debate? If that is the case, he should not be represented because, if he is voting online, he is, for all intents and purposes, in the chamber.

The Deputy Presiding Officer: I thank Ms Grahame for her intervention. She will recall that, in fact, any member can move amendments on behalf of another member. That has been a long-standing rule of the Parliament.

Mr Kerr, please resume.

Stephen Kerr: I return to amendment 298. I think that I was talking about the importance of palliative and end-of-life care in Scotland—I hope that we will concentrate our minds again on the issues in group 15.

Amendment 298 asks the Scottish ministers to review the funding of palliative and end-of-life care, including the impact that the act might have on the charitable donations that sustain so many of those services. That request is not made lightly. Across Scotland, hospice and palliative care exists today because of extraordinary generosity. Communities raise money, families organise events and

volunteers give their time. Charitable organisations provide services that bring comfort, dignity and compassion to people in the final chapter of their lives. Those services are not peripheral to this debate—they are central to it.

For many people, the reassurance that suffering can be managed and that compassionate care will be there at the end of life is deeply important. The strength of our palliative care system shapes how people think about dignity, choice and the support that is available to them when they are most vulnerable.

Bob Doris: I am sympathetic to Mr Kerr's amendment, but I want to give one note of caution. I hope that in the new session, the Parliament will come together, across party-political lines, to support significantly more investment in palliative care. It is essential that that is done in the next session of Parliament, irrespective of whether the bill before us is passed. Whether or not it passes, I expect to see a significant increase in palliative care funding from the Government. Does the member agree?

Stephen Kerr: Bob Doris and I are absolutely at one—

Christine Grahame: On a point of order, Deputy Presiding Officer. Perhaps I did not phrase my previous point of order appropriately. Mr Kerr is reading out a speech verbatim for a member who is online and is therefore deemed to be present in the chamber. I cannot understand that.

The Deputy Presiding Officer: Ms Grahame, I have already ruled on the matter. I think that a refresh of the rules of our Parliament would be useful at this point—we are at 20:48, which is 17 hours and 52 minutes into our stage 3 proceedings.

Please resume, Mr Kerr.

Stephen Kerr: Bob Doris and I are completely at one on the need for considerably more investment. We also agree on the issue of equality, which has been the theme of some of my remarks during the stage 3 consideration of amendments. The need for people to have a fair opportunity—

Sue Webber: On a point of order, Deputy Presiding Officer. I am trying my best to listen to the remarks and the debate between Mr Doris and Mr Kerr, but all I can get in the background is another member who is chuntering away because they do not accept the order from the chair—[*Interruption*.]

The Deputy Presiding Officer: Ms Webber, please resume your seat. I am not going back on that issue. The position is very clear with regard to the rules. I say to members that we are all tired, but we have to abide by the rules, which call for courtesy and respect toward all members. We have to listen—Mr Adam—to the member who has the floor, which, in the instant case, is Mr Kerr.

Please resume, Mr Kerr.

Stephen Kerr: I did not realise that it would be so controversial to offer the words of my colleague in the debate, but I will certainly take a lesson from this.

This is the third or fourth time that I have agreed with Bob Doris about that need. Is that enough agreement? Have I done enough damage to Bob Doris's career in the Scottish National Party? I probably have.

Bob Doris is right about the fact that the provision of palliative and end-of-life care services is not peripheral to this debate but central to it. For many people, such reassurance is of vital importance, especially at a moment when they are at their most vulnerable. That will probably include many of us who are members of the Parliament at the moment.

Amendment 298 therefore asks a straightforward question: if the bill changes the end-of-life care landscape, what impact might that have on the services that people rely on today? Some providers have already expressed concern that charitable income could be affected if assisted dying were to become part of the legal framework. If public perception shifts, donations may fall. If that were to happen, the consequences would fall not on institutions but on patients and families who depend on those services. That possibility deserves careful attention.

My amendment 298 would require the Scottish ministers to review the funding of palliative and end-of-life care and to examine whether charitable contributions had been affected by the operation of the bill as enacted. It would ensure that, where gaps emerged, the Government would have to step in so that such services would not be compromised. Amendment 298 is not about the Government replacing the role of charities; it is about recognising the extraordinary contribution that they already make and ensuring that their work would not be weakened by unintended consequences.

Whatever view members take on assisted dying, we should never allow the care that we offer to people at the end of life to be diminished. This Parliament has a responsibility to consider not only the principle before us but the wider consequences of the decisions that we take. If the legal landscape on how life may end is altered, we must be vigilant in protecting the care that supports people as they approach the end of life.

Amendment 298 is about that responsibility. It would require us to look carefully at the real-world

effects of the legislation. It would safeguard the sustainability of palliative care provision and would ensure that people who need compassion and support at the end of life would not be left vulnerable to unintended consequences. That must be the watchword for every piece of legislation that we put through the Parliament, but it must be the watchword especially for the bill before us. For legislation that deals with matters of life and death, that is a responsibility that we should accept.

Michael Marra (North East Scotland) (Lab): My amendments 255, 313 and 314 would require the preparation and publication of an independent review of the bill's financial implications. I lodged versions of the amendments at stage 2, and I have lodged them at stage 3 because I do not believe that a satisfactory answer has been provided on the issues that they raise. Indeed, more information has been provided by the Government in the interim, since stage 2.

In my view, there is far too much that we do not know. We have discussed the fact that the bill lacks a financial model. Tonight and tomorrow, we will make decisions, as we have done in previous days, that will affect the overall costs.

As deputy convener of the Finance and Public Administration Committee, I was involved in scrutinising the original financial memorandum for the bill, which was found to be full of holes and significant underestimates. It was also found to be largely silent on key financial implications of assisted dying.

The Royal Pharmaceutical Society Scotland described the estimated cost of £80 per dose to end life as

"a huge underestimate of the actual cost",

while the Royal College of Nursing said that the financial memorandum was

"largely silent on the resourcing implications for nursing, despite the Bill establishing a key role for registered nurses in the process."

Compared with the number of people who had an assisted death in places such as Queensland, the financial memorandum appeared to the committee to vastly underestimate the number of people who would seek assistance to end their life in Scotland. In addition, we found that it did not take account of Scotland's poor health record, which could lead to higher eligibility for assisted dying. Finally, and most critically—

Kate Forbes: Will the member give way?

John Mason: Will Mr Marra give way?

Michael Marra: I will come to members in a moment.

Despite Liam McArthur's insistence that the bill should be accompanied by improvements in palliative care so that people would have a genuine choice, not a penny was identified in the financial memorandum for palliative care.

I will take an intervention from the Deputy First Minister.

Kate Forbes: Mr Marra talked about scrutinising the financial memorandum and he has also referenced a lot of healthcare professionals, such as doctors and nurses. Was there any discussion about the interaction between the UK Government legislating through a section 104 order with regard to employment protections and the effect on devolved finances?

Michael Marra: I confirm that there was no such discussion, because that particular remedy was not known at the time that the financial memorandum was scrutinised by the Finance and Public Administration Committee. The implications have developed quite significantly in recent weeks—we heard the discussion last night about who knew what, where and when—but, certainly, the Finance and Public Administration Committee knew none of that information, as it was not available to us at that point in time.

John Mason: I am on board with Mr Marra on a lot of this. However, he has not mentioned savings, which also came up at the Finance and Public Administration Committee. One of my fears with the bill is that, in future, Governments and the NHS could save money by encouraging early deaths. Does he not think that, as well as extra costs, that needs to be looked at?

Michael Marra: Of course, my colleague Mr Mason, as a member of the committee, raised those issues at the time. I understand that there is a real sensitivity in how the issue is discussed and how that might imply something about motivations on one side of the debate or the other. I do not take a position on that. However, I understand that Mr Mason has strong feelings on the issue, and he is right to put on the record the concerns that he has at this time.

Jamie Hepburn: Mr Marra is legitimately laying out his concerns about the financial memorandum, but I will bring him back to his amendment 255. Again, I am quite relaxed about much of it, and I think that there might be merit in it. However, I am perplexed by the very final part, because he mentioned in his contribution that his amendment provides that a report on the review would have to be

"published and laid before the Scottish Parliament",

which we all understand. However, he did not mention that his amendment goes on to say that that would be

"for approval by a resolution of the Parliament."

What does that mean?

Michael Marra: In my view, the report should be laid before the Parliament for scrutiny, and a vote should be taken on whether it would be approved as a recommendation on the system. That is my view on the amendment, as it was drafted.

Jamie Hepburn: Just to push that further, how do we approve or disapprove of a review? I am not quite following the logic.

Michael Marra: A motion could be lodged and a vote taken on whether the Parliament accepted the conclusions of the review. That would give some kind of legitimacy to the system and its cost. I take Mr Hepburn's point on that, however.

I will make some progress. The Scottish Government's response to the revised financial memorandum gives me little confidence that many of the issues that I am raising have actually been addressed. Those issues were set out recently in a letter from the Cabinet Secretary for Health and Social Care to the Health, Social Care and Sport Committee on 26 February. As the delivery model for the bill remains unclear, the Government is warning us that

"any discussions around costs are, at this point, purely illustrative."

The Scottish Government disagrees with many of the assumptions that have been made in the revised financial memorandum, such as that the provision of assisted dying would be "absorbed" into "existing budgets". That is not the case, says the Government. The financial memorandum says that the bill would have "minimal" cost implications. That is not the case, says the Government. The memorandum says that data collection from Public Health Scotland would be

"minimal and covered by existing budgets".

Again, the Government says that that is not the case.

It is abundantly clear that, even with a revised financial memorandum, Parliament has no idea how much the legislation would cost. The letter from Mr Gray also states that funding the costs would require "a degree of reprioritisation" and that negative impacts would be kept "to a minimum". That would mean cuts to other parts of our NHS to pay the costs of this service—that is absolutely clear.

I will also comment on the fact that there is no mention of assisted dying in the budget for 2026-27, and nor is there in the Scottish spending review, which covers the next three years. In the discussion that we have just had, Mr Doris pointed out that he would like to see more funding for palliative care. Again, there is no additional money for the expansion of palliative care in the 2026-27 budget, and no money is earmarked for the expansion of palliative care in the Scottish spending review, which sets out the spending plans for this Government and the trajectory of spending for the next three years for whoever forms the Government after the election.

21:00

Promises have been made by both sides of the argument. People who are in favour of assisted dying say that we should have enhanced palliative care as an alternative to assisted dying, but there is no allocation of money. People who are opposed to assisted dying wish to see more and improved palliative care as a true alternative, but, again, no money has been offered. We should be fundamentally honest that there is no money. Of course, future Governments can change that position, but the spending plans of this Government are set and no additional money has been allocated for palliative care.

Audrey Nicoll: I am keen to remind members that the provision of palliative care is not just the provision of that care itself; it includes workforce planning and staff training, often in specialist roles, and there are potentially significant additional costs for colleges, universities and other teaching environments.

Michael Marra: Audrey Nicoll makes the fair point that any expansion of that service will come with more than the direct cost of providing care and that any scaling up of palliative care would take both time and resource. We all share an aspiration in that regard, but we must consider the bill on the basis of what is in front of us when no money has been allocated for any of that—none.

No one here, whatever their political views, would question the considerable strain that our NHS is under or the fact that health budgets look set to be tight in the coming years, given the rising demand across Scotland. The Scottish Fiscal Commission is clear about that trajectory. We know that the money to pay for the bill will come from those resources, so Parliament would be neglecting its duties if it did not ensure robust financial oversight and scrutiny before the legislation is implemented.

My amendments would require Parliament and Government to acknowledge the significant costs that would be involved, to put that on the record, to approve spending and to say where that money should come from. I urge all members to support the amendments.

Turning briefly to other amendments in the group, I am happy to support the amendments from Audrey Nicoll, Douglas Ross, Bob Doris, Jackie Baillie, Sue Webber, Jeremy Balfour,

Stephen Kerr and Miles Briggs because they all, in various ways, aim to increase data collection, which I think is essential. I urge members to vote against the amendment from Stuart McMillan.

Bob Doris: I am not sure that the concept of a referendum was actually Stuart McMillan's idea, but I am sure that he will take the credit for it.

No matter our views on assisted dying, we surely all believe that it is essential to include adequate mechanisms by which we can monitor the impacts, effectiveness and safety of the bill, should it become law. Given the complexity and nature of the issues involved, it is crucial that we have baked-in ways of understanding how the legislation is working in practice from the outset and that is what my amendment 117 relates to. It would add several important items to the list of matters to be included in the five-year review of the legislation. Much of our debate in the many—now 18—hours that we have spent here has revolved around the registered medical practitioner assessments dealt with in section 6 of the bill and the requirements for those as set out in section 7. My amendment 117 would ensure that any review explores the extent to which the requirements set out in section 7, as amended, have been undertaken. It would also ensure that the documentation, statements and so on have been compiled in accordance with the provisions of the bill.

Similarly, the review would have to consider the information on assisted dying that is made available to relevant professionals and to those wishing to have an assisted death. Once again, provisions on that are contained within the bill. The review would also have to consider the information made available to the Scottish Government by Public Health Scotland, a lot of which relates to amendments to be considered in group 20. That information is essential if any review is to be meaningful and informed.

Also, and most significantly, a review carried out in line with my amendment 117 would have to examine

"the operation and effectiveness of any safeguards within this Act".

I understand that there has been some debate about the effectiveness of the safeguards and provisions in other jurisdictions, but if the bill is passed, we will not be scrutinising other jurisdictions; we will be scrutinising the act that will be in force in Scotland and therefore must build in a review that will work properly here in Scotland. We must ensure that any review carried out here, should the bill become law, collects robust data on assisted dying while examining in some detail, and in an informed way, whether the various concerns about assisted dying have been realised.

I did not want to intervene on Mr Marra, so, as my final comment, I note that there is an increase in palliative care funding in the budget. However, it is not enough of an increase, and we need to see far more funding in that area.

Michael Marra *rose—*

Bob Doris: I will not take an intervention—it is the only time in the debate that I will not do so. I just wanted to put that point on the record.

Jackie Baillie: I lodged amendment 118 on behalf of Hospice UK. The amendment would ensure that the five-year review of the assisted dying legislation considers the effectiveness of the code of practice, which is set out in section 22B of the bill. Members will know that the aim of the code of practice is to ensure that palliative and end-of-life care services are supported if assisted dying is legalised, and that any negative impacts are mitigated and managed. Amendment 118, if members support it, would ensure that, when the implementation of assisted dying legislation is reviewed, the impact on palliative and end-of-life care services is considered, including, for example, whether any changes to staff training for those working in palliative care are needed, or whether additional guidance should be provided to hospices.

Amendment 118 is similar to an amendment that I lodged at stage 2, but it takes a narrower approach that is tied more specifically to the code of practice, which now forms part of the bill. There are many potential ways to review the effectiveness of the code of practice as part of that five-year review. For example, hospices or palliative care providers could be consulted on how well the code of practice has supported them. Unfortunately, the Scottish Government's commentary on the amendment does not acknowledge that narrower approach, although I hope that the cabinet secretary will do so in his remarks. The Scottish Government's commentary repeated comments that were made at stage 2 about data being required from Public Health Scotland. I point out as gently as possible that the key outcome of the Scottish Government's palliative care strategy is to improve data collection and that amendment 18 would fit neatly with that approach.

Michael Marra: Jackie Baillie might want to recognise that, in the 2026-27 budget, there is an increase in resource funding for palliative care, but it is to pay staff more money. The point that I made in my speech was that there is no resource to expand capacity in palliative care. Does Jackie Baillie recognise that?

Jackie Baillie: I, of course, recognise that as being true.

Sue Webber: Amendment 119 would strengthen the statutory review by requiring Scottish ministers to examine, document and report on potential risks, failures and unintended consequences arising from the operation of the legislation. It would ensure that the review considers clinical safety, the effectiveness of safeguards against coercion or undue influence, the accuracy of eligibility assessments and any differential impacts on vulnerable groups. The amendment proposes transparency, evidence-based evaluation and informed parliamentary scrutiny of how the legislation operates in practice.

We have discussed the importance of recording key outcomes of the bill, and I have spoken about the side effects of the drugs. However, we must also record other differentials. Last week, we heard from Tanni Grey-Thompson, who reminded us that the six-month prognosis can be very different for someone who has economic means compared with someone who does not. Doctors might consider someone who is homeless or without family support as having a shorter prognosis than someone who has money to spend on treatments and care and who has a supportive family around them. Earlier in our stage 3 considerations, we also heard about the difficulties in making an accurate prognosis and the factors that can affect that. All those things must be recorded and reported on to ensure transparency and safeguarding.

We cannot have a bill that impacts the vulnerable differently. Amendment 119 would simply ensure that those differentials are recorded and monitored so that we can act if we see those who are homeless, those living in poverty and the disabled being pushed into an assisted death due to circumstances rather than illness.

Colleagues, that will happen. The length of prognosis for someone living in poverty will be different from that for someone who is not living in poverty, and, as I have said before, the bill is deeply flawed and will impact those who are already struggling to a greater extent than those who are living with means. It is shocking that we have to consider such a situation and that I have to lodge an amendment that does nothing to stop it and only records it, but that is where we are. Although I remain steadfastly against the bill, I am doing what I can to raise awareness around some of the issues that it contains and around the ways in which we can protect the most vulnerable in Scotland.

Jeremy Balfour: Before I turn to my amendment—members will be glad to hear that I intend to be very brief—it would be helpful if the cabinet secretary could give us some indication of the financial cost of this. I have been in the Parliament for 10 years and have never been in a position where we have been asked to pass a bill without any concept of the costs. I appreciate that that will take time to draw up, but will it be funded in year 2, year 3, year 4 and so on? I appreciate that the Government is neutral on the bill, but whoever forms the Government after May will have to fund it. For us to pass legislation when we have no concept of the costs seems rather strange.

I turn to my amendment 297. It is an important amendment that would introduce a requirement for Scottish ministers to review and report specifically on the interaction between the operation of the bill and suicide prevention. It would ensure consideration of overall suicide rates, any cases where individuals might have benefited from alternative interventions, the effectiveness of procedures for identifying and supporting those who are at risk and any unintended impacts on mental health or suicide prevention measures. It would promote transparency and accountability and, as always, the protection of vulnerable individuals in relation to the broader public health implications of the bill.

It closely follows an amendment from Stephen Kerr, which suggests recording and reporting on the impact of the bill on suicide prevention services. Amendment 297 builds on that. I believe that it will help if it is agreed to, and I hope that colleagues will support it.

Miles Briggs: We have a good set of amendments in this group. I worked with Marie Curie Scotland on amendment 299 and on amendment 288, which is in group 20 and which we will come to tomorrow. One of my concerns about the bill from the outset has been the aspect that no one should choose an assisted death because they cannot access the care and support that they need. As we go through the process, that is one of the hardest aspects for anyone who will vote for the bill, because the number of people dying in Scotland is rising every year, and 90 per cent of them need some form of palliative care. I undertook my Right to Palliative Care (Scotland) Bill consultation with Marie Curie to look at how that can be improved.

It cannot be ignored that our palliative care and end-of-life system is currently in crisis, with significant inequalities in access to care, unmet need and highly variable quality and distribution across the country.

Kate Forbes: I know that Miles Briggs takes a huge interest in palliative care, and I am very conscious that members across the chamber think that, irrespective of what happens with the bill next week, we should focus on palliative care. What is his vision for the future of palliative care in Scotland?

Miles Briggs: I thank Kate Forbes for that intervention, and I will come on to that point.

It is important to put this on record, because many people who have dedicated their lives and careers to our palliative care service have watched this debate, and I do not want them to think—as I know that some will—that we have spent any time talking the service down. They work across our communities to deliver for individuals and families at the most challenging times in their lives. They do amazing work, and we should all thank them for what they do day in, day out across our country. [*Applause*.]

We know that 18,500 people across Scotland each year die with significant unaddressed symptoms and significant concerns about their care, and that almost one in three people do not have their palliative care needs met.

21:15

To try to answer the Deputy First Minister's question, I note that this debate is taking place ahead of an election and, in that campaign, we need to be honest—all of us, from all political parties—about what will be needed in the next session. It comes down to funding models.

After the election 10 years ago, I worked with Children's Hospices Across Scotland to lobby the then health secretary, Shona Robison, on match funding and I was pleased when she announced a 50 per cent funding package for CHAS. That funded hospice care for children across Scotland, and it was a really important step forward in meeting the funding needs of that sector. We have recently seen money put into the budget for that sector, but not what the sector asked for. The sector asked for £13.5 million to enable it to meet the agenda for change measures, but it did not even get that. If we cannot help it to match NHS funding, how can we look at the wider unmet need? There will be additional costs in future to meet the service needs that will be involved in enabling people to die at home, which is where people want to die. I hope that all our manifestos will be honest about that cost.

Whoever forms the Government after this election will have to seriously look at developing a new funding model for the hospice sector. What that sector does should not be brought into the NHS—I am not advocating that, as that would mean that the service would lose much of its quality as well as the personalisation of the service for families and individuals across our country. It needs an opportunity to meet that need on its own and to have access to safe funding models that will enable the service to be delivered in each and every one of our communities. I thank all the members who undertook local consultation exercises as part of the wider consultation that I undertook along with Marie Curie.

Amendment 299 would require there to be a five-year review involving Scottish ministers' assessment of the

"availability, quality and distribution of palliative care services to people with palliative and end-of-life care needs",

the

"availability of information to such persons about accessing palliative care services"

and the implications of the legislation that we are discussing for palliative care services. It would also require Scottish ministers to set out their assessment of the action that they intend to take in relation to palliative care services as a result of the review.

Regardless of the outcome of our deliberations on the bill, I hope that the current debate will provide a catalyst for further improvements to be made to the quality and availability of palliative care services across our country.

Alasdair Allan: I wish to comment on amendment 112, which proposes that the bill could be the subject of a referendum after royal assent. I realise that my friend Stuart McMillan feels strongly about the issue—I also realise that he is sitting directly behind me. However, I believe that, in a representative democracy, referenda should be reserved for major changes on constitutional questions. That is a tradition that has grown up in Scotland and the UK over the past 60 years, although I stress that I am not making an argument from tradition; if I thought that the tradition was mistaken, I would say so. Indeed, the UK has not been responsive enough to demands for constitutional referenda.

Some mention has been made of the Republic of Ireland, and it is true to say that Ireland has referenda on issues of the kind that we are debating here today. However, as Mr O'Kane pointed out, that is because those questions involve changing parts of the 1937 constitution, which requires that all constitutional amendments be put to a referendum.

If we lived in ancient Athens or in some cantons of modern Switzerland, it is possible that referenda might form an established part of our day-to-day legislative process. However, I genuinely fear what would happen if we were to set a precedent today of moving to referenda on individual non-constitutional pieces of legislation. Without using hypothetical examples, I can say that, if we were to go down that route, it is easy to imagine situations in which some angry majority in the country might, at some stage, decide to whip up online hostility against some minority or other and

then seek to press for a referendum on their interests.

I can understand the motivations that members might have for considering supporting amendment 112. They have been gone over. It is tempting to try to find some way of moving this difficult debate into another sphere. However, after many months of public engagement and debate, and after many days and nights of parliamentary scrutiny, the public expect us to make decisions.

John Mason: I understand the risks of amendment 112, but one of our challenges has been to engage the public more in decision making. We have tried different approaches, such as citizens assemblies. It was because there was a referendum in 2014 that people thought about independence in much more detail. Does Alasdair Allan not think that people would think assisted dying through in greater depth if there was a referendum?

Alasdair Allan: I accept the point about the validity of referenda. I am merely making the point that they work best when we are talking about changing the rules of the game through some major constitutional change.

The public rightly hold us to account at elections. Constitutional questions aside, that is how representative democracy should work, so, respectfully, I cannot support Mr McMillan's amendment 112.

Murdo Fraser: I pressed my button to speak briefly on amendment 112, in the name of Stuart McMillan, but Dr Alasdair Allan has made nearly all the points that I was going to make, so I will not elaborate much further. I agree with him about the constitutional and political tradition that we have, in which we have referendums only to deal with major constitutional matters. To start proposing them on other matters—social matters or changes in the law—could take us down a different route.

We have a political tradition for elected members of Parliament that is best summed up by the writings of the Ireland-born philosopher and English politician Edmund Burke. Two centuries ago, he set out the responsibilities of members of Parliament. We come here not as delegates but as representatives. Members of Parliament are elected to exercise their judgment once they are elected. We are not here to represent exactly the views of everybody who votes to put us into Parliament; we are here to exercise judgment.

Dr Allan made a reasonable point as he concluded. We have seen it elsewhere that, sometimes, people will vote in referendums not on the topic that is on the paper in front of them but to cast judgment on wider issues—for example, on whether the Government of the day is doing a good job. We have seen that in referendums that took place elsewhere in Europe and, indeed, in Ireland, in which people voted not on the question that was before them but on different matters. That is what makes referendums on topics such as assisted dying dangerous.

Jamie Hepburn: Apologies, Presiding Officer—I keep pressing my request-to-speak button rather than the intervention button.

I agree with the points that Murdo Fraser and Alasdair Allan have made, but does Mr Fraser not also think that there is another challenge? I made the point in an intervention on Stuart McMillan earlier. Aside from all those issues, amendment 112 does not even point to the practical effect of the proposed referendum. It does not say what would happen next—so what is the point of it, to be frank?

Murdo Fraser: Mr Hepburn makes a reasonable point. Perhaps Mr McMillan can address it in winding up, because the amendment does not specify that.

People who vote in referendums sometimes cast a vote for different reasons. They will not always scrutinise in detail the issues that are before them. Whatever our views on the bill that is before us, we are now 18 and a half hours into scrutiny of amendments, so nobody could reasonably argue that the members of this Parliament are not doing their job properly in scrutinising the legislation. People who vote for us do so trusting us to take such decisions on their behalf. We should accept that responsibility and not try to pass the buck to somebody else.

Keith Brown: I have heard the quotes from Edmund Burke a number of times over recent years. He was giving his point of view about the responsibilities of a member of Parliament. It was a conservative point of view, vehemently opposed by many other people who thought that it was not right. It was not written on tablets of stone—there are many other different versions of what an MP can be.

In relation to Stuart McMillan's amendment 112, I believe that the member has identified a democratic deficit, and I will explain why. Although I am not normally a huge fan of them, I think that it would have been advantageous if we had been able to have a civic assembly go into some of the detail that we have gone into over the past many hours. However, we did not have that and we are where we are.

In my view, the deficit arises in relation to the section 104 order. Although, coming into the debate, I was more concerned about coercion, the section 104 order is a concern of mine now. The point that the Deputy First Minister raised about it

is very important. If the cabinet secretary felt able to intervene, it would be useful if he could say whether he has any understanding of whether what I am about to say about the progress of a section 104 order is correct. As I understand it, once such an order has been agreed between the Scottish Government and the UK Government, it will be submitted to the House of Commons and must be accepted in its entirety or not accepted at all. That is what I have been told, although it may be wrong—I am just looking for confirmation of that.

The Government's commentary on Stuart McMillan's amendment 112 indicates that, if the bill was passed, it would be on the statute book before the referendum that Stuart McMillan proposes could take place. However, I do not know how that can be said, because I do not think that we have a definitive timescale for the section 104 order process.

This is the substantive point that I want to make about the doubt that is in my mind. I was visited by a GP in my constituency who said that she would resign on the day that the bill was passed if it did not sufficiently provide for conscientious objection. She felt that, having taken the Hippocratic oath, she should never be in the position of being involved in assisted dying. She would stop being a GP if the proposals went ahead.

I know that this will be considered contentious by different political parties, although it is not supposed to be, but, if the bill is passed and we go into a section 104 order process, it is not hard to imagine a situation in which the governing party in London does badly in the elections in May and we subsequently have a constitutional environment in which assisted dying is rejected at Westminster but approved in Scotland. Some people might have good faith and trust that the UK Government would honour the section 104 order process, but I do not. I am not making a party political point; I just do not think that we can have that confidence. That is my real worry about the provisions on conscientious objection and other provisions.

Stuart McMillan has rightly identified a democratic deficit, because, if we pass the bill, we will then pass responsibility for it to someone else. The democratic deficit is, as Alasdair Allan said, in relation to representative democracy in this Parliament and MSPs being able to decide on the issue, not so much in relation to people.

I just wanted to voice those concerns.

Neil Gray: I will work my way through the group as quickly as possible, starting with amendment 112, regarding a referendum on what would by then be an act, not a bill—so it would be in statute, with the expectation that it would be implemented. We raised technical concerns at stage 2 that are on the record.

On amendment 118, I am sorry to disappoint Ms Baillie after the request she made of me regarding my summing up. It may be difficult to show a direct correlation between the code of practice and any improvement or decline in support for hospices and providers of palliative and end-of-life care, given that there could be other reasons for such changes, including the work that is being undertaken to deliver on the palliative care strategy, "Palliative Care Matters for All", as I discussed in the debate on group 2, or, indeed, the additional funding that we are providing for hospices. Those initiatives may lead to improvements, regardless of the bill or the code of practice.

On amendment 119, the breadth and level of detail specified may have implications for the scale, complexity and resources that are required to carry out a review. Those factors would need to be considered in implementation.

Amendments 255, 313 and 314 would provide for an independent review of the financial implications of the implementation and operation of the act and for a report on its findings to be laid before the Parliament. I reiterate my comments from stage 2 that the timing of a review could be challenging, given that this is a members' bill. The usual pre-introduction policy development has not occurred, which is an observation that Jackie Baillie referred to in her conclusion to the debate on the previous group.

Should the bill pass, there would need to be a substantial implementation period and consultation with relevant stakeholders to develop the policy framework, during which time the Scottish Government would undertake its own assessment of the financial impact of the bill. Such a review could therefore result in duplication and would be curtailed by decisions needing to be made on implementation, as well as requiring resource. I am also concerned that it is not clear what the effect of Mr Marra's suggestion regarding a resolution of Parliament would be.

21:30

Pam Duncan-Glancy: We have rightly had a lot of discussion about the absolute essential necessity of ensuring that palliative care is supported and funded. Is the cabinet secretary in a position to also guarantee that there would be no cuts to other areas in his portfolio, such as the social care budget, the budget available to integration joint boards or the budget available for child and adolescent mental health services if the provisions in the bill were to be implemented?

Neil Gray: I have put on the record the Government's position about choices having to be made in relation to budgets for the bill. I have also put on the record that the funding of palliative care is the responsibility of integration joint boards; it is not directly funded by the Scottish Government.

Edward Mountain *rose—*

Neil Gray: I will give way to Edward Mountain, but he will be the last in the group.

Edward Mountain: I raised the issue in Parliament the other day, after you wrote to the committee before the stage 3 debate saying that there was no extra funding and that the funding would have to come from within the existing national health budget. Can you confirm that that remains the case and what your estimate would be of the costing?

Neil Gray: I have no estimate of costing. This is a member's bill as opposed to a Government bill, so the usual controls and strictures that apply when the Government leads a bill are not the same. It is impossible for me to say what the current financial cost would be until the conclusion of the bill process, not least because we are voting on amendments that could have financial implications.

On amendment 297, it might not be possible to provide the required information on the impact of the operation of the act on suicide prevention and broader mental health outcomes. Although it would certainly be possible to provide statistics on the number of assisted deaths that have taken place and the suicide rate in Scotland in the same period, it is likely to be difficult to provide any definitive view on whether the former had any direct causation on the latter. The same difficulties arise for other requirements under amendment 297. If it were possible to provide the data that is being asked for, significant investment would be required to set up the processes to gather it.

I appreciate the sensitivities of these subjects, so I ask members to be careful not to conflate suicide and assisted death. I point to the Scottish Government's suicide prevention strategy, which sets out our vision for reducing suicide deaths in Scotland.

On amendment 298, it should be noted that the additional information required in the report would rely on data from Public Health Scotland, which does not currently collect data in the manner requested. That is in large part because, following the introduction of the Public Bodies (Joint Working) (Scotland) Act 2014, it became the responsibility of integration joint boards to plan and resource adult palliative care services, including hospice services, for their area, based on local need—a point that I put on the record in response to Pam Duncan-Glancy. In addition, palliative care is delivered across a wide variety of health and social care services, such as care-at-home services, hospices, care homes and hospitals. Therefore, new processes and investment would need to be included to support that level of data collection, development and reporting. The same considerations apply to amendment 299.

Regardless of whether the bill passes, the Scottish Government is committed, through our palliative care strategy, to improving the way that data is recorded and reported to support better service planning and monitoring. The Scottish Government has no comment to make on the remaining amendments in the group, other than the technical points that are to be found in the commentary.

Liam McArthur: On Stuart McMillan's amendment 112, I find myself in whole-hearted agreement with my fellow islander, Dr Alasdair Allan, on the concerns that he raised. If the bill is passed, it will be after widespread consultation with the public, extensive engagement with the public and stakeholders and extensive scrutiny, debate and amendment.

I say by way of reassurance to Mr McMillan that polling consistently shows overwhelming public support across Scotland for a change in the law of this type, including the support of a majority in every constituency and region of the country. John Curtice's 2025 Scottish social attitudes survey found that 81 per cent of people are in favour of assisted dying for someone with a terminal illness. The National Centre for Social Research has analysed attitudes towards assisted dying across the UK, including in Scotland, and has concluded that the picture on assisted dying is

"one of remarkable stability and near consensus in public attitudes."

Ultimately—this is the point that Keith Brown, Alasdair Allan and Murdo Fraser all made—it is for the Parliament to decide on the basis of the remit that we have as elected representatives. My proposals received the highest number of responses to a consultation on a member's bill, and scrutiny has been robust, as I say.

Amendments 251, 253 and 254, in the name of Audrey Nicoll, are mostly constructive and proportionate amendments to section 22A, and would require the Scottish ministers to assess and report on the impact of the act on palliative and end-of-life care services. I reiterate Rona Mackay's point in relation to the House of Commons Health and Social Care Committee's report. Its extensive inquiry into assisted dying found no detrimental impact on palliative care and, in many cases, the impact was the reverse. I have

no principled objection to the amendments in Audrey Nicoll's name.

However, I am not persuaded by Douglas Ross's amendment 252, which would provide that the assessment under section 22A must include information on the impact on funding from charitable donations and other non-statutory sources. I do not think that that is necessary, partly for the reasons that the cabinet secretary highlighted in his earlier intervention.

On Michael Marra's amendment 255, I reiterate the comments that I made when the same amendment was lodged at stage 2, noting the Government's view on the deliverability challenges. As the cabinet secretary has noted, should the bill pass, there would need to be a substantial implementation period and consultation with relevant stakeholders to develop the policy framework for the bill, during which period the Scottish Government would undertake its own assessment of the financial impact of the bill.

Michael Marra: I will be brief. What is Liam McArthur's reaction to the letter from the cabinet secretary that came subsequent to stage 2, which clearly set out that putting the bill in place will require cuts to other NHS services?

Liam McArthur: In fairness, I do not think that that was what the cabinet secretary said. It has been phrased that in the way that Michael Marra wants to phrase it. I point to the very sensible contribution from Miles Briggs, who said that we are legislators and that we are going into an election, so it is up to parties across the chamber and those who aspire to be here to set out in their manifestos their commitments to palliative and other care.

I observe that if the debate on the bill has shone a light on palliative care that did not exist prior to the introduction of the bill, I very much welcome that and hope that that will continue.

The review that is proposed by Mr Marra could result in duplication, as the cabinet secretary said, while bringing with it its own financial implications.

With regard to amendments 313 and 314, I am not in favour of tying the commencement of the act's substantive provisions to the production and approval by the Parliament of a report.

I note that amendments 117, 118 and 119, in the names of Bob Doris, Jackie Baillie and Sue Webber respectively, all set out information to be included in the review of the operation of the act. Although I believe that much of the information would be captured in the review provided for in the bill, I am prepared to accept amendments 117 and 118. However, I do not consider amendment 119 to be proportionate, helpful or necessary.

In relation to Jeremy Balfour's amendment 297, which would require information on the impact of the act on suicide prevention and broader mental health outcomes to be included in the review, I do not believe that that reflects the purpose of what we are debating today. The bill is distinct from suicide prevention policy. As I said in the debate at stage 1, organisations that work in suicide prevention have also emphasised the importance of maintaining a clear distinction. Mental health charity SANE, along with suicide prevention leaders in jurisdictions including Australia, have stated that assisted dying should not be described as suicide and have urged Governments, the media and politicians to keep those distinctions.

On Stephen Kerr's amendment 298 and Miles Briggs's amendment 299, which would require information on palliative and end-of-life services to be included in the review of the operation of the act, I have championed and will continue to champion the importance of palliative care. Although I note the Scottish Government's comments on the feasibility of such an assessment, I certainly understand why MSPs might wish to see those services included in the review and do not oppose their inclusion, albeit that there might be questions about the extent to which such information will be available in a meaningful way.

The Presiding Officer: I call Stuart McMillan to wind up and to press or withdraw amendment 112.

Stuart McMillan: On Liam McArthur's final points, I note that I did not previously highlight what I am receiving in my inbox, including from my constituents. Mr McArthur mentioned a range of figures with regard to public support. From the perspective of my office, the ratio of people who are against the bill to those who are for it is 4:1. That is what I am getting in my office, but the position described on social media is the exact opposite. Earlier, I purposely stayed away from saying what I am receiving, because I wanted to focus on the other aspect of my reason for lodging amendment 112.

I say to Murdo Fraser that, yes, we are representatives. My constituents on both sides of the debate have asked me to lodge amendment 112, so I am content that I have done my job for all of them. I believe that it is the right thing to do anyway, but I have done that because it is what people in my constituency, on both sides of the debate, have asked me to do. On his point about voting, I note that the electorate votes for a wide variety of reasons, whether it be in an election or in a referendum, and I do not see this process as being very much different.

Murdo Fraser also spoke about traditions. This Parliament can create its own traditions—I put that

point to Dr Allan, too, with regard to his earlier comments. We can create our own traditions in how we want to have our democracy.

Jamie Hepburn: Will Stuart McMillan give way?

Stuart McMillan: I am about to speak to Jamie Hepburn's points, but I will let him go first.

Jamie Hepburn: I have no objection to the notion of creating our own traditions, but I hope that, if we were to do so, they would be created for a purpose. I am still struggling to understand what the legal purpose of such a referendum would be, because it is not specified. I do not understand what the point would be of having a referendum to no practical effect.

Stuart McMillan: My understanding of Jamie Hepburn's position is that there is a question about what would happen if the issue were to fail at a referendum. He alluded to that earlier in his comments, and that is what I took from it. If it were to pass at a referendum, the bill would be fully enacted. If it were not to be successful, other consideration would have to be given to the issue. As Jamie Hepburn—

Jamie Hepburn: Will Stuart McMillan give way?

Stuart McMillan: Hold on—let me finish my point.

Jamie Hepburn will be very aware that the Parliament has struck down legislation in the past—I give the example of the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012. That might or might not be something that would be considered.

Jamie Hepburn: I say this respectfully to my friend, Mr McMillan—I should say, for the benefit of members, that we usually get on with each other. He is now saying what would happen, but, with respect, his amendment does not say that; it does not specify anything at all. With the best will in the world, he is speculating as to what might happen. We are making law here. The law should specify what should happen, but his amendment does not do that.

Stuart McMillan: As I indicated earlier, the purpose of the amendment is for the holding of a referendum to be considered in the first place. As we know in this Parliament, when a referendum is to be held, a range of other activities needs to take place to make it happen. From my consideration of the situation, other activity would have to happen after this, if my amendment were to be agreed to.

Finally, on Keith Brown's points, I do not disagree at all about the democratic deficit regarding the section 104 order, which the Deputy First Minister touched on earlier. Should the bill be passed next week, I genuinely think that the UK Government would act in good faith to deliver the wishes of this Parliament. I think that that would happen, but we would be taking it on trust.

Keith Brown: I thank Stuart McMillan—who is my friend, too—for taking the intervention. I do not know whether he is aware—he may well be—that I sought the relevant information from the Government. A section 104 order is drafted by the UK Government and it cannot be amended by MPs or the House of Lords. There is no definite timescale for the process, which is why I was bemused by the idea that the Government had said that this law would be on the statute book by the time of the referendum that Mr McMillan proposes. We cannot say whether it is going to be enacted, because we do not know the outcome of the section 104 order process.

21:45

My point is for those who are proposing the bill: it is not their fault, but they must concede that it is a very uncertain thing to do, to leave vital provisions of the bill in the hands of somebody else and to take it on trust. I am not just making a party political point—I do not have the same level of trust as Stuart McMillan appears to have that the UK Government, in all circumstances, will follow through. I have not been party to the intergovernmental discussions, but I have a real concern about that.

Stuart McMillan: Mr Brown is right. There is no scrutiny function after the section 104 process, so this Parliament cannot change anything after that stage. As I indicated on a couple of occasions yesterday, traditionally, the section 104 order process would take up to 18 months after a bill had passed stage 3 in this Parliament. It is clear that that would not be the case in this particular situation.

I intend to press amendment 112. I suspect that it will not be agreed to, but I will press it nonetheless. [*Interruption*.] Some folk are laughing, but I point out that I am standing here to represent my constituents.

The Presiding Officer: Let us hear Mr McMillan.

Stuart McMillan: I have constituents who are on both sides of the debate and who want a referendum on the issue. In proposing this amendment, I am representing my constituents, and I am happy to do so.

I press amendment 112.

The Presiding Officer: The question is, that amendment 112 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division. Members should cast their votes now.

The vote is closed.

Edward Mountain: On a point of order, Presiding Officer. My voting app would not connect. Bizarrely enough, I would have abstained.

Members: Ooh!

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

For

MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
McKee, Ivan (Glasgow Provan) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Stevenson, Collette (East Kilbride) (SNP)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Ewing, Annabelle (Cowdenbeath) (SNP)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hoy, Craig (South Scotland) (Con)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McCall, Roz (Mid Scotland and Fife) (Con)
McLennan, Paul (East Lothian) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Sarwar, Anas (Glasgow) (Lab)
Slater, Lorna (Lothian) (Green)
Smith, Liz (Mid Scotland and Fife) (Con)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Eagle, Tim (Highlands and Islands) (Con)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Mountain, Edward (Highlands and Islands) (Con)

The Presiding Officer: The result of the division is: For 7, Against 112, Abstentions 3.

Amendment 112 disagreed to.

Christine Grahame: On a point of order, Presiding Officer. I am sorry—I fear that we will run out of time before I get this off my chest. As you know, I sent a note to the Presiding Officer on the issue that I intended to raise and I have had a reply, but—if you will forgive me for saying so—the reply is erroneous. I will explain why.

The point is that Stephen Kerr delivered verbatim—he told us so—a speech for Douglas Ross. In other words, he stood in Douglas Ross's shoes and delivered a speech at the same time as Mr Ross was online and voting. Therefore, Mr Ross was perfectly capable of delivering that speech online, on camera.

The practice is that members speaking remotely require to be on camera, but it seems to me that a novel practice is developing whereby a member gives a proxy speech for another member to deliver while they are still online and voting, so they do not need to be on camera.

The reply that I received referred to rule 9.10.4, which refers to the fact that anyone may move an amendment on behalf of anyone, even if they are in the chamber. If the member does not move an amendment, anyone else can get up to do so. However, this is not about moving an amendment; this is about a member delivering a speech, word for word, for somebody who is online.

Questions arise here. First, why did Douglas Ross not deliver his speech on camera? It was obviously pre-arranged that Mr Kerr would deliver it for him. Secondly, why did Douglas Ross not intervene when I raised those points, if he was online and heard what I was saying? That raises serious questions about whether Douglas Ross is actually online and whether he is actually voting.

The Presiding Officer: Thank you, Ms Grahame. I am aware that that point has already been addressed by the Deputy Presiding Officer. It is the case that rule 9.10.4 provides that, when a member has given notice that they are not moving an amendment, any other member present may do so. The rule has no bearing on the ability of any member to otherwise participate in or vote on proceedings.

We will continue with our proceedings.

Christine Grahame: On a point of order, Presiding Officer. I am not so foolish as to challenge the chair, but, from that, I now understand that, if I am at home and voting, I can give a speech by proxy, with another member delivering it on my behalf. I take it that that is now an accepted practice in the chamber.

Douglas Ross (Highlands and Islands) (Con): [*Made a request to intervene*.]

Christine Grahame: I see that Mr Ross is now appearing on the screen.

Members: Oh!

The Presiding Officer: I have already ruled on the matter. I would prefer that we moved on to our next item of business. [*Interruption*.]

I call Douglas Ross for a point of order.

Douglas Ross: I am grateful, Presiding Officer. I confirm to Christine Grahame that I am following proceedings and voting from home. I travelled for three and a half hours today to spend a small amount of time with my son, who turned seven today and hoped to see his father on his birthday. I will leave Moray at approximately 5 am tomorrow morning so that I am in the chamber with other members.

I have been following proceedings, and I am grateful to Stephen Kerr for contributing on my behalf today. I am also grateful that we, as members of a family-friendly Parliament, have the ability to spend some time with our children when it is very special to them that their parents are with them.

The Presiding Officer: Thank you, Mr Ross. That is not a point of order, but it is now on the record.

We will continue with our proceedings.

Section 20B—Raising assisted dying with a person under 18

Amendments 242 and 243 not moved.

Amendment 49 moved—[Jackie Baillie]—and agreed to.

Amendments 244 to 246 not moved.

Section 21—Offence

Amendment 50 moved—[Liam McArthur].

The Presiding Officer: The question is, that amendment 50 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

The vote is closed.

Kenneth Gibson: On a point of order, Presiding Officer. I could not connect. I would have voted yes.

The Presiding Officer: Thank you, Mr Gibson. Your vote will be recorded.

Davy Russell (Hamilton, Larkhall and Stonehouse) (Lab): On a point of order, Presiding Officer. I could not connect either. I would have voted no.

The Presiding Officer: Thank you, Mr Russell. That will be recorded.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (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)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Gulhane, Sandesh (Glasgow) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Tweed, Evelyn (Stirling) (SNP)

Against

Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Constance, Angela (Almond Valley) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Annabelle (Cowdenbeath) (SNP)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Mountain, Edward (Highlands and Islands) (Con)

The Presiding Officer: The result of the division is: For 49, Against 73, Abstentions 1.

Amendment 50 disagreed to.

Amendment 51 moved—[Liam McArthur].

The Presiding Officer: The question is, that amendment 51 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baker, Claire (Mid Scotland and Fife) (Lab)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Boyack, Sarah (Lothian) (Lab)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Chapman, Maggie (North East Scotland) (Green)
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)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gosal, Pam (West Scotland) (Con)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Webber, Sue (Lothian) (Con)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adamson, Clare (Motherwell and Wishaw) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Bibby, Neil (West Scotland) (Lab)
Briggs, Miles (Lothian) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Choudhury, Foysol (Lothian) (Ind)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Annabelle (Cowdenbeath) (SNP)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Haughey, Clare (Rutherglen) (SNP)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Matheson, Michael (Falkirk West) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Roddick, Emma (Highlands and Islands) (SNP)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Swinney, John (Perthshire North) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)

Whittle, Brian (South Scotland) (Con)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Mountain, Edward (Highlands and Islands) (Con)
Ross, Douglas (Highlands and Islands) (Con)

The Presiding Officer: The result of the division is: For 73, Against 48, Abstentions 3.

Amendment 51 agreed to.

The Presiding Officer: I had hoped that we could have begun to debate the next group, but as we are so close to 10 o'clock, we will end consideration of amendments for today.

Decision Time

21:58

The Presiding Officer (Alison Johnstone): As there are no questions to be put as a result of today's business, I close this meeting.

Meeting closed at 21:58.

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