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Scottish Parliament

Thursday 19 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. As it is the shortest question session of the week, concise questions and responses will be appreciated.

Autism Spectrum Disorder Assessments (NHS Tayside)

1. **Mark Ruskell (Mid Scotland and Fife) (Green):** To ask the Scottish Government, in light of NHS Tayside having stopped accepting referrals for children without coexisting mental health disorders in March 2025, what further action it has taken to support children in accessing timely autism spectrum disorder assessments. (S6O-05664)

The Minister for Social Care and Mental Wellbeing (Tom Arthur): I am aware of NHS Tayside's decision to pause new neurodevelopmental referrals where a child does not have a coexisting mental health condition, but that does not mean that support is unavailable. For example, local authorities have a statutory duty to identify and make provision for children and young people with additional support needs, regardless of a diagnosis. I also recognise that demand for neurodevelopmental support and assessment has increased significantly. We are working with health boards and local authorities to implement our neurodevelopmental specification, which sets clear expectations for boards and children's services to work together to deliver timely needs-based support, in line with the getting it right for every child approach.

Mark Ruskell: I know that Tom Arthur gets it. We have had conversations in the past year and I have brought constituency cases to him, but I am distraught that, a year on, we still have families that are stuck with no pathway. I appreciate that schools can do a lot and I appreciate that they can put plans in place to help neurodiverse young people, but some people just need an assessment. Will the next Government put forward an appropriate strategy that will guarantee that those who really need an assessment can get one?

Tom Arthur: I appreciate and value the meeting that Mark Ruskell and I had to discuss the matter, and his on-going interest and engagement. I recognise that we are contending with a significant increase in demand over recent years, which necessitates not just a whole-system, but a whole-society, response. Our current systems are designed for 1 to 2 per cent of the population, but potentially as much as 20 per cent of the population requires support. That requires a needs-based approach.

I fully understand that, in addressing need, assessment and diagnosis can be vitally important for identity and validation and, specifically for those with attention deficit hyperactivity disorder, for access to medication. I recognise the importance of that and I have been seeking to work constructively with parliamentary colleagues through the two summits that have been convened. I hope that that will build momentum so that whoever forms the next Administration after the election can build on that work and utilise the additional resources that have been provided in the budget that was recently passed.

Michael Marra (North East Scotland) (Lab): The move to separate autism spectrum disorder assessments from mental health services is more than a simple clinical distinction. I understand the motivation for separate pathways that the minister has set out, but I have been working with a young boy who has been on the child and adolescent mental health services neurodevelopmental waiting list since January 2023. The details of his case are distressing, but there is no diagnosis in sight. Does the minister recognise that that wait is far too long? There are deep consequences for my constituent's wellbeing that are overwhelming both him and his family.

Tom Arthur: I concur with Mr Marra and appreciate the points that he raises. I want to be absolutely clear that such lengths of waits are completely unacceptable. I made that point directly to the chief executive of NHS Tayside, as I have to every other health board that I have met. I recognise the point that Mr Marra makes and I welcome his recognition of the important distinction between mental health services and neurodevelopmental services. Where there is a co-occurrence or a comorbidity, CAMHS may be the appropriate setting.

I assure the member that I have had reassurance from NHS Tayside that it is working in this area and I have had similar assurances from every health board. The Scottish Government is working with all health boards, including through the national autism implementation team. I encourage members to engage directly with their health boards. I appreciate that the member does that, as I know that he actively engages with NHS Tayside.

The Presiding Officer: Briefly, please.

Tom Arthur: There is an opportunity, particularly in the next session of the Parliament, to work constructively together to ensure that people are receiving the support that they require.

NHS Grampian (Deficit)

2. **Liam Kerr (North East Scotland) (Con):** To ask the Scottish Government how it expects NHS Grampian to address a projected deficit of £76 million for 2026-27, in light of it having already made £62 million of savings in 2025-26 and requiring a further £40 million of budget reductions in 2026-27. (S6O-05665)

The Cabinet Secretary for Health and Social Care (Neil Gray): The Scottish Government recognises the financial pressures facing NHS Grampian and continues to work closely with the board to support financial recovery and long-term sustainability. Following the board's escalation to stage 4 for finance on 12 May 2025, an assurance board was established to support the board's executive team to develop and implement an improvement plan. NHS Grampian's financial grip and control have significantly improved since, with the board on track to meet its financial targets. As such, the Scottish Government remains confident that NHS Grampian will achieve its financial targets in 2025-26 and 2026-27.

Liam Kerr: I thank the cabinet secretary for his answer and welcome him back to the chamber. I am pleased to see him back. [*Applause*.]

NHS Grampian is staring into the abyss, following years of underfunding. In Aberdeen, £14.5 million-worth of cuts mean that the Rosewell House rehabilitation centre will close and budgets at city care homes will be slashed by £3 million. In Aberdeenshire, £5.7 million of savings includes a £1 million cut from prescribing and another £1 million in service redesign. Now, NHS Grampian chiefs need to cut a further £177 million over the next five years.

Does the cabinet secretary agree that the £300 million shortfall that NHS Grampian experiences under the national resource allocation committee formula is outrageous, and that the next Government must review it urgently to ensure a fair share for the north-east?

Neil Gray: Although I am grateful for Mr Kerr's kind comments at the outset, I cannot agree with his conclusion. The NRAC formula provides target shares for regional national health service boards. The Government's approach has been to move boards towards NRAC parity gradually over a number of years, backed by significant additional investment. Since 2012-13, more than £4 billion of additional funding has been committed to boards that are below their NRAC parity levels, including additional funding for NHS Grampian. NHS Grampian's £800,000 share of the £55 million additional parity funding maintains the board within 0.6 of the NRAC parity target.

However, under new management and the board's assurance process through the Scottish Government, we are seeing significant progress, and a better grip and control over the finances at NHS Grampian. As I have said repeatedly to Mr Kerr and other colleagues, that cannot be to the detriment of the services that patients receive. I am confident that we can achieve that.

Neonatal Intensive Care Units

3. **Douglas Lumsden (North East Scotland) (Con):** To ask the Scottish Government what discussions it has had with national health service boards regarding the 2017 best start plan to downgrade the number of level 3 neonatal intensive care units from eight to three. (S6O-05666)

The Minister for Public Health and Women's Health (Jenni Minto): There have been extensive discussions with NHS boards about plans to improve care for the smallest and sickest babies by implementing the new model of neonatal intensive care. Following the announcement of the new model in July 2023, I asked regional chief executives to lead on the development of regional implementation plans. Implementation groups were established in each region, including clinicians, partnership and service users. The regional chief executives also established a task and finish group to take forward work to inform implementation, including maternity workforce modelling, financial modelling, cot capacity planning, and management and communication.

Douglas Lumsden: For the sickest and most pre-term babies, the Government seeks to centralise care to Glasgow, Edinburgh and Aberdeen. Meeting minutes that have been uncovered tell us that NHS Grampian does not have the cots or the staff. There are serious worries about ambulance cover, which is already a massive issue in the north of Scotland. One of the First Minister's staff even said that they thought that downgrading Ninewells could have a deeply inhumane impact on mums travelling long distances. At its last meeting, the Citizen Participation and Public Petitions Committee advised ministers to stop downgrading Ninewells until outstanding transport capacity and finance questions have been answered. What is the Government's response to that?

Jenni Minto: I need to be clear that the decision has been made, through expert advice, to ensure that the smallest and sickest babies get the best support and healthcare that can be achieved.

With regard to the points that Douglas Lumsden raised, as I indicated in my first answer, the Scottish Government contracted healthcare planning support from RSM UK to undertake the detailed modelling and capacity planning work to inform local implementation plans.

Implementation of the new model of neonatal intensive care was tested in practice in four boards—in NHS Fife and NHS Lothian in the east and in NHS Ayrshire and Arran and NHS Greater Glasgow and Clyde in the west. The Scottish Government has provided more than £7.5 million since 2018-19 in support of implementation in the east and west, and we have provided planning funding to the north region. Discussions are currently under way with NHS Grampian in relation to additional funding requirements.

Clare Adamson (Motherwell and Wishaw) (SNP): There has, rightly, been local concern about the plans, but can the minister again reassure my constituents that, of the 55 or so neonatal babies that are cared for each month at Wishaw, one or two babies are likely to be affected by the change in the planning, which will ensure that the babies are co-located with specialist anaesthesia and neonatal surgery? That is why those decisions have been supported by the charity Bliss.

Jenni Minto: I thank Clare Adamson for her follow-up question. I absolutely agree that the decision is based on strong clinical evidence about the outcomes for the smallest and sickest babies when they are cared for in a unit with a high throughput of cases and where support services, such as surgery, are co-located. The model is supported by a range of stakeholders and clinicians, including Bliss, which recognises that it will improve the safety of services for the sickest and most pre-term babies.

National Health Service

4. **Sandesh Gulhane (Glasgow) (Con):** To ask the Scottish Government how it would assess its handling of the NHS. (S6O-05667)

The Cabinet Secretary for Health and Social Care (Neil Gray): It is clear that our NHS is turning a corner under this Government and recovering following the pandemic. Long waits are down for eight months in a row, and thousands more operations are being delivered, with the Golden Jubilee hospital being named on Monday as the United Kingdom's largest centre for hip and knee replacements.

General practitioner numbers are up, a historic deal, worth more than half a billion pounds, has been reached with GPs, and 30 new walk-in GP centres are to be delivered. There has been an increase in the number of doctors, nurses, midwives and consultants, and our MyCare.scot service will begin to be rolled out from April. There has been a record level of investment in our health service.

From personal experience as an unexpected secret shopper this week, I can say that our staff deliver world-class care to the people we seek to serve.

Sandesh Gulhane: I declare an interest as a practising NHS GP.

It is great to see the cabinet secretary back in the chamber, but he is wrong, because, during this parliamentary session, we have seen three different health secretaries, record waiting lists, record drug deaths, problems with delayed discharge and a failure to modernise our NHS. After almost 19 years in government, this is a mess of the Scottish National Party's own making.

I came into politics because I wanted to stand up for patients, stand up for ourselves as doctors, nurses and key workers, and strengthen our greatest asset—our NHS. Under the SNP Government, our NHS has been recklessly mismanaged, leading to countless scandals that have caused unimaginable suffering among patients and fear among staff, and patients have sat on two-year waiting lists.

With that evidence in mind, how does the Scottish Government think that Scots would assess its performance on health and social care in this parliamentary session? Members of the public who are stuck on waiting lists would give it a score of zero.

Neil Gray: The polls suggest that this party is the most trusted in this Parliament to be the custodian of our most cherished public asset, which is our national health service. Perhaps that is because of the progress that we are making.

Sandesh Gulhane and I share a desire for the continued recovery of our health service. I repeat that long waits in our health service are now down for eight months in a row. The numbers of operations and procedures are up and are reaching record levels. That is because of the record investment that we are making, which Sandesh Gulhane voted against, and because of the incredible commitment of our hard-working NHS staff who continue to deliver for the people of Scotland.

Pupil Support Assistants (Additional Support for Learning)

5. **Jeremy Balfour (Lothian) (Ind):** To ask the Scottish Government what assessment it has made of whether the current levels of pupil support assistant staffing in schools to support pupils with additional support for learning are adequate,

including steps required where shortages exist. (S6O-05668)

The Cabinet Secretary for Education and Skills (Jenny Gilruth): All children and young people should get the support that they need to reach their full potential. The latest figures show that there are 17,046 full-time-equivalent pupil support assistants in Scotland. That is the second-highest level on record and an increase of nearly 1,800 since 2020. That is a direct result of our continued investment of £15 million to our local authorities every year, which supports more pupil support assistants.

Importantly, all teachers are responsible for supporting pupils with additional support needs, not just teachers whose role is specifically related to additional support for learning.

Jeremy Balfour: The number of pupils who are identified as having additional support needs has risen by about 97 per cent since 2013, with about 43 per cent of pupils now recorded as having an ASN. However, support provision has not kept pace. Although the £29 million funding increase from 2025 is welcome, Audit Scotland reports that only 12 per cent of education spending is allocated to ASL and only a minority of schools have dedicated facilities. Given the gap between demand and provision, what specific action will the Government take to increase pupil support assistant staffing and ensure that funding delivers tangible improvements for pupils in every classroom?

Jenny Gilruth: Mr Balfour raises a hugely important point. He is absolutely correct to say that additional support needs in our schools have grown in recent years. That has been driven, in part, by greater identification, but it has also been driven by increasing complexity in the support needs that are emerging in our schools.

The Government is taking a range of actions. Mr Balfour will be aware of the statement that I gave to the Parliament in January, when I provided members with an update on the work that the Government has been leading through the additional support for learning action plan, which was informed by the Morgan review.

More broadly, Mr Balfour's former party contributed to a cross-party review of ASL, which was published last week and was led by Janie McManus, the former chief inspector of education. The report includes six recommendations that set out the next steps for strengthening our system delivery: having a clear national approach to planning and staged intervention; workforce alignment to match today's level of need; stronger early intervention capacity; improved national visibility of need and progress; a more coherent delivery model; and a more coherent curriculum.

We are taking a range of actions through the ASL action plan. Last week, I was delighted to attend the launch of Janie McManus's review, which was commissioned on a cross-party basis. We will take further steps in that regard to protect the funding that I identified through the budget.

Operation Branchform

6. **Douglas Ross (Highlands and Islands) (Con):** To ask the Scottish Government for what reason the Lord Advocate briefed the First Minister that suspects arrested on alleged embezzlement charges as part of operation branchform were not being charged, before the individuals themselves had been notified. (S6O-05669)

The Lord Advocate (Dorothy Bain KC): I provided the First Minister with relevant information on that investigation when procedural milestones were reached and when information may have become public. Communication on 20 March 2025 was synchronised around an appearance in court and the notification to two suspects by police that they were not being reported to the procurator fiscal.

In the event, communications from my office to the First Minister, from Police Scotland to the suspects and from the Crown Office and Procurator Fiscal Service to the media were all made within a few minutes of one another. I am satisfied that established processes were followed and that actions were handled properly.

Douglas Ross: I am confused by that answer from the Lord Advocate, because she claims that the communication was synchronised, but we know definitively that she briefed John Swinney before the suspects were told that no charges would be continued.

Does the Lord Advocate understand the concern about the political leadership of the Scottish Government being informed before suspects? Does she have any concerns that her actions in briefing the First Minister on two separate occasions could jeopardise the ability of the Crown or the defence to call John Swinney as a witness in that case of alleged embezzlement?

The Presiding Officer: I remind members that there are active criminal proceedings in the case and that the sub judice rule applies.

The Lord Advocate: I am here as Lord Advocate. I discharge my duties in that office independently of any other person and independently of any political interference.

As I have explained previously, the Lord Advocate of the day may provide the First Minister of the day or, indeed, the Prime Minister or other minister with information on casework or investigations. That is done irrespective of the

political party of the recipient of the information. It is done in the proper administration of the system, and I have provided the Parliament with examples of that happening.

The Lord Advocate does not brief political parties; the Lord Advocate advises constitutional office-holders of information that they require to be aware of. I am satisfied that established processes were followed and that actions have been handled properly.

The Presiding Officer: That concludes general question time.

First Minister's Question Time

12:00

Income Tax

1. **Russell Findlay (West Scotland) (Con):** Hard-working Scots are being hammered by the Scottish National Party Government. A new report by the Institute for Fiscal Studies has delivered a damning verdict on the SNP's income tax system. It says that Scots now pay £1.8 billion more because of SNP tax bands. A Scottish worker who earns £50,000 is £1,500 worse off than a worker elsewhere in the United Kingdom.

John Swinney will reach for his script and say that lower earners are better off, but he will not say that they are just £40 better off—that is, £40 a year, or 77p per week.

The IFS also says that the SNP Government

"lacks a coherent strategy for the devolved tax system".

John Swinney has been finance secretary, Deputy First Minister and First Minister, so who does he blame for bleeding Scottish workers dry?

The First Minister (John Swinney): I am very proud of the budgetary and tax decisions that the Government has taken over many years, and I am proud to have been associated with those decisions. Today, 55 per cent of Scottish taxpayers are expected to pay less income tax in 2026-27 than they would if they lived in England.

Of course, everybody who lives in Scotland has access to a wider set of social contract provisions than people in the rest of the United Kingdom, including free bus travel for under-22s and, crucially, the saving of £27,000 in tuition fees for any taxpayer in Scotland who sends their child to a university in Scotland. [*Interruption*.]

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

The First Minister: That is the SNP delivering for all the people of Scotland.

Russell Findlay: I do not think that John Swinney is listening. People are saving 77p per week. John Swinney will not admit that he is forcing taxpayers to fund the SNP's sky-high and soaring benefits bill. The IFS found that the average Scottish household is more than £500 worse off than those elsewhere in the UK as a direct result of his tax and benefits policies. It describes elements of the benefits system as "unfair" and says that some benefits act

"as a strong disincentive for some households to increase their earnings".

It is not just the IFS—ordinary Scots can see that injustice, too. A retail manager contacted me to say that he and his wife, a nurse, are angry at the unfairness. He asked whether it is really worth being honest, hard-working people in this country. Can John Swinney explain to them why they are out striving, to pay for others not to work?

The First Minister: Let us explore some of the details of the tax position of people in Scotland compared with people in England. A band 2 hospital porter at the bottom of the scale will earn £25,694 and take home £913 more after tax compared with someone in the same band in England. A band 3 clinical support worker at the bottom of the scale will earn £28,011 and take home £2,236 more after tax compared with someone in the same band in England. A qualified teacher at the bottom of the band will earn £41,916 and take home £6,365 more after tax than the equivalent in England. That is before we start talking about free prescription charges, under-22s bus travel, tuition fees and the other elements of the social contract that are delivered in Scotland by this progressive SNP Government.

Russell Findlay: John Swinney can parrot selective statistics all day long—[*Interruption*.]

The Presiding Officer: Let us hear Mr Findlay.

Russell Findlay: However, he is completely out of step with the people of Scotland. Two thirds of people in Scotland believe that spending on benefits is too high. It is now at £7 billion, and it is heading towards £10 billion.

This is what I heard from a general practitioner in Perthshire with decades of experience in helping patients who are in genuine need of benefits. She said:

"John Swinney is completely wrong to state there is a robust process."

She says that there is a huge number of fraudulent claims, and she identifies

"a large group of people who believe they have genuine claims but, in reality, are capable of work."

She concludes by telling me that she was an SNP voter—[*Interruption*.]

The Presiding Officer: Let us hear Mr Findlay.

Russell Findlay: —but that she

"will not be voting for the party at the forthcoming election for a number of reasons, not least their inability to control the escalating number of benefits claims."

Why can John Swinney not see what everyone else can see? His light-touch benefits system is completely out of control.

The First Minister: There is absolutely nothing selective about the statistics that I have put on the record, so I will put a few more on the record. A band 4 dental nurse at the bottom of the scale will earn £30,353 and take home £2,065 more after tax compared with a dental nurse in the same band in England. A band 6 nurse at the bottom of the scale will earn £41,608 and take home £1,994 more after tax compared with a nurse in the same band in England. That demolishes the rubbish that Mr Findlay has put to me.

When it comes to social security, it is quite obvious to people in Scotland today that the only card that Mr Findlay is prepared to play is the card to attack the most vulnerable in our society. I want to make it clear that I lead a Government that is committed to delivering growth in our economy and fairness to the people of our country—[*Interruption*.]

The Presiding Officer: Let us hear the First Minister.

The First Minister: Enterprise and compassion—that is what people get from an SNP Government led by John Swinney.

Russell Findlay: Here is an idea for John Swinney: how about he tries to answer the questions that are put to him?

The Scottish benefits agency, which was created by the SNP, also published shocking new data this week. It revealed that almost 500,000 people—that is, half a million Scots—now receive adult disability payment and that the number of people claiming it has gone up by almost 15 per cent since last year. Social Security Scotland predicts that 750,000 Scots will be receiving ADP by 2030. Of course, many of those claims are completely valid, but we cannot ignore credible and sustained warnings of fraud and abuse. Does John Swinney agree with that alarming projection? Do those soaring numbers give him any cause for concern?

The First Minister: Russell Findlay has changed tack with that question, because my comments to the Parliament today rumbled his earlier attack on the social security system—[*Interruption*.]

The Presiding Officer: Let us hear one another. I am keen to enable as many members as possible to put questions today, as we have a long list.

The First Minister: Russell Findlay has changed tack. He walked away from his attack on the social security system when I pointed out the unpleasantness of the Conservatives' attack on the vulnerable within it.

The analysis that I am very confident about is the analysis of the international credit rating agencies—[*Interruption*.] Oh, well—it does not surprise me that the Conservatives are mocking

the international credit rating agencies, because they asked me to follow Liz Truss, and look at the mess that she got us all into.

Just so that Mr Findlay does not miss out on what the international credit rating agencies said, I will tell him that they complimented the "prudent" fiscal management of Scotland. That is what you get from a Swinney Government.

Hospitals (Ventilation and Water Safety Issues)

2. **Anas Sarwar (Glasgow) (Lab):** More than a decade ago, the Scottish National Party Government opened a hospital—[*Interruption*.]

The Presiding Officer: Let us hear Mr Sarwar.

Anas Sarwar: Children died at that hospital, so I suggest that members listen.

More than a decade ago, the SNP Government opened a hospital in Glasgow that was not safe because of ventilation and water safety issues. Four years later, the opening of the sick kids hospital in Edinburgh was delayed because of ventilation and water issues. Now it has emerged that, in Aberdeen, the opening of the new Baird family hospital and the Aberdeen and north centre for haematology, oncology and radiotherapy—the ANCHOR centre—is being delayed again because of ventilation and water safety issues. Those are three hospitals in three cities that sum up the mess that the SNP has made of running our country.

At the core of all that is the lie and the cover-up about what happened at the Queen Elizabeth university hospital. Had the Government told the truth and confronted the problems then, the mistakes would not have been repeated. Instead, that lie has cost the public purse millions and meant delayed and defective hospitals. Tragically, that lie has cost lives. Why was that lie more important to John Swinney than patient safety?

The First Minister (John Swinney): Mr Sarwar's language is the language of a desperate man. He should think twice about the language that he uses in Parliament, because in a climate where we need to undertake respectful debate, there is nothing respectful about the language that Mr Sarwar has used. I am going to—

Jackie Baillie (Dumbarton) (Lab): Nothing to say about children dying.

The First Minister: If Jackie Baillie would stop shouting at me, I will walk my way through these different issues, because it is important that I give Parliament and the public a clear answer on this question.

Issues arose from the Queen Elizabeth university hospital that resulted in the Scottish Government commissioning a public inquiry that is still sitting and looking at those issues; we await the findings of Lord Brodie. Because of the issues that emerged at the Queen Elizabeth university hospital, my late colleague Jeane Freeman stopped the opening of the Royal hospital for children and young people, because she was concerned about safety issues. Therefore, there was no cover-up and no ignoring the reality. The very reason why Jeane Freeman took the decision not to open the children's hospital in Edinburgh was her response to the issues at the Queen Elizabeth university hospital.

As I explained to Mr Burnett last week, the Baird and the ANCHOR centre in Aberdeen are delayed because the same cautious approach that was taken in Edinburgh is being taken to the Baird and ANCHOR. That is because this Government takes the issue of patient safety seriously—and it always will under my leadership.

Anas Sarwar: I suggest that John Swinney looks Kimberly Darroch in the eye and makes those same comments, because she was lied to. She was not told the truth about how her daughter was killed, and we have seen all the consequences that resulted from that in the eight years that followed. Frankly, I will call out a lie when it is a lie. For 10 years, patients have been lied to about safety standards at the Queen Elizabeth university hospital; for 10 years, staff have been bullied and gaslit; and for 10 years, the public have not been told the truth.

For the past two months, John Swinney has insisted that all of the Queen Elizabeth university hospital is safe, all while he was receiving internal warnings about infection risks and the health board was drawing up plans to rebuild parts of the hospital. The bone marrow transplant ward needs to be replaced. That proves that, for 10 years, patients have been lied to about safety standards at the hospital.

Therefore, I ask again: why was the lie more important to John Swinney than patient safety?

The First Minister: I repeat my point that that is the language of a desperate man. What I have said to the public—and I stand by it—is that the Queen Elizabeth university hospital is a safe hospital. Issues will emerge in our hospitals, but the crucial point is that those issues must be addressed timeously—and they are being addressed timeously in the Queen Elizabeth university hospital.

We have established an oversight group to provide greater public reassurance in an open and transparent fashion. Representatives of the families who have suffered unbearably as a consequence of the issues at the Queen Elizabeth university hospital are members of that oversight

group, and that is essential for the issues of public transparency to be taken forward.

I make absolutely clear to the public the importance that I attach to public safety, and that is what I require of health boards, including NHS Greater Glasgow and Clyde.

Anas Sarwar: The families are desperate for truth and justice, and they are the ones who John Swinney is forgetting. The Queen Elizabeth university hospital scandal is the worst in the history of the Parliament. Children and adults have died, and others have been left with life-changing injuries. Grieving families have been lied to, staff have been bullied and threatened, and the Scottish people have been consistently misled. The cover-up meant that lessons were not learned, and those mistakes have been repeated in Edinburgh and Aberdeen.

I have spent more than eight years with those families and doctors, listening to their stories, hearing their pain and trying to get them justice. Over that time, John Swinney and his SNP Government have sided with management and denied the problems.

I make a firm commitment today that I will publish all validation documents in relation to the Queen Elizabeth university hospital, do any repair work and build any new wards, including, if necessary, the cancer wards. Will the First Minister make that same commitment right now?

The First Minister: I am taking an approach to the Queen Elizabeth university hospital that is about working to build public confidence and trust in the operation of the hospital. That is why representatives of the families who have suffered are members of the public oversight group that is looking at these very issues. It was my request that they be on that group, which is independently co-chaired by Professor Sir Lewis Ritchie to make sure that there is openness. The first meeting of the group took place on 11 March. The group is able to explore all the safety issues, and I reiterate my confidence in the safety of the hospital.

What lies at the heart of Mr Sarwar's point is a misconstruing of what the Government has done and a deliberate attempt to mislead and misrepresent the Government's position. I come back to what I said in my answer to his first question. Because of the experience at the Queen Elizabeth university hospital, the Government established a public inquiry. Because of the concern of my late colleague Jeane Freeman, there was a delay to the opening of the Edinburgh children's hospital until the issues were addressed. There is a delay to the Baird and the ANCHOR because we are prioritising patient safety. That is the absolute opposite of what Mr Sarwar has put to the Parliament today.

I think that people in Scotland will be pretty sceptical about the things that Mr Sarwar says in here and the commitments that he gives, because we saw the real side of Mr Sarwar yesterday in his flippant and disrespectful comments about those in our society who suffer strokes. Mr Sarwar should do the decent thing and apologise with his own words.

Prestwick Airport (Military Use)

3. **Gillian Mackay (Central Scotland) (Green):** Since the Scottish Greens last raised the issue of Prestwick airport in the chamber, investigations by the BBC, the *Sunday Mail* and *The National* have confirmed that the airport has been used by US military refuelling jets. Those jets have gone on to fly missions in the US-Israeli bombing campaign against Iran. Military experts say that that is concrete proof of our complicity in a war that has killed more than 1,300 people in Iran, including more than 200 children.

The First Minister previously said that he would consider banning US forces from the airport if it was confirmed that it was being used to support military action in the middle east. What more does the First Minister need? Does he accept that Prestwick is being used to directly support the Israeli-US bombing campaign in Iran?

The First Minister (John Swinney): That is an issue that I have looked at very closely. The conflict in the middle east is a subject that is causing members of the public enormous concern and unease, and it is having enormous ramifications for every citizen in our country in relation to energy prices, the cost of living, mortgage prices and the value of pension investments. There is going to be a real, serious and acute economic impact as a consequence of the unjust and unjustified conflict that is taking place in the middle east. I am deeply concerned about the situation that we face, given the escalation of events that has taken place in the course of the past few days, which has enormous environmental, economic and geopolitical implications for all of us.

As a consequence of that concern, I have looked closely at the situation in relation to Prestwick airport. The Scottish Government acquired Prestwick airport on the basis of an intervention that it was within our powers to exercise in relation to economic development and employment. If I were to take the appropriate steps to prevent flights from entering Scotland, I would need to exercise national security, aviation, air transport, defence and foreign affairs powers, all of which are reserved to the United Kingdom Government. I would like to be able to exercise powers in that respect, but I would be exceeding my

constitutional authority if I did so. That is a matter of regret for me.

However, I am continuing to pursue dialogue with the United Kingdom Government, in order to address and raise the issues that Gillian Mackay has put to me today.

Gillian Mackay: I am pleased that the First Minister is concerned, but I am really disappointed by that answer. Last weekend, he said that an independent Scotland could ban foreign militaries that are involved in illegal wars from the country, and we welcome that commitment. However, Scotland cannot and must not wait for independence to act on our principles. Children in Iran are dying now, and they are being bombed by planes that are being refuelled in a chain that leads directly back to Prestwick.

We know that the public in Scotland are overwhelmingly against this war, and we know that the airport is owned by the Scottish Government, which had already taken the decision to ban Israeli planes. It can take the same decision now, and we do not need to wait to ask for Westminster's permission to do anything. When will the First Minister properly stand up for Scotland and finally kick Trump's troops out?

The First Minister: I sympathise and agree with all the sentiments about the conflict in the middle east that Gillian Mackay has put to me. However, I cannot, at the same time as condemning the Israeli and United States intervention in the middle east as being incompatible with international law, not follow the legal framework in which I must operate as the First Minister in the Scottish Parliament under the Scotland Act 1998. The action suggested in the question that Gillian Mackay puts to me would undoubtedly have me exercising powers in relation to national security, aviation, air transport, defence and foreign affairs, all of which are reserved to the United Kingdom Government.

As the First Minister of Scotland, I will always act within the law. That might be frustrating for me at times, and I assure Gillian Mackay and the Parliament that it is immensely frustrating for me at this particular moment. However, that is a vivid reminder to me of what is absolutely necessary for our country as we look to the future, which is to be a voice to argue for the de-escalation of conflicts in the middle east, to be a voice for peace and to avoid conflict. To do that, we must be an independent country, which is what I intend to deliver for the people of Scotland.

Glasgow Central Station (Businesses)

4. **Stuart McMillan (Greenock and Inverclyde) (SNP):** To ask the First Minister, following the Union Street fire in Glasgow, what discussions the Scottish Government has had with Network Rail regarding the organisation having a greater say over what types of businesses can be located in close vicinity to key transport hubs such as Glasgow Central. (S6F-04772)

The First Minister (John Swinney): The first thing that I would like to say is to express my warmest thanks to Network Rail, ScotRail and all the players in Glasgow City Council that have been involved in making sure that Glasgow Central station is now partially open, that services have been able to be restored for much of Ayrshire and Lanarkshire and that cross-border services to London have also been restored. I am really grateful to everyone for the superhuman effort that has been put in. The Cabinet Secretary for Transport, Fiona Hyslop, visited Glasgow Central station this morning to thank people on the Government's behalf.

After such a devastating event, Stuart McMillan is right to raise an issue that is of significant concern to many people. Discussions are on-going between Glasgow City Council and the Government in the wake of the fire. Network Rail is a statutory consultee, and planning authorities must notify it of certain developments in close proximity to a railway line. By law, all planning applications, including those near railways, must also be publicised so that parties have an opportunity to comment on proposed developments.

Stuart McMillan: I echo the First Minister's comments regarding the work over the past week.

The tragic events that we all watched unfold serve as a stark reminder not only of the need to protect Scotland's historic buildings but of how fragile our public transport network can be in some areas. For my constituents and those in the west of Scotland, getting to Glasgow and beyond has been extremely challenging of late. At an event that I attended yesterday, an individual from Johnstone indicated that it had taken them more than two hours to get into Glasgow in the past week.

I genuinely welcome all the efforts that have been made, especially with regard to the running of services as far as Paisley and the provision of bus services, but there has been a huge amount of congestion on the M8 as a consequence of the fire. Therefore, notwithstanding what the First Minister said, I believe that we should consider allowing transport agencies to have a greater say over activities that are undertaken near their key assets. Does the First Minister agree that that might be one way of helping to build greater resilience in Scotland's public transport?

The First Minister: Mr McMillan makes a fair point. I will consider further whether we need to

change our planning laws to allow transport agencies to have a greater say in the way that he suggests.

The aerial photography that is now available of the site demonstrates the danger and the risk that were presented to Glasgow Central station as a consequence of the fire on Union corner. Had the station been affected by the fire, the consequences for the resilience of our transport network would have been colossal, so Mr McMillan is absolutely right to raise the issue, given the significance of that infrastructure.

The aerial photography also demonstrates just how effective and completely focused the Scottish Fire and Rescue Service was in all that it did. I am glad that our Fire and Rescue Service was so effective in all that it did, and I am delighted to applaud its efforts.

I will take away Mr McMillan's point and will reflect on what more we can do in our planning legislation to ensure the resilience of the network.

Care Home Deposit Fees

5. **Edward Mountain (Highlands and Islands) (Con):** To ask the First Minister what plans the Scottish Government has to regulate deposit fees in care homes. (S6F-04773)

The First Minister (John Swinney): Deposit fees form part of the private contract between the provider and the individual. The Scottish Government is not party to such contracts. However, in recognition of the importance that the Scottish Government places on the sector, our budget for the forthcoming financial year sets out investment of more than £2.3 billion for social care, which delivers on our commitment to increase funding by 25 per cent by the end of this session of Parliament. In 2026-27, it will exceed that by more than £0.5 billion.

Edward Mountain: Many care homes do not charge deposits, but when they do, the deposit can be up to three months of costs, which could be in excess of £20,000 per resident. That means that some individual care homes are sitting on, and earning interest on, £1 million-worth of deposits.

It has taken constituents of mine whose relatives have died in care homes so long to have their deposit returned, while trying to mourn their relatives, that they have had to resort to legal action to get the deposit back. Does the First Minister think that that is acceptable? If not, what action will he recommend that my constituents take?

The First Minister: I am very sympathetic to Mr Mountain's point. I can understand that a reasonable deposit might be required, but it feels unreasonable to require an excessive deposit. In circumstances in which a loved one has died, a delay in repayment is unacceptable.

There are a couple of ways in which we can approach the issue, the first of which relates to the work of the Care Inspectorate. If Mr Mountain has any particular examples of such cases, I would be grateful if he furnished me with them, and I will ask the Care Inspectorate—or rather, I will pass them on to the Care Inspectorate. I had better observe and not exceed my statutory responsibilities in that regard.

The second way in which we can approach the issue relates to the work of Consumer Scotland, which I think could help in that respect. If Mr Mountain would care to write to me about the issue, I would be happy to pursue it.

I am conscious that this might be the last occasion on which I have the opportunity to engage with Mr Mountain, unless he sneaks in a question next week. If that is the case, I express my warmest wishes to him as he steps down from Parliament, for all that he has achieved here. [*Applause*.]

Emma Harper (South Scotland) (SNP): While Westminster parties are lurching to the right and their policies on immigration are having a catastrophic impact on Scotland's care homes and social care sector, will the First Minister set out what further steps his Government is taking to support the sector at this time and ensure that Scotland's care homes do not feel the brunt of Westminster's cruel policies?

The Presiding Officer: That is wide of the substantive question. Given that, I will move on.

Scottish Information Commissioner (Legal Advice)

6. **Katy Clark (West Scotland) (Lab):** To ask the First Minister what the Scottish Government's response is to reports that the Scottish Information Commissioner is taking legal advice on further legal action against the Scottish Government and his comments that he "can no longer trust the Government to handle this information unsupervised". (S6F-04758)

The First Minister (John Swinney): The Scottish Government has answered more than 13,000 freedom of information requests since the start of 2024, and 95 per cent have been responded to on time. The commissioner has raised compliance concerns about two of those cases. One relates to a delay in compliance of just over four weeks due to the need to adhere to court orders and the scale and complexity of material involved. The other is about the interpretation of the scope of a request. The permanent secretary has assured the commissioner that all freedom of

information requests cases are handled with the highest standards of impartiality and integrity.

Katy Clark: The commissioner has said that there have been "unjustified delays", a "wall of silence" and "preposterous" excuses, that the Government's handling of information relating to the Hamilton inquiry stands in stark contrast to the way in which the Government has handled nearly every other case, and that he is now considering consulting on a second contempt of court case.

No one is suggesting that any information that identifies a victim should be released, and that is not what is being asked for. It looks as though the Scottish Government is engaged in a systematic cover-up.

Will the First Minister commit to providing the information that is required by law? Will he give a commitment that he is not considering using his First Minister's veto, which has never been used since the freedom of information process was introduced?

The First Minister: We need to be clear that we are talking about two distinct issues. As I understand it, the commissioner's comments on further legal action relate to legal advice and not to material that we hold on the Hamilton report.

The commissioner is wholly independent of Government. His budget is rightly set by Parliament, not the Government. He comes to his own views and applies his own judgment, and it is for him to explain his comments. However, on BBC Radio Scotland just three weeks ago, on 25 February, the commissioner said:

"I think the Scottish Government in general is actually very good when it comes to freedom of information."

Of course, we have published thousands of pages of material on the Hamilton inquiry. That has not been simple or straightforward. It required us to navigate complex legal issues. What we will not do—and what I will never do—is knowingly release information that could compromise the anonymity of women in cases of alleged sexual assault. That would be utterly wrong, and I will not do it.

Murdo Fraser (Mid Scotland and Fife) (Con): The problem with the First Minister's defence is that it ignores the fact that David Hamilton, the Scottish Information Commissioner, has spent his entire career in the criminal justice system and he probably understands these issues better than anybody else in this chamber. His criticism of the Government is that the excuses that it has given are, in his words, "preposterous and unacceptable". Surely we should be listening to him. The Government should be complying with his reasonable requests. Otherwise, it gives the impression that this is a Government that is addicted to secrecy.

The First Minister: The innuendo of Mr Fraser's remarks is not lost on me, but I will quote the commissioner again:

"I think the Scottish Government in general is actually very good when it comes to freedom of information."

As I said in my first answer to Katy Clark, there have been 13,000 FOI requests since the start of 2024, with 95 per cent of those responded to on time, and with thousands and thousands and thousands of pages of information issued in relation to the Hamilton inquiry.

I reiterate what I said to Katy Clark. I am not going to knowingly do anything that gets me into the area of compromising the anonymity of women in cases of alleged sexual assault. There are court orders that must be followed and this First Minister is going to follow those court orders.

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

Ferry Services (Arran)

Kenneth Gibson (Cunninghame North) (SNP): The Cabinet Secretary for Transport outlined the Scottish Government's welcome commitment to a two-vessel service for Arran while Ardrossan harbour is being redeveloped. However, for most of this week, Arran has had a zero-vessel service, with both the MV Glen Sannox and the MV Caledonian Isles breaking down and the MV Alfred away for maintenance, leaving the island with no connection to Ayrshire for days.

No other island community is bearing disruption on that scale. Businesses are losing income, medical appointments are being missed, essential supplies are at risk and islanders constantly fear the next breakdown. What action will the First Minister take to restore reliability to Arran's ferry services before the consequences become even more serious?

The First Minister (John Swinney): I am glad to hear Mr Gibson's welcome of the Government's acquisition of Ardrossan harbour, which is a commitment that the Government gave to Parliament. It is another commitment delivered by my Government and enables us to take forward the securing of the Ardrossan to Brodick connection for servicing Arran.

I must push back a little on Mr Gibson's reference to a "zero-vessel" service for Arran, because the Claonaig to Lochranza service has been operating as a shuttle and all presenting traffic has been dealt with, although I accept that there has been disruption to Ayrshire services.

The MV Caledonian Isles is now back in service. I checked the marine traffic app before I came to

Parliament today to see whether it is operating just now, and it is. The MV Glen Sannox is out on sea trials off the coast of Troon and I hope that it will return to service. Caledonian MacBrayne has made it clear that the new ferry that has come to us from the Cemre yard, the MV Isle of Islay, is on standby, should it need to be deployed to the Isle of Arran route in advance of its introduction to service on the Islay route when the summer timetable comes in on 27 March.

Suicide Prevention (Schools)

Alexander Stewart (Mid Scotland and Fife) (Con): Suicide in young people has reached a crisis point. The breaking the silence suicide prevention project that has been piloted in schools in my region is a step in the right direction. What is the Scottish Government doing to ensure that the project's training, which literally saves lives, is rolled out in schools across the whole of Scotland?

The First Minister (John Swinney): I welcome Mr Stewart's comments and I attach the greatest importance, as I know he does, to supporting young people whose mental wellbeing is in jeopardy.

The Government takes a range of steps to ensure that we address issues of mental wellbeing and suicide prevention and that that is taken forward within our curricular work. The Cabinet Secretary for Education and Skills recently met the campaign group 3 Dads Walking to discuss suicide prevention. As part of the curriculum improvement cycle work, we will be looking to ensure that the curriculum adequately addresses the issues that Mr Stewart puts to me, and we will be happy to continue rolling out that work in partnership with local authorities.

Rokbak (Closure)

Mark Griffin (Central Scotland) (Lab): Volvo Construction Equipment has announced that it plans to close its Rokbak business in the Uddingston and Bellshill constituency, with the devastating loss of 120 highly skilled jobs. The GMB trade union has written to ministers on behalf of the workforce, rightly stating that the loss of the Rokbak line would be a major blow not only to the workers directly affected but to confidence in the long-term future of advanced manufacturing at the site and in Scotland more broadly.

Will the First Minister say what discussions the Government has had with the company and the workforce to explore whatever options there might be to save those jobs and the future of advanced manufacturing at the site?

The First Minister (John Swinney): I share Mr Griffin's concerns. The Deputy First Minister and the Minister for Business and Employment have spoken to the GMB union about the matter and we are establishing discussions with the company about the situation; Scottish Enterprise is already engaged with the business on ministers' behalf.

The issues that are causing the difficulty here are the trading conditions in which companies are operating. One of the particular issues is the tariffs arrangement with the United States, which, as Mr Griffin will know from my other comments in Parliament, I view as deeply disruptive to the handling of our economy.

I assure Mr Griffin that ministers will continue to engage with the company and the trade unions to try to avoid any redundancies here, because that would be damaging to the manufacturing sector in Scotland. These are very high-quality, sophisticated jobs and we need to keep them.

Planning Policy (Semi-rural Communities)

Gordon MacDonald (Edinburgh Pentlands) (SNP): Constituents in the semi-rural areas of my constituency of Edinburgh Paisley—[*Laughter.*] Sorry, I mean Edinburgh Pentlands. This is my last contribution—

George Adam (Paisley) (SNP): I love you, too. [*Laughter.*]

Gordon MacDonald: George Adam deliberately put me off before I started. Sorry.

Constituents in the semi-rural areas of my constituency of Edinburgh Pentlands have expressed concerns that the expansion of suburban developments in rural villages is placing increasing pressure on transport links, school and general practitioner capacity, and the preservation of remaining green-belt land and rural character. What assurances can the First Minister provide that planning policy fully recognises and addresses the distinct needs of semi-rural communities such as those in Edinburgh Pentlands?

The First Minister (John Swinney): I fear that Gordon MacDonald has been spending too much time in the company of his next-door neighbour from Paisley. It is something on which we have every sympathy with Mr MacDonald. [*Laughter.*] However, I know that he will miss his daily encounters with the member for Paisley in the neighbouring seat.

Let me pay tribute to Gordon MacDonald, who steps down from Parliament next week. [*Applause*.] He is a wonderful servant of the people of Edinburgh Pentlands and a dear colleague and friend.

Mr MacDonald raises a very important issue about the preservation of our quality natural environment. Planning policies and development plans must take into account all those considerations. That is a requirement of national

planning policy and it has to be applied in all circumstances.

North Sea Oil and Gas Production

Douglas Lumsden (North East Scotland) (Con): With the situation in Iran escalating and the cost of fuel skyrocketing, it is common sense that we should be maximising our own resources in the North Sea. Domestic production is better for the environment, better for our economy, better for our jobs and better for our energy security. Will the First Minister stop turning his back on one of Scotland's most important industries, scrap the Scottish National Party's presumption against new oil and gas, back projects such as Rosebank and Jackdaw and support new drilling in the North Sea?

The First Minister (John Swinney): As First Minister, I have made clear on countless occasions the importance that I attach to making sure that there is a just transition in the North Sea oil and gas sector for those who are affected. That is delivered by making sure that we have the right climate to enable that judgment to be taken forward. We must consider any developments in the North Sea in relation to our climate commitments, because we have to achieve them, but we also have to have energy security, and that is why I have argued that the Prime Minister should remove the energy profits levy and enable developments that can be compatible with our climate action to take their course.

Mr Lumsden raises a wider question about issues of energy sustainability and affordability. When this Government came to office, we had a clear ambition to massively increase the amount of electricity that is generated in Scotland from low-cost renewable sources, and we have succeeded in doing that. As a result, right now, people in Scotland should not be fearing soaring electricity bills as a result of soaring gas prices. Decisions by the SNP Government have put Scotland in a position where electricity bills for Scottish households and Scottish businesses should be lower, but decisions taken at Westminster prevent that. The answer is clear: Scotland's energy wealth should be protecting people here in Scotland right now. Scotland's energy wealth should be in Scotland's hands, and that will only come by voting SNP on 7 May.

Chronic Pain Interventions

Rhoda Grant (Highlands and Islands) (Lab): The review of chronic pain interventions that was published by the Scottish Health Technologies Group on 27 February recommends the use of interventions when that will assist patients to deal with chronic pain. Since then, I have been advised by a patient of the chronic pain service that NHS Highland has told her that it intends to close the chronic pain intervention service from late September. What is the First Minister doing to ensure that patients everywhere can access relief from pain?

The First Minister (John Swinney): Rhoda Grant has raised a very important point. I understand that no decision has been taken by NHS Highland on the future of its chronic pain intervention service. The Minister for Public Health and Women's Health has been clear about the need to ensure that local communities are properly consulted ahead of any proposed changes to that service. All NHS boards, including NHS Highland, are expected to provide high-quality care that is safe, effective and person centred.

It is vital that members of the public, wherever they live in the country, have access to those services. I will ask the minister, who is in the chamber, to address the issue that Rhoda Grant raised, discuss it with NHS Highland and correspond with Rhoda Grant.

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

Our next item of business is a members' business debate. There will be a short suspension to allow people to leave the chamber and the public gallery.

12:46

Meeting suspended.

12:48

On resuming—

Invasion of Ukraine

The Deputy Presiding Officer (Liam McArthur): The next item of business is a members' business debate on motion S6M-20434, in the name of Kenneth Gibson, on approaching the fourth anniversary of Russia's full-scale invasion of Ukraine. The debate will be concluded without any question being put.

Motion debated,

That the Parliament recognises that 24 February 2026 marks the fourth anniversary of Russia's full-scale invasion of Ukraine following the illegal annexation of Crimea in 2014 and proxy war in Donetsk and Luhansk; believes that Russian forces continue to indiscriminately bombard Ukrainian cities and control around one fifth of Ukraine's territory, including Luhansk, Crimea and most of Donetsk, Kherson and Zaporizhzhia; considers that fighting and air strikes have resulted in over 53,000 civilian casualties and that President Putin's veiled threats throughout the war to use nuclear weapons have raised fears of escalation; notes that around 3.7 million people are internally displaced in Ukraine and roughly 6.9 million refugees are recorded globally, including over 29,000 Ukrainians who arrived in Scotland, including in Cunninghame North, with a sponsor in Scotland through the Homes for Ukraine scheme; acknowledges the immense military casualties suffered by both sides, particularly Russia, given what it sees as its profligate use of manpower; notes the view that any ceasefire or settlement that cedes territory or lacks binding security guarantees could allow Russia to regroup and renew attacks, and that this would create the risk of a Carthaginian peace intended to permanently weaken and then annexe Ukraine; further notes the view that robust international support, including military, economic and humanitarian assistance, is essential to enable the survival of Ukraine, deter further aggression and secure a just and lasting peace, and expresses solidarity with the people and armed forces of Ukraine.

12:48

Kenneth Gibson (Cunninghame North) (SNP): I thank Ross Greer, Paul Sweeney and my Scottish National Party colleagues, who signed my motion to enable this debate to take place.

I welcome the members of the Ukraine Solidarity Campaign who are sitting in the public gallery, and thank them for their work to ensure that the war of aggression that has been waged against Ukraine remains in our minds, and for calling out those who backslide in their support for that embattled democratic nation.

Just over four years ago, life in Ukraine changed for ever. On 24 February 2022, what seemed unthinkable in 21st century Europe happened: Russian tanks rolled into Ukraine, from Belarus in the north, Russia in the east and occupied Crimea in the south. Thus began Russian President Putin's illegal and full-scale invasion of proudly independent Ukraine, 92.3 per cent of whose citizens had voted to exit the Soviet Union in a referendum that took place barely two decades earlier.

Let us not forget that, in 2014, Russia unilaterally annexed Crimea by stealth, after thousands of Russian soldiers quietly infiltrated military bases and public buildings. The subsequent hastily arranged sham referendum, which excluded the status quo as an option, was boycotted by Crimeans who were loyal to Ukraine, but was cynically used by President Putin as justification to take Crimea under his control.

Western democracies, including the United Kingdom, must reflect and ask themselves uncomfortable questions about why they underestimated the clear and obvious warning signs that Putin's Russia was a threat to peace. One example is his support of alleged separatists in eastern Ukraine who, in reality, wanted to merge with Russia. Infamously, they shot down Malaysia Airlines flight 17 in eastern Ukraine, killing 298 innocent people after being armed by Putin to fight an insurgency by proxy that continued for eight years prior to the full-scale invasion of Ukraine.

Even in the days leading to 24 February 2022, western diplomats thought Russia's mobilisation to be a bluff, and that a full-scale invasion simply could not happen in this day and age. When Putin announced that Russian forces would carry out a so-called special military operation in Ukraine, the realisation finally dawned that Russia had launched the largest military assault on another European country since the second world war. Ukraine's President Zelenskyy declared full military mobilisation and, against all expectations, Ukraine did not fall. In many areas, Putin's forces were driven back over the border by a combination of heroic Ukrainian resistance and stupefyingly inept Russian military incompetence.

They withdrew, leaving stark evidence of atrocities behind them. At Bucha, a Kyiv suburb, 1,400 people were murdered during a 33-day occupation by Russian forces—a war crime with widespread evidence of the rape and torture of victims. In late spring, summer and autumn 2022, Ukraine achieved remarkable military success, liberating thousands of square kilometres that had recently been taken by Russia. Yet, as winter began, 20 per cent of Ukraine remained under occupation, as it does to this day. One consequence of that was the kidnapping and forced Russification of 19,000 Ukrainian children, who have been brought up to hate their country and who are still in captivity.

In those heady days of 2022, it seemed that one more big push in 2023, which was telegraphed for

months in advance, would drive out the foe. It did not happen. The Russians laid vast minefields and prepared defences in depth. A timid President Biden and NATO provided Ukraine with billions of dollars in weaponry and economic aid, yet starved Ukraine of armour, missiles, jet fighters and munitions, and had a blatant but unstated policy of stopping Ukraine from losing but doing nothing to help it to win. A plethora of weapons in penny packets with different calibres required a bewildering array of training and spare parts and, coupled with a refusal to allow weapons to be fired into Russia, it hobbled Ukraine's military effectiveness and ensured further degradation of Ukrainian land, in which all munitions would fall. It also enabled Russian logistics to move supplies almost to the border unhindered. Fear of nuclear escalation was the alleged reason for such reticence, as if Putin would nuke an area that he wants to incorporate into Russia. Ukraine fought on, with one hand tied behind its back. The heroism of its hopelessly outnumbered soldiers and stoic civilians is truly remarkable.

We must never forget those who bear the brunt of this unnecessary and unprovoked war. The Center for Strategic and International Studies estimates that Ukraine has suffered up to 600,000 battlefield casualties, with 140,000 deaths and tens of thousands of civilians dead and wounded. Russia, more profligate with the lives of its soldiers, has sustained around 1.2 million casualties, including 325,000 killed, with continuing losses of 1,000 men a day, many of whom are young conscripts. That is an appalling waste of human life.

Murdo Fraser (Mid Scotland and Fife) (Con): I associate myself entirely with everything that Kenny Gibson is saying. He might be coming on to talk about the support that people in Scotland are showing for Ukraine. Will he join me in saluting the many voluntary groups throughout the country, including Tayside and Strathearn Help for Ukraine, based in Errol in Perthshire, which collects donated goods from all over Scotland, including food, clothing and medical supplies, and takes them on a weekly trucking journey to Ukraine to help those in need? Will he join me in calling on the Scottish Government to do what it can to support those efforts in Scotland?

Kenneth Gibson: I absolutely agree with that very welcome intervention. Indeed, it means that I no longer have to cover that part of my speech, because Mr Fraser has touched on it. I concur with what he says. I am just about to move on to Scotland's support for Ukraine.

Meanwhile, 3.7 million Ukrainians who have been driven from their homes are internally displaced, and 5.9 million have been forced to cross into neighbouring countries. In Scotland, 29,000 Ukrainians—mostly women and children—arrived with a sponsor through the homes for Ukraine scheme and have made an invaluable contribution. That includes a former intern in my office, who found a new home with a family in Beith.

I welcome the on-going voluntary work to help the people of Ukraine, which Mr Fraser touched on. I also welcome the Scottish Government's unwavering support for Ukraine and Neil Gray's sterling work as minister with special responsibility for Ukraine. Although Scotland's devolved Government is limited in how it can support Ukraine's people, we must do what we can. For example, to help to defend against deadly Russian drone attacks, more than 280 tonnes of fishing nets were sent from Scotland, following a request from President Zelenskyy's Government. Vital infrastructure and strategic locations in eastern Ukraine are now protected by nets draped overhead, which catch exploding drones. On the meat grinder of its front line, Russia has barely inched forward in the past 30 months, but the use of drones makes it almost impossible for people to live safely within 30 miles of Russia's lines.

The Ukraine Solidarity Campaign Scotland urges all candidates in the upcoming Scottish parliamentary election to support its five pledges for Ukraine and the Ukrainian people. Full details will be sent to all candidates, but the top line of each pledge is: first, to help the Ukrainian people to defeat the illegal Russian invasion of their country; second, to prevent Russia from financing its invasion of Ukraine through trade; third, to build practical solidarity links between the Scottish and Ukrainian people; fourth, to help Ukrainian refugees to build new lives here if they want to do so; and finally, to provide necessary Scottish Government material support for Ukrainian refugees. I trust that all candidates, across all parties, will support those aims.

Preventing Russia from financing its invasion of Ukraine through trade is particularly pertinent. Putin has been handed a billion-dollar windfall as the United States loosens sanctions on Russian exports due to the surge in global oil prices, which, ironically, is caused by the US's illegal war on Iran. Iran supplies the notorious Shahed drones that Putin sends indiscriminately, night after night, against Ukraine's civilian infrastructure. President Trump is seemingly in awe of Putin, and his ham-fisted peace negotiators' approach makes it look more like he is pursuing a real estate deal—a deal similar to the infamous Munich agreement that Hitler, Mussolini, Chamberlain and Daladier imposed on Czechoslovakia in 1938. Appeasement is never the answer. Ukraine has been urged to make all the concessions to end a war that it did not start.

Despite this grim picture, the Ukrainian people's determination to achieve a just peace remains resolute. We must not accept the Carthaginian peace that President Putin desires, which would allow him to permanently weaken Ukraine and annex the country at a later date. Peace is best achieved by Russia abandoning its imperialist war, vacating areas conquered and leaving an independent democratic Ukraine to decide its own future, with its territorial integrity restored.

While the world's media focus is, understandably, on the latest middle east conflict, Kyiv and other Ukrainian cities are hit daily by Russian missiles, thousands perish on the front and peace talks appear moribund. Four years on from Russia's invasion, Ukraine remains steadfast, while Putin wastefully throws away the lives of his soldiers. Russia is a major threat to much of eastern Europe, as those nations well know. The Baltics do not believe that, if successful, Putin will stop at Ukraine, and neither should we. It is our duty to do everything in our power to ensure that he is not successful, including whole-heartedly supporting Ukraine, financially and militarily. Glory to Ukraine.

The Deputy Presiding Officer: Before we move to the open debate, I encourage members who wish to participate to make sure that their cards are in and that they have pressed their request-to-speak buttons.

12:58

Kevin Stewart (Aberdeen Central) (SNP): I thank Kenny Gibson for securing the debate. This is likely to be my last speech in this place.

Last month marked four years since Putin's full-scale invasion of Ukraine. What was originally dismissed by the Kremlin as a three-day march on Kyiv has instead become a historic example of human endurance. For four years, the Ukrainian people have stood unyielding, proving that the pursuit of self-determination cannot be crushed by imperial aspirations. We must be clear that that resilience has come at a staggering, heartbreaking cost. Casualties on both sides are estimated at 2 million dead and wounded.

Despite the grief, Ukraine is no longer seen simply as a recipient of aid. It has emerged as a vital security partner and, as it has reclaimed territory, it has reshaped the future of modern defence through innovation and sheer grit.

The spirit of defiance is not just felt on the front lines; it vibrates through every corner of the world where Ukrainians have found a temporary home. In Aberdeen, that spirit is stronger than ever. Through organisations such as the Ukrainian Hub Aberdeen and student societies, displacement has been transformed into a powerful force for advocacy. From the solemn vigils at Marischal Square to the Sunday schools preserving the Ukrainian language for a new generation, the diaspora in the north-east is ensuring that the struggle for freedom remains at the very heart of our community's consciousness.

I am proud of my city of Aberdeen for its efforts in rallying around and helping our Ukrainian friends and neighbours in their time of need, and I am proud of my native city for so many other reasons. It has been an honour to serve the people of Aberdeen in one way, shape or form for 27 years—13 years on Aberdeen City Council and 15 years in this Parliament. It was a privilege to serve as a minister for seven of my years here and to help shape our country and make it a better place to live in—a task that would be much easier if we had the full powers of independence.

I thank all the people of Aberdeen who voted for me over the years, my family for putting up with the stresses and strains that elected office brings, and all the staff who have worked for me over the years. I offer a special thanks to my current head of office, Logan Unwin, and to Doug Daniel, Blair Fulton and David McNay. An MSP is nothing if they do not have good staff to help them serve the people. Serving the people is what the Parliament should be about but, unfortunately, it seems that some folk have forgotten that. That has to change so that the Parliament can truly meet the needs and aspirations of the people of Scotland.

My final words are freedom for Scotland and slava Ukraini.

13:02

Stephen Kerr (Central Scotland) (Con): I am pleased to follow Kevin Stewart in giving his last address to the Scottish Parliament. Of course, I wish him all the very best. He is right, as were Murdo Fraser and Kenny Gibson, to highlight the response of the communities of Scotland and the resilience of the Ukrainian people. Ukraine is fighting for its survival and our freedom. It is right that we take this time in Parliament to place on record our solidarity with the Ukrainian people and with the brave men and women of the Ukrainian armed forces defending their country.

We should be in no doubt about what this war is. It is not a misunderstanding or a border dispute—it is a criminal and illegal invasion, ordered by Vladimir Putin. He has behaved not as a statesman but as a gangster. The destruction of cities, the deaths and injuries of tens of thousands of civilians and the displacement of millions are the direct consequences of his aggression.

In recent months, the scale of the attacks has intensified. Ukrainian cities are being subjected to mass drone and missile strikes night after night,

with hundreds of drones in a single wave, dozens of missiles fired in one barrage, power stations destroyed, homes flattened, children killed, and families left in the winter without heat or electricity. Those are not legitimate military targets. The attacks are acts of terror directed at a civilian population. Let us not forget that against that brutality stands the extraordinary courage of the Ukrainian people. We should also remember the many Ukrainian women and children who came here to Scotland, as has been mentioned, at the beginning of the conflict, and how the communities of Scotland have stepped forward.

Britain has the right—and has been right—to stand firmly with Ukraine. The training given by British forces and the equipment supplied has mattered enormously, but this is not the moment for any slackening of that commitment. Ukraine's security is bound up with our national interest. Indeed, the war in Ukraine is teaching us a hard lesson that drone warfare at scale is now the method of choice in such conflicts. It has also taught us the critical importance of air defence and the need to provide munitions in serious quantities.

That is the reality. Those lessons must be learned quickly. Britain must increase defence spending. We must expand our munitions production and invest in systems that defend our homeland against mass drone and missile attack. We should be stockpiling drones and strengthening ground-based air defences. In time, Britain will need its own equivalent of an iron dome.

However, it is not just about equipment but about people. We need to encourage more young Scots into the defence industry, engineering, advanced manufacturing and apprenticeships in the high-technology drone sector that is reshaping modern warfare. Those are skilled, high-value jobs for the young people of Scotland and they are critical to our national security.

That is why the Scottish National Party's position is, at times, frustrating, to be frank. Warm words about Ukraine mean little if there is hesitation about the industrial effort that is required to produce the munitions and equipment that Ukraine needs. These are serious times and they demand serious politics.

The international community must remain firm. Sanctions on Russia must not weaken. There are suggestions in the light of tensions in the middle east that oil and gas sanctions should be released. That would be a profound mistake. It would be a betrayal of our values. Russia's war must not be financed by the revenue that sanctions were designed to constrain. The only way to protect peace is to be strong in the face of aggression. Britain must stand—we must stand—firmly beside Ukraine until the war ends in a just peace and their victory because aggression must never be rewarded.

The Deputy Presiding Officer: Before I call the next speaker, I encourage the cabinet secretary to put his card in. I call Jamie Hepburn.

13:07

Jamie Hepburn (Cumbernauld and Kilsyth) (SNP): I pay tribute to and thank my friend Kevin Stewart for his many years of public service and wish him all the best for the future.

I am also grateful for the opportunity to speak in support of the motion, in the name of Kenny Gibson, marking four years since Russia's full-scale invasion of Ukraine—an event that has reshaped that nation's future and reverberated across our continent. We should, of course, be clear that the conflict did not begin in 2022—Kenny Gibson made that point—but has its roots in the illegal annexation of Crimea in 2014 and the destabilisation of eastern Ukraine through proxy war in Donetsk and Luhansk.

What we have witnessed since is not an isolated event but a sustained assault on sovereignty, international law and the principle that borders cannot be redrawn by force. Above all, the human cost has been staggering.

Last month, President Zelenskyy, whose courageous leadership has rightly been recognised across the globe, said that 55,000 Ukrainian combatants had been killed. Others put the figure higher—indeed, Kenny Gibson cited another figure. Some 200,000 or more Russian military personnel have been killed. Again, others put the figure much higher. More than 15,000 civilians have been killed and more than 40,000 injured. That is a senseless waste of human life.

Millions more people have been displaced within Ukraine or forced to flee their country. In Scotland, we have seen that human impact directly as thousands of Ukrainians have found refuge in our communities. That solidarity speaks to our fundamental values. Those who have come here, as others have come from other conflicts, are welcome to be with us as long as they need, although I am sure that we all hope that they will be able to return home safely soon.

In that vein, I was pleased to meet and speak with Zhenya Dove when she was at the Parliament as part of the Ukrainian community in Scotland as they brought their exhibition entitled "The Weight We Carried" to this place. Being confronted with the question of what I would take if I had to pack my life into one suitcase was a stark demonstration of the reality that many Ukrainians have had to face in dealing with that question through their

lived experience rather than through the hypothetical scenario that was put to me.

In this debate, we must confront the wider implications for countries across eastern Europe, including Poland, the Baltic states and Moldova. This war has understandably triggered profound concern. They consider the history—they look at Ukraine and ask, if aggression is rewarded, who might be next?

That is why concerns about the future cohesion of long-established arrangements for mutual defence cannot be dismissed. Donald Trump's various utterances about Europe and Greenland have raised doubts about the unconditional nature of collective defence. If that guarantee becomes conditional or transactional, the credibility of deterrence is weakened, and if deterrence is weakened, the risks to peace increase.

On the issue of peace, Kenny Gibson's motion also speaks about the nature of any future peace. Peace is the end destination that we all must aim for, but it must be real and it must be meaningful. A settlement that rewards aggression, that involves ceding territory at the barrel of a gun and that is without security guarantees risks not ending the conflict but merely pausing it. History teaches us that unstable peace can sow the seeds of future war.

Our message today should be clear: Ukraine must be supported not only in defending itself today but in securing a just and lasting peace tomorrow. That requires sustained assistance, unity among allies and a recognition that the stakes extend beyond Ukraine's borders. We should affirm not only our solidarity with the people of Ukraine but our commitment to the principles that underpin peace and stability across Europe.

13:11

Colin Beattie (Midlothian North and Musselburgh) (SNP): I thank Kenny Gibson for securing this members' business debate; however, I am saddened that it is still necessary. The brutal and illegal full-scale invasion of Ukraine is on-going after four years—four years of families being torn apart, four years of lives being lost, four years of truly barbaric war crimes and four years of unbreakable solidarity between Scotland and Ukraine.

It is difficult to express the extent of how tragic this war has been. It has resulted in 53,000 civilian casualties, 3.7 million people being internally displaced and 5.9 million people being displaced worldwide. I would like to note a recent United Nations report detailing the extent to which Ukrainian children are being torn from their families and taken to Russian-occupied areas or even further into Russia. The UN verified 1,250 reports of such action, which contravenes international humanitarian law. The reality, though, is that many times that number have been forcibly abducted and brainwashed into becoming Russians. It grieves me to think of the many parents who are simply unaware of their children's fate and who long for their return to their families.

That is just one of the many reasons why we must continue to support Ukraine in its war efforts and support the 29,000 Ukrainians who have arrived in Scotland. I have been fortunate enough, as convener of the cross-party group on Ukraine, to meet many of the displaced Ukrainians. They are a credit to their country and have shown a level of resilience, courage and community spirit that continues to inspire me and, I am sure, would inspire everyone in the chamber.

In our meetings, I have heard at first hand the struggles that some have experienced when settling in Scotland. One barrier for Ukrainians who settle in Scotland is recognition of their qualifications. We have heard from qualified therapists and nurses who are unable to work in their field, and I urge the Scottish Government to work with the UK Government to address that issue, as doing so would go a very long way towards closing the skills gap in our population.

I was pleased to see President Zelenskyy visit the UK this week to sign a new defence pact with the UK Government, aimed at tackling attack drones. Throughout this invasion, the UK and the European Union have stepped up, and they should be proud of the support that they have given.

I am, however, gravely concerned about the US Government's decision to ease sanctions on countries that buy Russian oil. Worryingly, reports claim that monthly Russian oil exports could be boosted by £7.5 billion. Make no mistake: any country that purchases this oil is directly funding Putin's war effort and, in turn, horrendous war crimes.

I am also concerned that the ill-judged conflict between the US and Iran is taking the focus off Ukraine and its struggles—even more so if it results in shortages of missiles and drones to defend Ukraine. In that regard, it is ironic that Trump is now looking to Ukraine to step up and provide its expertise in drone warfare, even as he talks down the country and its war effort.

It is also important that we take steps towards rebuilding Ukraine once the war is won. I am pleased to see that the Scottish Government is taking steps towards that through the signing of a memorandum of understanding, which will promote economic co-operation on trade, investment and economic development between the Scottish and Ukrainian Governments. It is a welcome first step on the road to recovery.

As this will be my last speech before dissolution, I want to thank members across the chamber and the Scottish Government for their consistent solidarity with Ukraine. I truly hope that we will see a peaceful end to the war soon.

13:15

Paul Sweeney (Glasgow) (Lab): I congratulate Mr Gibson, the member for Cunninghame North, on securing today's debate with his members' business motion, which I was pleased to sign.

More than four years have passed since Vladimir Putin launched his brutal all-out invasion of Ukraine in February 2022 in the worst escalation of the Russo-Ukrainian war since 2014. What Russia had intended as a lightning conquest of the capital city of Ukraine became a grinding war of attrition, yet the Ukrainian people continue to defend their sovereignty with extraordinary courage and resilience, despite appalling atrocities, hardship and casualties.

During the Easter recess last year, I joined a cross-party group of volunteers, who included Alex Cole-Hamilton MSP, Angus MacDonald MP and Danny Chambers MP, to drive a convoy of old national health service ambulances that were loaded with humanitarian and medical aid from London to Lviv. It was organised by Mighty Convoy, and we drove non-stop in shifts across seven countries and covered the distance in around 36 hours, fuelled primarily by caffeine, Haribo and a determination and shared commitment to stand with Ukraine.

As we crossed the border from Poland, the reality of total war hit us immediately. Instead of displaying typical advertisements for the consumer goods that we might be familiar with, billboards warned of disinformation and called for young people to volunteer as drone operators. Rural roads and village churches—which are much like our own in Scotland, although Ukrainian churches tend to have those glittering Orthodox onion domes—were lined with Ukrainian flags to mark the recent graves of fallen soldiers. It was a heartbreaking and stark reminder of the immense human cost borne by communities across that vast nation and an indication of what we ourselves went through a century or so ago, with the war memorials that were put up in every corner of every village and town in Scotland.

We delivered the ambulances to dedicated volunteers at the Christian Medical Association of Ukraine in Lviv, who ensured that they reached the front-line units sustaining the armed forces. Lviv's beautiful old town, which is a United Nations Educational, Scientific and Cultural Organization world heritage site reminiscent of Prague or Krakow, felt subdued under curfew and wartime restrictions, and there were eerie reminders of the vulnerability of Ukrainian cities to Russian attack, such as the netting strung from lampposts in case of a drone attack.

The next day, we visited the UNBROKEN Center. It is the national rehabilitation centre at Saint Panteleimon hospital, Ukraine's pioneering, state-of-the-art medical facility, and it provides surgical care, prosthetics and mental health support to all those who have life-changing injuries from the war, some of which are too appalling to talk about.

As we toured, the nationwide minute of silence, a daily ritual to honour the fallen, began at 9 am. The medics at the centre expressed their keen interest in collaborating with Scotland, given the expertise that we have across the national health service, particularly at WestMARC—the west of Scotland mobility and rehabilitation centre—at the Queen Elizabeth university hospital and the Canniesburn plastic surgery and burns unit at Glasgow royal infirmary. We have real knowledge to share in that area, but we have a lot to learn about national resilience from Ukraine, too.

We met the Lviv mayor, Andriy Sadovyi, who revealed that his city diverts 20 per cent of its budget—the equivalent of all of Glasgow City Council's council tax revenue—to procuring weapons for the front line, all the while managing bomb damage and caring for mass casualties. They do not want to let the Russians grind them down, and repairs are carried out promptly and vigorously to ensure that morale is maintained.

We also toured one of Ukraine's many drone production facilities. What looked like a modest industrial unit in a suburban neighbourhood produces 10,000 advanced one-way attack drones monthly for the armed forces. As Mr Kerr has mentioned, drones now cause up to 80 per cent of daily combat losses and have transformed the nature of modern warfare, with people using them to actively hunt soldiers on the front line.

The most poignant moment came at a combat medic training base when we handed over the keys to one of the ambulances, which was bound for a field hospital far to the east of where we were. The brigade commander became emotional. In the larger picture, it was a modest gesture, but the gratitude and solidarity were overwhelming to him. He talked about a recent attack that had claimed more than 30 lives, and about how British-supplied air defences were now their primary shield against Russian rockets.

That journey reinforced what I have long believed—that the front line of European democracy is a mere three tanks of diesel away from Scotland. We all have a profound stake in Ukraine's success. Around 40 per cent of all

humanitarian aid arriving in Ukraine is donated, funded or transported by small organisations and charities, and, last September, we welcomed the team from Mighty Convoy here to the Parliament. Led by businessman Simon Brake, it is working through a growing network of engaged volunteers and partners across the United Kingdom to deliver vehicles and humanitarian aid to trusted charity partners. I encourage all members—and indeed anyone watching—to connect with those organisations and show their own solidarity.

It has been immense to see the contribution that Scotland has made to the war effort, as unnecessary and appalling as the war is. We have to remember that we must look after those who have sought refuge in Scotland, and we have to build connections within our own communities. I have certainly been enjoying doing that in Glasgow with the Association of Ukrainians in Great Britain, the Balgrayhill Ukrainian Tenants Alliance and others. We can do so much at home, while keeping up the effort to sustain Ukraine in its fight for freedom.

13:21

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): I thank Kenny Gibson for bringing this debate to the chamber, four years on from the start of the conflict. It is perhaps a sign that four years have passed with no resolution that we now have to search down the social media news columns to find stories about the Ukraine war.

When we do so, however, we will find a current analysis of the situation by that fantastic journalist Jeremy Bowen. In an article, Mr Bowen starts off in Donetsk, on a cold night. He writes:

"Dystopian military vehicles straight out of Mad Max rumble past, encased in their own cages of steel and netting."

He notes that the roads are covered overhead with fishing nets that

"go on for miles, suspended from wooden poles",

and that the nets snag the propellers of the Russian drones and protect people from direct blasts that will kill them and destroy any vehicles—often civilian vehicles—that are targeted. He tells us that

"Much of the netting has been donated by European fishermen."

Indeed, the Scottish Government has sent about

"280 tonnes of salmon nets that were about to be recycled."

It is a small contribution from Scotland, but one that makes a huge difference.

Drones seem to be one of the key weapons being deployed by both sides. They have transformed the war from the failed gung-ho attack that was launched in the early days by Putin to this war of attrition that involves inching forward day by day, with drone technology delivering most of the damage.

Recently, our friend Elon Musk has effectively switched off Russian access, via third parties, to his Starlink satellite system, which was helping the Russians locate and accurately acquire targets on the ground. That is an advantage for Ukraine at the moment, but it is expected that Russian technology experts will soon find a workaround.

Various different figures have been shared by members today. Estimates of losses on both sides are unreliable, but it is thought that more than 1 million Russians could have been killed or wounded, and that 500,000 Ukrainians have been killed or wounded or are missing. Those are incredible numbers—they are tragic losses that should never have occurred. The likelihood, however, is that Putin will keep on sacrificing his young men, no matter the cost in Russian lives, to achieve his goal of subjugating the nation of Ukraine.

It is also well known that Putin is recruiting and bringing in North Koreans, Cubans and Kenyans, as well as soldiers from Egypt and even India, many of whom have been hoodwinked and drafted in by Putin to the front. It is probably a sign of desperation, and some Governments are demanding that Putin stops recruiting their citizens with false promises of jobs and prosperity for their families.

How will this awful conflict end? It appears to me from the most recent published negotiations that Ukraine is being asked to give up everything and Russia nothing. President Zelenskyy has said no to giving up Ukrainian soil to the Russians to get peace. As one father in Mr Bowen's article put it,

"If a maniac comes to your home and says, 'Give me your daughter and I won't come back,' do you really think that a man like this—who rapes and pillages—is simply going to stop?"

I sincerely hope that Europe continues to back Ukraine to the hilt—it must. The Russians are gambling that we will not and that their war of attrition succeeds. At the end of the day, this is a war that Russia can never win, like so many of its past conflicts. There can surely only be a few Russians, from the top down, who actively want to capture Ukraine, but there are 80 million Ukrainians from the bottom up who will fight to prevent that from happening.

The power of the people is always greater than the people in power, and Scotland supports you. Myr ta svobodu Ukraini. Peace and freedom to Ukraine.

13:25

The Cabinet Secretary for Constitution, External Affairs and Culture (Angus Robertson): I thank colleagues for their thoughtful contributions to this debate. The Scottish Parliament speaks with one voice in solidarity with Ukraine. If one was watching proceedings, one would not be able to guess which party any of us represented. We are speaking with one voice.

Kenneth Gibson, to whom I pay tribute for bringing this debate to the chamber, reminded us of the Putin playbook in Crimea and eastern Ukraine in 2014. It is really important to remember that, because it is happening again. For anybody who is not aware of it, I draw their attention to what has been reported as happening this week in the so-called people's republic of Narva in Estonia. They are doing it again—be warned. Kenneth Gibson reminded us of the lessons of history. Never forget appeasement. Never forget what was agreed with Nazi Germany in relation to the Sudetenland in 1938 and what followed from that.

Murdo Fraser paid tribute to Scottish volunteers and charities, and he was absolutely right to say that we need to do more. Yesterday, I had discussions with the Scottish Catholic International Aid Fund, the head of Caritas Ukraine, who has been in Scotland this week, and the head of Caritas Europe. We need to do more and to continue to do everything that we can.

Murdo Fraser: I have written to the cabinet secretary about Tayside and Strathearn Help for Ukraine, which is still being overwhelmed with donations from people across Scotland, but it is running out of money due to how expensive it is to run trucks to Ukraine every week because of fuel costs and so on. He has not replied to my letter yet—at least, I have not seen a response. If the Scottish Government can do anything, I encourage it to assist that charity, because it does vital work. If it runs out of cash, it will have to stop sending vital supplies to Ukraine.

Angus Robertson: I hear the concerns that Murdo Fraser has raised. I will look very closely and as sympathetically as I can at the correspondence.

After he intervened earlier, Kevin Stewart made a very moving speech—his last of the parliamentary session. With your indulgence, Deputy Presiding Officer, I will pay tribute to him. He has been a remarkable public servant for 27 years. He has served as a member of the Scottish Parliament representing the city of Aberdeen and as a Government minister in a number of portfolios, during which time he discharged his duties with tremendous engagement and professionalism—and we must not forget his local government background in Aberdeen. I have known him for a long time, and he has been a remarkable servant to the Scottish National Party and the cause of independence. I pay tribute to him, but I know that he will not leave the political stage, even though he might be leaving the Parliament.

Stephen Kerr reminded us of a really important point: Ukrainians are not fighting only for Ukraine; they are fighting for us all in Europe. We need to stand by them. He reminded us of the targeting of Ukrainian civilians and civilian infrastructure. Those are acts of terrorism by the Russians, and they need to be described as such. He said that there should be no slackening of our commitments and that we should encourage the United Kingdom and other countries to provide everything that Ukraine requires to defend itself and to liberate the occupied territories.

Jamie Hepburn recounted the cost of the conflict and the solidarity that exists in Scotland. He also underlined the importance of our collective defence.

Colin Beattie spoke of his concerns, which I share, about the lifting of sanctions against Russia and the diversion of attention and armaments to the middle east.

Paul Sweeney recounted his experience of volunteering and of visiting Ukraine, and he spoke about the necessity of resilience there and here, which is an important lesson for us. I join him in paying tribute to Scottish volunteering efforts and volunteers.

Willie Coffey highlighted that Scotland has recently supplied fishing nets to Ukraine to counter the use of drones. He said that we need to back Ukraine to the hilt and that there must be a just end to the conflict.

As we heard, it is now more than four years since Russia's full-scale invasion of Ukraine. The human cost remains shocking, but the past few months have at least seen Ukraine strengthen its position on the front line. We pay tribute to the men and women of the Ukrainian armed forces, who are paying for it in blood and treasure, and we welcome the increasing possibility of Ukraine retaking territories in the south. Increased access to military technology, including Ukrainian-manufactured drones, has enabled the Ukrainian army to make those gains, while minimising its own troop losses.

However, events in the middle east are clearly having unintended impacts on the conflict in Ukraine. Increased global oil prices are bringing an additional $150 million a day into Kremlin coffers, and there has been some easing of economic sanctions on Russia. Today, Ukraine's President Zelenskyy is reminding EU leaders in Brussels that

continuing to support Ukraine, including by releasing the €90 billion of EU loans that are currently held up and doing whatever it takes to defeat Putin, is in Europe's best interests.

Stephen Kerr: Does the cabinet secretary agree that the seized assets that belong to Russian oligarchs and other friends of Putin should be put immediately at the disposal of Ukraine's defence?

Angus Robertson: The simple answer is yes, and we should be getting on with it. I appeal to the European Union in particular to look at that matter closely. I also take the opportunity to appeal to Hungary and Slovakia to not stand in the way of supporting Ukraine. I am meeting the Slovakian ambassador immediately after this debate, which is why I gave a short answer, and I will make that point to him directly.

Ukraine is a key part of the European family. Western unity cannot fracture, and we must continue to stand in international solidarity and steadfast support of Ukraine. As Ukraine works to consolidate recent gains and secure further political and financial backing, the Scottish Government continues to respond to urgent Ukrainian requests for support by working closely with the International Committee of the Red Cross. We have helped to ensure that medical equipment, including beds, mattresses and oxygen concentrators, are donated to hospitals and health structures in need. That includes support for burns centres, most of which are in close proximity to front lines, including Kherson and Zaporizhzhia, to support the most vulnerable.

We have joined the likes of Denmark, Sweden and France in supporting Ukraine's defence against Russia by arranging for aquaculture nets at the end of their working life to be sent from Scotland to help the nation to defend itself against deadly Russian drone attacks. Vital infrastructure in strategic locations in eastern Ukraine will be protected by draping the nets overhead to catch exploding drones.

Following the continued escalation of missile and drone attacks that deliberately target critical energy infrastructure, the Scottish Government is also looking at how we can support the Ukrainian Government's most recent request for energy equipment to help communities across Ukraine to regain access to reliable heating and power during this critical period. This week, with the kind support of the Energy Industries Council, the First Minister wrote to energy businesses across Scotland, setting out what is needed and seeking to identify any available equipment.

As we reflect on the urgent need for a just and lasting peace in Ukraine, it is important that we also recognise the extraordinary humanitarian effort that has taken place in Scotland. Since the war began, more than 29,000 Ukrainian people have arrived in the UK, under sponsorship from either an individual in Scotland or the Scottish Government, and more than 21,000 of those arrivals have come through Scotland's supersponsor scheme.

I place on record my deep gratitude to local authorities, third sector partners, schools, volunteers and the many Scots who opened and continue to open their homes to offer safety and stability. Through that partnership, Scotland has been able to provide a safe and warm home for those displaced by the horrors of war. Many Ukrainians have already begun to rebuild their lives here, contributing to our communities as valued friends, neighbours and colleagues. Their courage in the face of profound uncertainty continues to inspire us.

As we look forward to a future of peace, it is vital that we restate our unwavering support for all who have found safety here. Scotland will stand beside you for as long as you need us. Our country remains a place of refuge and, if you choose, a place to call home. Slava Ukraini. Heroyam slava.

The Deputy Presiding Officer: That concludes the debate, and I suspend this meeting of the Parliament until 2 o'clock.

13:35

Meeting suspended.

14:00

On resuming—

Scottish Parliamentary Corporate Body Question Time

Non-Government Bills Unit

1. **Kevin Stewart (Aberdeen Central) (SNP):** To ask the Scottish Parliamentary Corporate Body whether it will consider increasing the resources and staffing available to the non-Government bills unit. (S6O-05645)

Maggie Chapman (Scottish Parliamentary Corporate Body): The NGBU is a clerking team that is supported by Parliament's lawyers and external drafters. It provides impartial and confidential support to members of Parliament who are not Government ministers who wish to take forward a proposal for a member's bill. The unit provides support on a first-come, first-served basis. The corporate body seeks to ensure that, as far as possible, access to the NGBU is provided to members in an equitable way. However, the NGBU is a finite resource and it is also required to support committee bills, private bills and hybrid bills.

The staffing complement of the unit was increased by one member of staff at the beginning of the parliamentary session to reflect the high level of demand that was being experienced for NGBU support for the large number of members' bills in the session.

As the member will know, NGBU's procedural advice and guidance is provided impartially to any member. There are circumstances in which full support is neither provided nor needed. I can go into more detail on that if the member would like, but now I look forward to his supplementary question.

Kevin Stewart: I have no skin in this game, because I will not be returning to Parliament after the election. However, I feel—as other members have said that they felt during the session—that we have not been particularly well served by the non-Government bills unit. That is not because the staff are not excellent—they are excellent—but because there are too few of them. That has meant that we are all having to deal with a backlog of members' bills now, which, frankly, is not good enough.

The Deputy Presiding Officer (Annabelle Ewing): Could we have a question, please, Mr Stewart?

Kevin Stewart: I would like the corporate body to look at the matter very seriously, and I would like assurance that that will be done so that we can have an NGBU that works for members in the future.

Maggie Chapman: The corporate body has produced guidance on members' bills for all members for session 7. In doing so, we have sought to ensure that the system is as equitable and efficient as it can be.

In addition, the corporate body is not directive as to the specific number of posts or grades of posts in individual teams within any area of the Parliament. There is always opportunity to flex across the clerking team if the NGBU is facing particularly high pressure at certain times of year.

The Standards, Procedures and Public Appointments Committee has also recommended changes to standing orders that would require an introduction deadline for members' bills that is six months earlier in the parliamentary session than it currently is. That recommendation was intended to give more time for scrutiny and to work through the bill process, and we hope that it will ease some of the bottlenecks that some members have faced.

Parliamentary Business (Scheduling)

2. **Douglas Ross (Highlands and Islands) (Con):** To ask the Scottish Parliamentary Corporate Body whether it will initiate a review of how the scheduling of parliamentary business during the current session has impacted on parliamentary resources, particularly in light of the large volume of stage 3 proceedings in the final weeks. (S6O-05683)

Maggie Chapman (Scottish Parliamentary Corporate Body): The corporate body is responsible for resourcing parliamentary services, but the programme of parliamentary business is a matter for the Parliamentary Bureau. Agreement to business motions is a matter for the whole Parliament. Individual members are able to seek to amend business motions, to speak against them or to speak about other items that they would wish the bureau to consider, including future programmes.

I know that the bureau is very mindful of the challenges of balancing the need to ensure that Parliament has the necessary time to scrutinise legislation against the impact that increased sitting time has for members and the Scottish parliamentary service.

That said, the corporate body is concerned that extended business creates unsustainable pressures on member and staff welfare, as well as on resourcing. I can confirm that, at the conclusion of the session, officials will review the impacts of the scheduling of parliamentary business. It will be for the incoming corporate body and bureau to work together to ensure that Parliament has a sustainable operating model.

Douglas Ross: I was banned by the Parliament from using the words “chaotic” and “avoidable” in my lodged question, but I can and will use them in my supplementary question, because the past few weeks have been chaotic and the situation has been entirely avoidable. I understand that that has been the responsibility not of the SPCB but of the Parliamentary Bureau and the Government. Although I welcome the review and discussions that will take place at the start of the next parliamentary session, can Maggie Chapman assure me that that work will include encouraging the Government, whoever is in it, not to waste vital parliamentary time on issues that the Parliament has no say over, but to focus on the issues that are devolved to this Parliament and ensure that those issues are prioritised in the next session?

The Deputy Presiding Officer: I advise members that the chamber office staff process questions in accordance with standing orders, which are agreed to by the Parliament. Where appropriate, they advise on edits to allow questions to be put, which I understand is what happened in this case.

Maggie Chapman: I can say to Douglas Ross that, although the scheduling of business is, as he acknowledges, not down to the corporate body, the corporate body and the bureau have worked—and we expect, in session 7, will work—closely together on that. I have already referred to some of the changes that have been made to the members’ bill process that should help with the bottleneck at this point in the next session, but it is absolutely the responsibility of the Parliament as a whole to determine the business that happens in here. The first point for discussions on that is the Parliamentary Bureau and not the corporate body.

Oral Questions (Annual Staff Resource Cost)

3. **Tim Eagle (Highlands and Islands) (Con):** To ask the Scottish Parliamentary Corporate Body what the estimated annual staff resource cost is to the SPCB of administering the random selection and processing system for oral questions that result in a “not lodged” status. (S6O-05646)

Maggie Chapman (Scottish Parliamentary Corporate Body): Administering the electronic random draw for portfolio and general questions that subsequently result in a not lodged status does not generate a specific cost to the corporate body.

The allocation of portfolio and general questions is done electronically by random draw each Monday after the midday deadline. Members whose names have been selected must lodge a question by midday on the Wednesday. If no question is received by that deadline, it is registered as not lodged.

There is no specific cost of administering the draw for a question that is subsequently not lodged and, as there is no question lodged, no resource is required to process it. If a question is not lodged, the chamber desk marks it as such and emails the member, recommending that they inform the Presiding Officer of the reasons for not lodging. That is the only resource implication for not lodged questions.

Tim Eagle: I did not think that there would be much of a cost, but the wasted parliamentary time is another matter. Since January last year, there have been 55 not lodged questions, 38 of which were from the Scottish National Party, with one former First Minister failing to lodge a question multiple times after voluntarily entering their name into the draw. There are members on the Conservative benches who want to be able to ask questions. I understand that occasional mistakes can happen, but the sheer number of not lodged questions from the governing party concerns me. It blocks other members from questioning. Would the corporate body support the Parliament if it decided that not lodged questions should be reballoted on Thursdays to MSPs who will bother to submit a question?

Maggie Chapman: I think that we all share that frustration when such opportunities are lost. However, although I note that that frustration exists, there can be a whole range of reasons why questions end up not being lodged.

The running of portfolio and general questions falls under the practice and procedures of the Parliament in relation to its business, so it is not directly a matter for the corporate body. However, members can write to the Standards, Procedures and Public Appointments Committee on such matters, and I note that there are members of that committee in the room as we speak.

Edinburgh Accommodation Allowance

4. **Douglas Lumsden (North East Scotland) (Con):** To ask the Scottish Parliamentary Corporate Body whether the Edinburgh accommodation allowance for MSPs will be reviewed, in light of the City of Edinburgh Council announcing that, from 1 April 2026, the premium applied to council tax on second homes will increase from 100 per cent to 300 per cent. (S6O-05647)

Jackson Carlaw (Scottish Parliamentary Corporate Body): The corporate body has met the additional costs of the second home premium on members’ leased Edinburgh accommodation since it was first introduced in 2024. Provision of funding to cover the second home premium is provided in addition to the annual allocation. Continuation of that support has been built into the new members’ expenses scheme, as the need for

on-going additional support was recognised by the corporate body during its recent review of the scheme, prior to the new session.

As there is no individual impact for members or call on their individual allocation, there is no need to review the Edinburgh accommodation allowance in the light of the City of Edinburgh Council's decision to increase the premium that is paid on second homes from 100 per cent to 300 per cent. As I have already mentioned, on-going payment of the premium, regardless of the amount, has already been accounted for in the proposed new scheme. That scheme will be considered by the Parliament later today when I move a motion, which I hope that Douglas Lumsden will support.

In practice, any increase will be added directly to a member's allocation, as per the scheme rules in paragraph 2.1.5. The SPCB's view remains that those homes are second homes that are required for work purposes and, as such, should be exempt from payment of second-home premiums. We will therefore write to the council to reiterate that point.

Douglas Lumsden: I agree with Jackson Carlaw that those second homes are not holiday homes; they are for MSPs to do their work. If the homes are not to be exempted from the premium by the City of Edinburgh Council, will the corporate body consider having a separate budget line for council tax to be paid from that is not part of the Edinburgh expenses allowance, so that remote MSPs will not suddenly appear to be costing more money to the Parliament?

Jackson Carlaw: I understand the question that Mr Lumsden is asking. The members' expenses scheme clearly states that the corporate body

"shall publish information on expenses reimbursed to members under the Scheme in such form and at such intervals as the SPCB may determine."

As I have already said, we recently included the on-going support as part of the scheme rather than as a temporary position, in order to ensure that members' expenses are not disproportionately affected by such premiums. As such, for transparency reasons, we believe that the support should continue to be published alongside other expenses that are incurred by members.

Council tax costs have always been part of our published data, and those figures have included the premium since it was introduced in 2024. However, the corporate body recognises that the level of increases that are now being introduced could be seen to disproportionately increase the overall expense level for members who are eligible for and choose to have accommodation in Edinburgh. We will therefore look at how that information is published to ensure that it is clear which element is the normal council tax and which is the additional premium that has been applied.

The Deputy Presiding Officer: I advise members that there are four more questions and there are four minutes available. I need much more succinct supplementary questions and responses.

Michael "Mick" McGahey Bust

5. **Richard Leonard (Central Scotland) (Lab):** I remind members of my voluntary entry in the register of members' interests. To ask the Scottish Parliamentary Corporate Body whether it will reinstate the bust of Michael "Mick" McGahey previously displayed in the garden lobby. (S6O-05643)

Claire Baker (Scottish Parliamentary Corporate Body): There are currently no plans to reinstate the bust of Mick McGahey in the Scottish Parliament. The bust was loaned to the Parliament's art collection to mark the 100th anniversary of Michael McGahey on the anniversary date of 29 May 2025, and it remained in situ until it was returned to the National Union of Mineworkers, as agreed by the terms of the loan.

Richard Leonard: It was wonderful to see the magnificent Ian Homer Walters bust on display for the centenary of Mick McGahey's birth, but I express my dismay to see him replaced a few weeks ago by a white marble cube. Mick McGahey was a self-taught, working-class visionary and a catalyst who reignited calls for the creation of this Parliament as far back as 1968. His ashes are buried under this building, and his image should be displayed inside this building. That should be part of our legacy, and it should be permanent—

The Deputy Presiding Officer: Mr Leonard, I need a question.

Richard Leonard: I simply ask, while there is still time, that this appeal be included in the corporate body's legacy report to the next session of the Parliament.

Claire Baker: I recognise Richard Leonard's promotion of that proposal and the strength of support that was expressed during his members' business debate, which marked the centenary of Michael McGahey's birth. The most recent meeting of the corporate body took place this morning, at which we reviewed and agreed our legacy report, which covers a range of issues. However, the corporate body reviewed and agreed the memorial policy this February, and the position to not include permanent memorials remains the same.

World Cup Bank Holiday

6. **Gillian Mackay (Central Scotland) (Green):** To ask the Scottish Parliamentary Corporate Body whether MSP staff and Scottish parliamentary

service staff will benefit from the new national bank holiday introduced to mark Scotland's participation in the men's football world cup. (S6O-05680)

Jackson Carlaw (Scottish Parliamentary Corporate Body): In deference to your instruction, Presiding Officer, I say no.

Gillian Mackay: Why?

Jackson Carlaw: The corporate body will not designate Monday 15 June as an additional holiday for its staff. However, the corporate body recognises that many staff will wish to mark the participation of Scotland's men's team in the world cup for the first time since 1998, and managers will be encouraged to look favourably on requests for leave from staff. MSPs, as employers of their staff, are free to award additional leave to their staff and may therefore designate 15 June as an additional holiday if they wish to do so.

Pastoral Support (Members)

7. **Martin Whitfield (South Scotland) (Lab):** To ask the Scottish Parliamentary Corporate Body what its response is to the Standards, Procedures and Public Appointments Committee announcement on pastoral support for MSPs that was made in the chamber on 10 March. (S6O-05682)

Jackson Carlaw (Scottish Parliamentary Corporate Body): It is harder to be succinct in response to that question, Presiding Officer.

The corporate body noted with interest the Standards, Procedures and Public Appointments Committee's announcement. The corporate body offers a wide range of pastoral support measures for members who are the subject of a complaint, including access to free individualised and confidential counselling services, access to specialist psychological services, and access to specialists who are trained in bullying and harassment complaints. Those services are provided independently by qualified practitioners who are trained to use a trauma-informed approach.

The corporate body is keen to engage with the SPPA Committee to understand what more it considers can be done to support members in such circumstances.

Martin Whitfield: The pastoral element was the most important element of the support that the committee called for. The committee has received substantial evidence on the importance of pastoral support throughout the session. I welcome the corporate body's offer to engage with our successor committee on the matter, but does Jackson Carlaw agree that specialist knowledge in respect of MSP complaints must be a prerequisite for anyone who advises members who are the subject of such a complaint, given that it is an almost unique situation?

Jackson Carlaw: Yes, I think that we can agree on that. I hope that such matters will be properly explored further when the corporate body is able to engage with the successor SPPA Committee on the issue.

The Deputy Presiding Officer: We can squeeze in question 8, if the questions and answers are brief.

Lobbying Register

8. **John Mason (Glasgow Shettleston) (Ind):** To ask the Scottish Parliamentary Corporate Body, regarding its role in staffing and resourcing the lobbying register, what assessment it has made of the effectiveness of the register in its current form. (S6O-05644)

Christine Grahame (Scottish Parliamentary Corporate Body): The Lobbying (Scotland) Act 2016 was passed without division in this Parliament 10 years ago last week. In 2021, the Public Audit and Post-legislative Scrutiny Committee took evidence and provided a report on the operation of the 2016 act. Between March and September 2023, at the request of the Standards, Procedures and Public Appointments Committee, the Scottish Parliament information centre undertook a further partial evaluation of the act, which was published in October 2023.

The SPPA Committee has not been able to undertake a further, fuller review in this session, but it is expected to do so early in the next parliamentary session. That is the point at which the next corporate body would be engaged in relation to the SPCB's role in providing the staffing and resources that are required for the lobbying register.

John Mason: I thank the member for that answer, but does she agree that the lobbying register is a complete waste of money and that it serves no valuable purpose at all?

Christine Grahame: No.

The Deputy Presiding Officer: I thank members for their helpful co-operation. That concludes Scottish Parliamentary Corporate Body question time.

Portfolio Question Time

Climate Action and Energy, and Transport

14:18

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is portfolio question time. This afternoon's portfolio is climate action and energy, and transport.

Question 1 has been withdrawn.

Oil and Gas Supply Chain (Job Losses)

2. **Meghan Gallacher (Central Scotland) (Con):** To ask the Scottish Government what steps it is taking to prevent further job losses in the oil and gas supply chain as a result of the energy transition. (S6O-05673)

The Cabinet Secretary for Climate Action and Energy (Gillian Martin): Key policy levers for the offshore energy transition, including decisions on licensing, consenting and the fiscal regime for North Sea oil and gas, are reserved to the United Kingdom Government.

There must be a parallel-track approach to the transition, but, instead, at present, reserved policies such as the continuation of the energy profits levy are driving an accelerated decline in North Sea oil and gas before the full potential of renewables has been realised, which is placing jobs at risk. That is why we are calling for an immediate end to the levy and a sensible future fiscal regime. The Scottish Government will also continue to support the energy workforce with the powers that are available to us.

Meghan Gallacher: Under the Scottish National Party Government and the UK Labour Government, the oil and gas industry is losing 1,000 jobs a month, which is having a catastrophic impact not just in the north-east but in industrial areas such as Grangemouth and Mossmorran. Does the cabinet secretary accept that, in order to save jobs across Scotland and to ensure our energy security, the SNP must reverse its reckless opposition to new oil and gas? Does she agree that we must drill Rosebank to secure our own energy future?

Gillian Martin: The Scottish Government does not take a position against oil and gas. We support oil and gas workers. We believe that the existing fields have much more to give and that our energy workforce is being boosted by the skills of oil and gas workers, who have many transferable skills.

We announced joint funding with the UK Government of up to £18 million for the oil and gas transition training fund. The First Minister officially opened the energy transition skills hub in Aberdeen, which is supported by £4.5 million of Scottish Government funding to harness those transferable skills so that oil and gas workers have options.

We are still calling on the UK Government to have a serious look at the propositions that industry representatives have made about reforming the energy profits levy. The First Minister has written to Keir Starmer about the urgency associated with the energy security issues that have been caused.

Karen Adam (Banffshire and Buchan Coast) (SNP): It is Labour's reckless decision to continue the energy profits levy, but it was started by the Tories, and it is causing hundreds of job losses. Experts are warning that it is going to cost thousands more. It is going to undermine energy security and the just transition that we rely on, and it will prevent billions in potential investments. Does the cabinet secretary agree that Westminster is sabotaging the chances of a fair transition? Can the cabinet secretary expand on what the Scottish Government is doing to support Scotland's energy workers?

Gillian Martin: It is not just me who agrees with Karen Adam; Offshore Energies UK and Scottish Renewables also agree that the energy profits levy is putting a just energy transition at risk. The Scottish Government is doing all that it can with the levers that are available to us to support Scotland's skilled oil and gas workers to ensure that they can carry their expertise and experience into different roles as the energy sector evolves. I am pleased to report that more than 400 oil and gas workers have been approved for funding, supported by careers advice, to access training that is related to roles in the sustainable energy sector through the oil and gas transition training fund pilot.

Earlier this week, the Deputy First Minister announced new funding to support 350 workers at ExxonMobil's Mossmorran ethylene plant to receive training and employment support at Fife College. That builds on the reskilling and job support that we have provided at Grangemouth.

Mercedes Villalba (North East Scotland) (Lab): The energy transition for workers in the oil and gas supply chain must be a truly just transition. It is therefore particularly concerning that approval of Rosebank might risk breaching international law due to Ithaca Energy being majority controlled by the Delek Group, which has enabled and facilitated illegal Israeli settlements in the West Bank. Does the cabinet secretary agree that oil and gas jobs in the north-east should never come

at the cost of supporting Israeli apartheid, illegal occupation and persecution of Palestinians? Will she make clear the Scottish Government's commitment to a just energy transition for all?

The Deputy Presiding Officer: Please focus on matters that lie within the cabinet secretary's portfolio responsibility.

Gillian Martin: I am singularly focused on a just transition, but approval of new oil and gas fields is reserved to the UK Government.

Data Centres (Regulatory Framework)

3. **Sarah Boyack (Lothian) (Lab):** To ask the Scottish Government what assessment it has made of the regulatory framework currently in place to monitor the development and operation of data centres in Scotland, in relation to ensuring that their energy use, water consumption and any environmental impacts are being effectively controlled. (S6O-05674)

The Cabinet Secretary for Climate Action and Energy (Gillian Martin): Scotland benefits from a robust, although complex, regulatory and policy landscape that applies to data centre development. Under national planning framework 4, the planning authority must consider the potential environmental impacts of any planning application.

Beyond that, when a site is under development and in operation, a number of environmental regulations might apply that relate to on-site combustion plant, air emissions, energy use and storage, water abstraction and discharge, use of fluorinated gas—F-gas—waste management and fuel and chemical storage. The Scottish Environment Protection Agency is engaged in that framework and is working with UK regulators where such regulation is reserved.

Sarah Boyack: Stop Climate Chaos Scotland has warned that, although the draft climate change plan outlines a range of policies that are aimed at increasing energy generation from renewables, it does not discuss the potential huge energy demand coming from data centres that planning authorities are now having to consider. In Edinburgh, for example, a temporary moratorium on data centres has been agreed and will be in place until the true level of energy and water consumption required is actually understood.

To follow on from the initial advice that has been given, will the cabinet secretary outline what advice and monitoring the Scottish Government will provide? Can lessons be learned from Dublin and Amsterdam about tightening controls on large data centres, and also from Odense, where 100,000 homes are now being heated by a data centre?

Gillian Martin: I really like hearing examples of planning decisions that lead to co-location. Data centres need cooling and our homes and public buildings need heating, so that is an absolute no-brainer for me.

Those are planning decisions and we are having a lot of discussion with our colleagues at the Convention of Scottish Local Authorities about how we can co-locate any developments that might have waste heat associated with them. A great deal of work will be done on heat networks in the next Parliament.

Sue Webber (Lothian) (Con): The cabinet secretary has outlined some of the safeguards in the current regulatory framework. A massive data centre proposed in Edinburgh would be similar in size to—and occupy as much land as—the entire ground at Murrayfield stadium. Will the Scottish Government make representations to ensure that a full environmental impact assessment is carried out? That is what communities are calling for, considering the planned diesel backup generators, the impact on air quality and the location of the site on greenbelt land within the Gogar special landscape area.

Gillian Martin: Sue Webber will know that I cannot comment on planning applications. However, it is important to note that, if a site does require an environmental impact assessment, the Scottish Environment Protection Agency will be consulted at the planning stage on any potential environmental impacts.

I go back to what I said in my earlier answer to Sarah Boyack, which is that all local authorities should look at such proposals and work out what they can co-locate in order to maximise the possible benefits of data centres.

Sheriffhall Junction

4. **Miles Briggs (Lothian) (Con):** To ask the Scottish Government whether it will make an announcement regarding the development of the Sheriffhall junction before the end of the parliamentary session. (S6O-05675)

The Cabinet Secretary for Transport (Fiona Hyslop): I was first informed in a submission from Transport Scotland officials dated 13 March that the decision-making advice for me as minister regarding the proposed Sheriffhall junction scheme will not be provided ahead of the dissolution of this session of Parliament in advance of the election.

I am both disappointed and frustrated by that but have been assured that every effort is being made to enable a decision as soon as possible, as part of a fair and efficient process that will ensure that the decision is robust and is supported by the available evidence.

Miles Briggs: This is my fifth attempt to get a decision on that before we hit the election period. From speaking to drivers across my Lothian region, who are spending hours of their time caught up in traffic every month, I know that there is growing frustration that we have not seen work begin on that upgrade. I welcome the answer that the cabinet secretary outlined to Parliament. That work must be made a priority for the next Government and Parliament, and I hope that the next Government will be able to give the green light to what will be a vital upgrade. Is the cabinet secretary aware of when in the next parliamentary session that decision will be made?

Fiona Hyslop: I have made it clear that the decision needs to be made, but it must be made robustly. Importantly, a small team within Transport Scotland's special projects team is dedicated to that issue and has had no prior involvement in the project. That team provides a co-ordinating role, with technical expertise, legal advice and support as required. A qualified chartered engineer who has had no previous involvement in the scheme has been leading that team for approximately 18 months, so the team is well advanced.

I had anticipated being able to make a decision, but I must have advice presented to me. Officials are under no illusion and know that the incoming Government will expect to be presented with that advice in order to make a decision early in the new session of Parliament.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I use the A7 regularly and, like Miles Briggs, am deeply disappointed by the situation. The cabinet secretary knows, because I copied her in, that I wrote to Transport Scotland with regard to the idea of having a temporary third lane on the northwards A7 approach to the Sheriffhall roundabout. Transport Scotland told me that it was in touch with Midlothian Council, but I have yet to hear from the council. Does the cabinet secretary know whether they are liaising with each other? It would be good to find that out.

Fiona Hyslop: Transport Scotland and Midlothian Council met on 23 February to discuss the feasibility of widening the northbound approach of the A7 to the A720, prompted by the exemplary and ever-diligent work of Christine Grahame on behalf of her constituents. Midlothian Council, the relevant roads authority for the A7, advises that, at present, it has no plans to widen the road and that there is no accident history associated with the location. It was noted that any widening works would present engineering challenges as well as the need to engage with private landowners. Importantly, Midlothian Council also expressed concern that progressing with that work might ultimately prove not to be needed.

In the interim, Midlothian Council has agreed to undertake further temporary repairs to ensure that the verge remains, and Transport Scotland will liaise with BEAR Scotland regarding any necessary repairs where the trunk road for the Sheriffhall roundabout ties in with the A7.

Water Supply and Waste Water Treatment Services

5. **Richard Leonard (Central Scotland) (Lab):** I remind members of my voluntary register of trade union interests. To ask the Scottish Government whether it is content with the governance, accountability and delivery of both Scotland's water supply and waste water treatment services. (S6O-05676)

The Cabinet Secretary for Climate Action and Energy (Gillian Martin): We are content that the governance of our water industry is robust. Scottish Water's board includes a majority of non-executive members who are appointed by Scottish ministers to provide effective leadership and direction. As a public corporation, Scottish Water is held to account by ministers and this Parliament. The Scottish model also benefits from an established regulatory framework, which has driven improved performance and compliance.

The most recent report on Scottish Water's performance from its independent economic regulator demonstrates that customers continue to be satisfied with the high-quality services that Scottish Water provides.

Richard Leonard: Last month, a report commissioned by Unison into Scottish Water questioned the regulatory framework. It warned of creeping privatisation, the ripping up of trade union policies and procedures, the outsourcing not only of major capital works but of day-to-day operations, and the rise of a fat-cat bosses' bonuses culture, which I know the cabinet secretary has to defend, if for no other reason than that the First Minister signed them off for over a decade when he was the finance secretary.

Will the Government back the calls in the report for a root-and-branch review into this creeping privatisation, this growing overreliance on private subcontractors and this extraction of profits from a public good to line the pockets of private shareholders, or is the cabinet secretary content to see this public utility privatised by stealth?

Gillian Martin: I reject claims that Scottish Water is being privatised in any way, not least by stealth, as Richard Leonard characterises it. There is a great deal of build-out—remedial and new—of infrastructure for which Scottish Water has to procure services to augment the workforce that it

already has. The Scottish Government has no intention of halting or interfering in the procurement process, which is absolutely an operational matter for Scottish Water.

It is important to us and, I think, to everybody that Scottish Water secures a supply chain that can deliver the vital innovation and investment that are necessary to adapt to climate change while maintaining service levels, and a great deal of Scottish companies and Scottish workers will receive contracts and work as a result of its improvement works and new infrastructure build.

Willie Rennie (North East Fife) (LD): I appreciate that the cabinet secretary does not direct Scottish Water's affairs, but I appeal to Scottish Water, through her, to review its decision to delay the sewerage upgrade scheme for Pittenweem in my constituency by two whole years. Pittenweem is already subject to flooding and to sewage being dumped into a very pretty part of the country. I urge Scottish Water to review its decision to delay. Can the cabinet secretary perhaps have a little word?

Gillian Martin: Willie Rennie's comments are now on the record, but I will pass that to my officials. I will write to Scottish Water and ask it about that particular instance.

Stuart McMillan (Greenock and Inverclyde) (SNP): In Scotland, public ownership means that Scottish Water is run for public benefit rather than lining shareholders' pockets. Can the cabinet secretary provide an update on how Scottish Water's performance as a publicly owned corporation compares with the levels of service that are provided by companies in England and Wales?

The Deputy Presiding Officer: Please answer on matters within your responsibilities, cabinet secretary.

Gillian Martin: I confirm that Scottish Water is performing well as a publicly owned corporation, with all profits going back into improving the service instead of going to shareholders. It matches the level of service that is provided by companies in England and Wales. Although performance is not always calculated in the same way across the nations, we can take pride in the fact that customer satisfaction with Scottish Water is consistently among the highest in the UK utilities sector. Indeed, Scottish Water was the top-rated water company in the UK customer satisfaction index last year. Performance levels are being achieved by ensuring that the average household charge in Scotland remains lower than the average charge in England and Wales.

We are not complacent, though. There is a lot more to do, and I am pleased to say that every penny of profit from Scottish Water goes back into making those improvements.

Transport (Edinburgh and East Lothian)

6. **Ash Regan (Edinburgh Eastern) (Ind):** To ask the Scottish Government what actions it is taking to reduce journey times and congestion for commuters travelling to and from Edinburgh and East Lothian, including measures to progress with the delayed upgrade of Sheriffhall roundabout and to improve transport reliability across the region. (S6O-05677)

The Cabinet Secretary for Transport (Fiona Hyslop): Bus infrastructure projects to deliver swifter and more reliable bus journey times for passengers are being funded through our £20 million bus infrastructure fund this year, which will increase to £60 million in 2026-27.

That includes the design of bus infrastructure improvements along the London Road-A1 corridor between Edinburgh and Tranent, alongside the development of a region-wide multimodal mass transit system in the longer term.

On Sheriffhall, the Scottish Government remains committed to delivering improvements as part of the city region deal, but that will be subject to the consideration of advice from officials and completion of the statutory authorisation process, which is due post-election, as I said in my previous answer to Miles Briggs.

Ash Regan: Public trust and economic confidence require the delivery of essential infrastructure, such as Sheriffhall roundabout, on time and on budget. Scottish people want affordable, reliable public transport, but we should not punish car users when alternatives are lacking.

Currently, there are Green Party proposals to cut an essential weekday link through Holyrood park, which is opposed by many in Edinburgh Eastern who rely on it regularly.

In East Lothian, drivers face imposed parking charges, despite clear local consensus that they are both unnecessary and harmful to the economy.

Will the Government centre communities in such connectivity decisions and not punish car drivers?

Fiona Hyslop: The member represents the concerns of constituents who have contacted her, but she has also been a member of this Parliament for some time, so she will know that Holyrood Road and Holyrood park are the responsibility of Historic Environment Scotland and that the car parking issue is the responsibility of the council.

As the Presiding Officer frequently reminds us, we should be answering questions on those issues for which we have responsibility.

Environmental Strategy (United Kingdom National Security Assessment)

7. **Ariane Burgess (Highlands and Islands) (Green):** To ask the Scottish Government, regarding its environmental strategy and responsibilities, what evaluation it has made of the UK Government's "National security assessment on global biodiversity loss, ecosystem collapse and national security", published in January 2026. (S6O-05678)

The Cabinet Secretary for Climate Action and Energy (Gillian Martin): I thank Ariane Burgess for that question. The draft environmental strategy was published for public consultation last year. It included policies to build Scotland's resilience to climate change and other global environmental risks.

While revising the strategy in response to the views that were raised in the consultation, we have considered the UK Government report, which highlights that our national security is at threat from global ecosystem degradation and collapse.

National security is, of course, a reserved matter. The Scottish Government is working to protect our communities and economy by investing in ecosystem protection and restoration and ensuring that Scotland's food systems are secure and resilient.

Ariane Burgess: The assessment makes it clear that our way of life is overly reliant on nations and regions that are at risk of near-future ecosystems collapse. It states that we, too, face such a collapse.

The report says that "major intervention" is needed to reverse current trends and ensure a stable future for Scotland.

Given that we now have a raft of climate, land use and food-related legislation from this session of Parliament, and that the United Kingdom's security assessment now treats biodiversity collapse as equivalent to other strategic threats, will the Scottish Government extend that logic and make biodiversity restoration a formal condition of all infrastructure investment and subsidy decisions?

Gillian Martin: It is not possible to predict all impacts, but the Scottish Government's food security unit also monitors food system resilience and engages widely.

Ariane Burgess was right to point to the fact that our nation relies on the resilience of our natural environment—as every nation does. We need to prioritise protecting our natural environment and halting biodiversity loss, which can cause the collapse that Ariane Burgess has alluded to.

The member has asked me very specific questions about regulation, which I do not feel that I am able to answer right now, but I will certainly take her comments away with me.

We now have the Natural Environment (Scotland) Act 2026 and the biodiversity strategy, and the finalised climate change plan is coming—there is a great deal of work to do in the next session of Parliament.

Data Centres (Net Zero)

8. **Foysol Choudhury (Lothian) (Ind):** To ask the Scottish Government whether it plans to formally define "green" to ensure alignment with net zero targets in its designation of data centres as a "national priority". (S6O-05679)

The Cabinet Secretary for Climate Action and Energy (Gillian Martin): The Scottish Government recognises that data centres are vital to the delivery of our digital ambitions and our transition to a net zero economy. Their designation as a national development in national planning framework 4, which was approved by the Parliament, highlights their importance and the expectation that future projects will align with Scotland's climate commitments. When new development proposals come forward, it is for the planning authority to interpret and apply NPF4 according to the circumstances of each case, considering factors such as renewable energy use, energy efficient technologies, reduced water consumption, and opportunities to reuse excess heat.

Foysol Choudhury: What assessment has the Scottish Government made of the potential impact of hyperscale data centres on Scotland's statutory climate targets and consumer energy bills? Will it consider an immediate moratorium on such projects until a clear definition of green data centres is established?

Gillian Martin: As Mr Choudhury will know, work is already under way through the strategic spatial energy plan—the SSEP—which the four nations are involved in, as well as the connections accelerator programme, which will help to inform how Scotland manages future energy demand from data centres and other sources in a way that supports our grid resilience and our net zero pathway. The SSEP's work was jointly commissioned by the United Kingdom, Scottish and Welsh Governments. It will assess the optimal locations, quantities and types of energy infrastructure that are required across a range of all possible future scenarios to meet future energy demand.

The Deputy Presiding Officer: That concludes portfolio questions on climate action and energy, and transport.

Douglas Lumsden (North East Scotland) (Con): On a point of order, Presiding Officer. During portfolio questions, the Cabinet Secretary for Climate Action and Energy, Gillian Martin, said that the Scottish Government does not have a position against new oil and gas. That is simply not true. The draft energy strategy, which was published by the Scottish National Party Government more than three years ago, has the Government's presumption against new oil and gas in black and white. Can the Presiding Officer advise how the cabinet secretary can correct the record and avoid misleading the chamber?

The Deputy Presiding Officer: That is not a point of order. Mr Lumsden will be aware by now that the chair is not responsible, in broad brush, for members' contributions. He will also be aware of the corrective mechanism that is available.

Restraint and Seclusion in Schools (Scotland) Bill: Stage 3

14:42

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is stage 3 proceedings on the Restraint and Seclusion in Schools (Scotland) Bill. In dealing with the amendments, members should have the bill as amended at stage 2—that is, SP bill 61A—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. 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 1—Restraint and seclusion

The Deputy Presiding Officer: Group 1 is on the scope and application of restraint and seclusion provisions. Amendment 1, in the name of John Mason, is grouped with amendments 3 and 6.

John Mason (Glasgow Shettleston) (Ind): Amendment 1 will provide a regulation-making power to amend the definitions of restraint and seclusion in section 1 at a future date, where ministers consider it necessary to do so. I understand that the Cabinet Secretary for Education and Skills is keen on such an amendment and I think that it makes a lot of sense. The regulation-making power will be able to be exercised where necessary to prevent the current definitions capturing actions that do not carry a significant risk of harm and, on the other hand, it will allow the definitions to capture additional actions that do carry a significant risk of harm. The regulations will be subject to the affirmative procedure, which will provide Parliament with an opportunity for scrutiny.

I will set out why I consider that amendment 1 matters, and how the bill now offers a clearer and more practical approach to restraint and seclusion in schools. At stage 1, we in the Education, Children and Young People Committee had reasonable concerns that the bill might accidentally pull in routine and harmless interactions, such as guiding a child by the hand across the road or offering physical support as part of a child's everyday care. The committee wanted

to ensure that the system would be workable for staff, without unnecessary paperwork or confusion.

14:45

A number of changes that directly addressed those points were introduced into the bill at stage 2. The bill now includes clear definitions of restraint and seclusion. Statutory guidance will provide clarity about the difference between action that significantly restricts a child's movement and something that is simply day-to-day support. That should mean that we can clearly say that holding a child's hand or other ordinary interactions are not restraint and are not covered by the bill. Restriction of movement, such as with equipment that is used as part of a child's agreed support plan, might still fall within the definition of restraint in section 1, but regulations made under section 4(4A), which was added at stage 2, will be able to specify that such actions are types of restraint that do not need to be recorded or reported.

Amendment 1 will ensure that the definitions in the bill remain appropriate and workable. If, in future, activity that is genuinely routine is still being mistakenly treated as restraint or seclusion, an adjustment can be made to the definition in section 1. That should ensure that the framework always remains practical and proportionate. Together, those provisions respond directly to the committee's concerns and should create a balanced, workable system that protects children, while supporting the professionals who care for them.

I move amendment 1.

The Cabinet Secretary for Education and Skills (Jenny Gilruth): I thank John Mason for lodging amendment 1. The regulation-making power will be used by ministers only where they consider it necessary to ensure that the definitions capture only actions that carry a significant risk of harm. Further safeguards are provided, in that ministers must consult before laying regulations. The affirmative procedure will also apply. Amendment 1 will ensure that the definitions can remain workable, proportionate and fit for purpose, as circumstances and practice evolve. That directly addresses concerns raised by the committee at stage 1, and our trade unions, and I support it.

Amendment 3 will adjust the duty in section 3 that requires schools to inform parents of incidents of restraint or seclusion so that it does not apply to the types of restraint or seclusion that are specified in regulations made under section 4(4A) as non-reportable. That will ensure that the parental notification duty is fully aligned with any changes to the recording and reporting duty in future. To require schools to notify parents of such incidents would be overburdensome and would create unnecessary complexity for teachers.

Amendment 3 will allow ministers to set the types of restraint and seclusion that need not be recorded and reported to parents, should interventions of no concern unintentionally fall within the bill's definition of restraint and seclusion. I am grateful to our teaching unions, which I met this morning, for suggesting a constructive and practical proposal in this area. Amendment 3 directly addresses their concerns and the additional feedback from the committee.

Amendment 6 is a straightforward but important technical amendment concerning the definition of "school" in the bill. Section 6 adopts the definition of school that is set out in the Education (Scotland) Act 1980. Under the definition in the bill, nursery schools are excluded. However, as the bill is currently drafted, it does not exclude nursery classes within a primary school. I understand that Daniel Johnson's intention has always been that the bill should not extend to nursery-age children or early years provision. Amendment 6 is therefore in effect a tidy-up amendment to ensure that, whether in a nursery school or nursery class, the provisions of the bill do not apply. That is in line with the clear policy intention behind the bill.

I support amendment 1 and encourage members to support my amendments 3 and 6.

Willie Rennie (North East Fife) (LD): I am a strong supporter of the bill. The amendments in this group are proportionate and balanced. We have to recognise that there is anxiety and concern among staff and unions, in particular the Community union, the Association of Headteachers and Deputes in Scotland, the Scottish Secondary Teachers Association, School Leaders Scotland and the Educational Institute of Scotland. They would have liked amendments to have been lodged at stages 2 and 3 in addition to the ones that have been lodged. I am speaking in the absence of some such amendments.

In particular, the unions have concerns about the definitions. They believe that there is a degree of ambiguity in the definition of restraint and that it is subjective. They therefore have anxiety about how it will turn out in practice. They believe that, in some cases, specialist equipment could be excluded from use and could be classed as an inappropriate restraint.

Jenny Gilruth: This morning, I met the EIS and AHDS, as well as the other teaching trade unions, and I talked to some of their concerns in this area. It is the case that, through the statutory guidance that will be in place, there will require to be a level of consultation with the trade unions. I very much hope that the trade unions will engage with the

Government in order to resolve some of their concerns, which Mr Rennie has rightly raised today.

Willie Rennie: They would very much welcome that.

This is an issue of culture in our schools, which has been evolving over time. We are adapting to high demand with regard to additional support needs and behaviours in schools. We are trying to get a culture that is right, balanced and appropriate and that looks after young people, while providing a good educational environment and ruling out inappropriate restraint and seclusion. It is about ensuring that we have clear guidance on and understanding of what can and cannot be done. That is why it is important to have the appropriate consultation when we go through the processes in relation to the guidance.

The trade unions also have a concern about the wide definition of seclusion. That is why it is important that we have consultation and engagement. In the stage 3 debate next week, I will come back to the issues of workload, resource and culture, which I have already referred to, but I will support the amendments in the group.

Daniel Johnson (Edinburgh Southern) (Lab): As the member in charge of the bill, I will support all three amendments in the group and all the amendments that have been lodged this afternoon.

I thank the Government for giving me early sight of its amendments. Indeed, there was some discussion about whether I would lodge amendments. Many of the amendments are about operability, so it is important to hear from the Government.

I thank John Mason for lodging amendment 1 and for his interest throughout the bill process. He is absolutely right that it is important that we do not inadvertently capture types of physical contact that we would expect and encourage in our schools, especially for primary school children. Amendment 1 is proportionate and provides a safeguard against the inadvertent capturing of such behaviours. I note that it addresses the issues that have been raised by the teaching unions. I thank Willie Rennie not only for raising those real concerns, as it is important to have them on the record, but for going through all the unions' acronyms and sparing me from having to do the same thing. Including provisions to adjust the definitions through secondary legislation is a better way of addressing those concerns than having explicit exclusions in the bill, because it means that we can take a more nuanced approach to the definitions.

I note the concerns raised by the Children and Young People's Commissioner, who urges members not to support amendment 1. I understand those concerns, particularly the one about altering the definition of seclusion, but there are important safeguards. The regulations would be subject to consultation and to the affirmative procedure. Therefore, the Government would have to make a case for alterations, and Parliament would have the final say as to whether they proceed. I believe that that makes the provision proportionate and safe.

It is important that we are able to adjust the reporting requirements in line with changes to the definition, so I welcome amendment 3. Likewise, on amendment 6, we can all understand that the nature of looking after nursery school children is very different from that of looking after primary school children—it is literally a hands-on activity. Therefore, it is really important that we exclude nursery classes and classrooms and nursery children from the bill, because it is a complex area. I very much welcome amendment 6.

The Deputy Presiding Officer: I call John Mason to wind up, and press or withdraw amendment 1.

John Mason: I welcome both Daniel Johnson's and Willie Rennie's comments, as well as those of the cabinet secretary.

Willie Rennie used the word "ambiguity"; other people would use the word "flexibility". I fully accept that there is a balance to be struck. If we are too rigid, something might be caught that is not meant to be; if we are too relaxed, it is the other way round. The example that we frequently heard in the committee was that, if a child runs across the road, you want to grab them—in any way that you can, frankly—to prevent their being run over. That is why we need a degree of flexibility.

I understand the unions' point of view and that of the children's commissioner. I accept that the commissioner's job is to be on the cautious side. That is absolutely fine, but I suggest that amendment 1 gets the balance roughly right.

Amendment 1 agreed to.

Section 2—Guidance on restraint and seclusion in schools

The Deputy Presiding Officer: We turn to group 2, which is on consultation. Amendment 2, in the name of the cabinet secretary, is the only amendment in the group.

Jenny Gilruth: Amendment 2 is a minor amendment to allow consultation on the first set of statutory guidance to begin before relevant sections in the bill are brought into force. It provides ministers with flexibility on that matter and

will benefit the Government's engagement with stakeholders, including our school staff, teaching unions, families and children and young people, whose input will be critical to the successful design and implementation of the guidance. Therefore, I invite members to support the amendment.

I move amendment 2.

Daniel Johnson: Amendment 2 is sensible. In essence, it allows the Government to get on with it and do the consultation ahead of the bill coming into force. It is sensible and practical and I support it.

The Deputy Presiding Officer: Does the cabinet secretary have anything to add by way of winding up?

Jenny Gilruth: I have nothing further to add.

Amendment 2 agreed to.

Section 3—Duty to inform parents of use of restraint or seclusion

Amendment 3 moved—[Jenny Gilruth]—agreed to.

Section 4—Duty to record and report on use of restraint and seclusion

The Deputy Presiding Officer: Group 3 is on regulation-making powers. Amendment 4, in the name of the cabinet secretary, is grouped with amendments 5 and 7.

Jenny Gilruth: Amendment 4 removes a provision that is now unnecessary because the same provision was made in another amendment that was agreed to at stage 2.

Amendments 5 and 7 add a power to modify enactments to two of the regulation-making powers in the bill where that is necessary to ensure that the bill operates as intended. I have been careful to ensure that those are not broad or open-ended powers. They are targeted to ensure that the bill's provisions, such as the regulation-making power that enables more frequent reporting to a national body in the future, can work as intended.

Together, the amendments strengthen the workability and legal precision of the bill.

I move amendment 4.

Daniel Johnson: To echo the cabinet secretary's comments, amendments 4, 5 and 7 are technical amendments that enable the Government to introduce secondary legislation to ensure that the bill is workable and implementable. I note the cabinet secretary's comments about ensuring that they are focused on the bill's intent and purpose. I always like to encourage that approach from the Government, rather than it taking sweeping powers. I very much welcome the fact that the Government has lodged amendments that have that focused scope and urge members to support amendments 4, 5 and 7.

The Deputy Presiding Officer: Does the cabinet secretary have anything to add by way of winding up?

Jenny Gilruth: I have nothing further to add.

Amendment 4 agreed to.

Amendment 5 moved—[Jenny Gilruth]—and agreed to.

Section 6—Interpretation

Amendment 6 moved—[Jenny Gilruth]—and agreed to.

Section 6B—Ancillary provision

Amendment 7 moved—[Jenny Gilruth]—and agreed to.

The Deputy Presiding Officer: That ends consideration of amendments.

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

There will be a short pause to allow front-bench teams to change position.

Business Motion

15:00

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is consideration of business motion S6M-21148, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, which sets out a timetable for stage 3 consideration of the Visitor Levy (Amendment) (Scotland) Bill. I call Martin Whitfield, on behalf of the Parliamentary Bureau, to move the motion.

Motion moved,

That the Parliament agrees that, during stage 3 of the Visitor Levy (Amendment) (Scotland) Bill, debate on groups of amendments shall, subject to Rule 9.8.4A, be brought to a conclusion by the time limits indicated, those time limits being calculated from when the stage begins and excluding any periods when other business is under consideration or when a meeting of the Parliament is suspended or otherwise not in progress:

Groups 1 to 3: 25 minutes

Groups 4 to 6: 1 hour.—[*Martin Whitfield*]

Motion agreed to.

Visitor Levy (Amendment) (Scotland) Bill: Stage 3

15:00

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is stage 3 proceedings on the Visitor Levy (Amendment) (Scotland) Bill. In dealing with the amendments, members should have the bill as amended at stage 2—that is, SP bill 79A—the marshalled list and the groupings of amendments.

The division bell will sound and proceedings will be suspended for about five minutes for the first division of stage 3. The 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 button or enter RTS in the chat function as soon as possible after the group has been called.

Members should now refer to the marshalled list of amendments.

Section 1—Basis on which levy is to be charged

The Deputy Presiding Officer: Group 1 is entitled "Visitor levy scheme modifications: basis and setting of levy". Amendment 1, in the name of the Minister for Public Finance, is grouped with amendments 2, 3, 7, 17 to 22 and 24.

The Minister for Public Finance (Ivan McKee): Amendments 1, 2, 3 and 17 to 20 are technical amendments in connection with the bill's provisions that introduce a new basis for setting the visitor levy and the associated ability for local authorities to switch from one basis to another. The amendments ensure that the provisions that govern the basis and setting of a levy for new schemes will apply in a similar way whenever an existing scheme is modified.

Amendment 1 ensures that the power that prevents a new scheme from imposing a mixture of levies that are based on fixed amounts and percentage rates also applies whenever an existing scheme is modified. Amendments 2 and 3 ensure that requirements on setting a fixed amount of levy for a new scheme also apply whenever an existing percentage-based scheme is modified to set the levy on a fixed-amount basis. Amendments 17 to 20 achieve the same effect when a scheme is modified to set the levy on a percentage-rate basis rather than as a fixed amount.

Amendment 24 amends section 7 of the Visitor Levy (Scotland) Act 2024 and allows for a local

authority, when both introducing and modifying a scheme, to specify a maximum number of nights of stay to which the levy applies. It also requires a local authority to consult before specifying any such maximum.

Amendments 7, 21 and 22 are consequential on the removal from the bill at stage 2 of the option to set a levy as a fixed amount on a per person, per night basis. Amendment 7 updates a cross-reference in section 26 of the 2024 act relating to returns so that it refers instead to section 6A. Amendment 21 removes the requirement for levy schemes to specify the method by which a fixed amount of levy is to be calculated. That is already covered by new section 6A. Amendment 22 removes a redundant cross-reference to the method specified in a scheme for calculating a levy.

I move amendment 1.

The Deputy Presiding Officer (Liam McArthur): No other members have asked to speak. Is there anything else that you would like to add, minister?

Ivan McKee: I have nothing to add.

Amendment 1 agreed to.

Amendments 2 and 3 moved—[Ivan McKee]—and agreed to.

After section 1

The Deputy Presiding Officer: Group 2 is on visitor levy schemes. Amendment 4, in the name of the minister, is grouped with amendments 8 to 11, 14 to 16 and 23.

Ivan McKee: Group 2 contains nine amendments that provide for an explicit power to allow local authorities, if they choose to do so, to permit the accommodation provider to retain a proportion of the visitor levy payable to help to mitigate possible additional administrative costs.

Amendment 4 sets out the main power for local authorities to permit such deductions if they choose to do so. It also provides that the maximum level of deductions should be set as either a fixed amount or a percentage of the levy. The amendment will also allow ministers to make further provision by regulations about deductions by liable persons if such provision is needed in the future.

Amendment 23 provides for a new part 1A to be added to the schedule to the bill. It includes required changes to other provisions of the bill in order to accommodate the ability of local authorities to permit deductions. The changes will ensure that, when deduction is permitted, it is reflected in accommodation providers' duties to account for and pay the levy, minus the amount that they are permitted to retain. No deduction will be permitted when an authority has, under the legislation, imposed any penalty on the provider in respect of the same return period.

As local authorities will need to set out in their scheme whether they permit deductions and what the maximum permitted amount for them is, amendments 8 and 9 provide that, if an authority has published and consulted on a scheme outline, or has published, consulted on and decided to proceed with a levy scheme, it does not need to consult again on changes to its scheme that are necessary to reflect the new requirements that the bill will introduce.

The other amendments in the group are primarily technical and will make consequential changes, including in relation to commencement.

I move amendment 4.

Murdo Fraser (Mid Scotland and Fife) (Con): I will comment briefly on the group. I welcome the amendments. They deal with an issue that has been raised by many accommodation providers, which is that the cost of administering the visitor levy will fall on them. The amendments will allow accommodation providers, if a local authority agrees, to retain a proportion of the sums that are collected in order to help them to cover costs.

All that I say to the minister—perhaps he can address this in winding up—is that I hope that the Scottish Government will encourage councils, if they are introducing the visitor levy, to act reasonably and ensure that the exemption is applied.

The Deputy Presiding Officer: I call Ivan McKee to wind up and to press or withdraw amendment 4.

Ivan McKee: I agree with Murdo Fraser that it is important to ensure, as we have done throughout this process, that the administrative burden on and costs for businesses are taken into account. I encourage local authorities to act favourably in any conversations that they have with local businesses about administrative costs.

I press amendment 4.

Amendment 4 agreed to.

After section 2

The Deputy Presiding Officer: Amendment 5, in the name of Murdo Fraser, is grouped with amendments 6, 25, 26 and 32.

Murdo Fraser: The Scottish Conservatives support the bill, which makes much-needed corrections to the original flawed legislation. I will say more about that context in the closing debate next week. In the meantime, I will speak briefly to my two amendments in the group.

Amendments 5 and 6 have the purpose of exempting camping and caravan sites from the legislation, thereby ensuring that those who stay in such sites will not be subject to a visitor levy. The Conservatives attempted to make a similar change to the original legislation when it went through the Parliament, but the amendments were rejected at that time. However, it remains my view that the matter should be reconsidered, particularly given the changes to the legislation that are being introduced through the bill.

Camping and caravaning, including staying in static caravans, represent low-cost, affordable holiday options for many families who could not otherwise afford a break. I remember that—and I am sure that others in the chamber will remember the same—when I was growing up, that was the sort of holiday that we had as a family. I still have the memories of a weekend in Oban in a static caravan when it rained every day, as it sometimes does.

As we face a cost of living crisis, with rising bills everywhere, we should not be making the cost of a short break in Scotland even more expensive and therefore putting it out of reach for low-income families who might not be able to afford any other sort of holiday. I appreciate that, if councils bring in a visitor levy on a percentage basis, those who stay in campsites or in a caravan park will pay less than those who stay in a more expensive place, such as in a hotel or in larger self-catering premises. However, if councils take advantage of the flexibility that the bill offers and implement a fixed-fee option, the prices might be set in the same way, which would have a disproportionate impact on the cheaper end of the market. That is why we need to revisit the issue and take the opportunity to exempt campsites and caravan parks.

The Holiday and Residential Parks Association has calculated that, if a charge of £2 per person per night was applied, it would add £168 to the cost of a fortnight's break in a static caravan for a family of six. That is a very significant additional cost. I do not want to see anybody, least of all those from low-income families, being unable to afford a holiday because of the imposition of a visitor levy. That is why amendments 5 and 6 are required.

I move amendment 5.

Stephen Kerr (Central Scotland) (Con): As Murdo Fraser has said, the amendments in this group relate to the practical application of the visitor levy and whether the legislation will properly recognise the realities of how accommodation is provided across Scotland.

My amendments in the group are straightforward but important. They address situations in which there is a risk that the levy will fall on forms of accommodation that were never the focus of the policy in the first place and where its application could produce clearly disproportionate consequences.

Amendment 25 concerns small-scale accommodation that forms part of someone's principal residence. In practical terms, that means a classic single-room bed and breakfast, a spare room that someone is letting out in their own home or single-occupancy self-catering accommodation. Those are not large commercial tourism operations. In many cases, it is a case of individuals or families opening part of their home to visitors to supplement their income.

That distinction matters, because, although they are small businesses—even microbusinesses—they form an important part of the overall strategic market offering. Across Scotland, particularly in rural and semi-rural communities, such small providers form an important part of the fabric of the tourism sector. They offer flexibility, local knowledge and the kind of personal welcome that visitors come to Scotland to experience. For many of those households, the income is modest but meaningful. We should be careful not to design a system that places additional administrative burdens or financial pressure on the small operators that I am talking about.

One of the lessons from the development of the original visitor levy legislation is that policies that appear straightforward in principle can produce complicated and often unintended consequences once they become operational in the real world. We are debating this amending bill today precisely because, as Murdo Fraser said, aspects of the original legislation required further thought.

I acknowledge that some members—perhaps even the minister, given that we had an exchange about a similar idea in the stage 2 debate—might have concerns about adding such an exemption to the visitor levy at this late stage without wider consultation with the sector. Therefore, I have lodged amendment 32 as an alternative to amendment 25, should the latter not be accepted by the minister. Amendment 32 would apply the same principle to the statutory review of visitor levy schemes. It would require a local authority, when carrying out a review of its scheme, to consider whether exemptions or reimbursement arrangements should apply in cases such as those described in amendment 25. In other words, it would create a clear moment of reflection by requiring consideration of whether the scheme, once in operation, was having unintended effects on very small accommodation providers who operate from their homes.

Mark Griffin (Central Scotland) (Lab): I take on board the points that Murdo Fraser and

Stephen Kerr are making. My concern is whether we should not give local authorities the flexibility to ultimately decide on such exemptions, rather than taking such decisions on a national basis. Given that local authorities know their areas best, are they not best placed to make such decisions?

Stephen Kerr: I understand Mark Griffin's argument. However, when it comes to the introduction of any new taxation, particularly given the straitened financial affairs of many Scottish local authorities, those authorities might be tempted to adopt such measures and apply them in a blanket way.

These very small but important businesses—the microbusiness sector of the tourism economy—are worthy of our consideration, hence my lodging of my amendments. Nothing in them would prevent a visitor levy from operating. Local authorities would retain full discretion to run their schemes, particularly under my amendment 32. The amendments would introduce a measure of proportionality and common sense.

Scotland's tourism sector is not uniform, just as the country is not uniform. It ranges from large commercial operators to individuals who welcome visitors into their homes. Legislation that treats those situations in exactly the same way risks getting the balance wrong.

I strongly urge members to support amendment 25, because I do not believe that we can wait three years for a review. I fear that, by that time, many of the businesses that I am seeking to protect might no longer be in the market. However, if amendment 25 is not supported, I strongly encourage colleagues to support amendment 32, for the reasons that I have outlined.

The Deputy Presiding Officer: I call Tim Eagle to speak to amendment 26 and other amendments in the group.

15:15

Tim Eagle (Highlands and Islands) (Con): I do not intend to speak for very long.

At stage 2, I brought to the committee a concern and a national exemption on health grounds. My theory is that, in the Highlands and Islands—and, in fact, across the north-east—it is very common for people to have to travel for healthcare. They might travel from Moray down to Aberdeen or from the Western Isles to Raigmore hospital, and, as it stands, people travelling for a health appointment because they cannot get one near their own home will be required to pay the visitor levy. I do not think that that is fair or right.

The minister will say to me that councils have the ability to put in place an exemption so that such people do not have to pay. I thought that that was all well and good, apart from the fact that the City of Edinburgh Council has already put in place a visitor levy and it is my understanding that it did not put in place an exemption for healthcare.

It is entirely possible that, under the 2025 "NHS Scotland Operational Improvement Plan", which the Government put in place to bring down waiting lists, somebody from the north-east or the Highlands and Islands will come down to the central belt to get treatment. If they require to stay in a hotel, they will have to pay the visitor levy.

It is perfectly reasonable that we should have a national exemption for national health service appointments for those in rural areas; otherwise, we are doing them an injustice. I hope that everybody in the chamber can get behind that.

Ivan McKee: The Scottish Government will oppose all the amendments in the group.

Amendments 5 and 6, in the name of Murdo Fraser, seek to adjust the definition of "overnight accommodation" in the Visitor Levy (Scotland) Act 2024 to exclude from the scope of the visitor levy certain forms of camping or caravan parks. Amendment 5 would remove camping sites and caravan parks, and amendment 6 would remove

"camping sites where the provision of camping sites is ancillary to the income of the main business activity."

Decisions on which accommodation types should fall within the act were taken following extensive engagement with stakeholders, but there has been no such engagement on the amendments. In addition, introducing national exclusions would remove discretion from local authorities to charge a levy in respect of any such excluded accommodation.

Amendment 6 would require local authorities and accommodation providers to assess whether a camping site is ancillary to the income of the main business activity. It is unclear what "ancillary" means in that context. Local authorities and providers would be required to interpret business models and income structures, which could lead to disputes and inconsistency across local authority areas.

Amendment 25, in the name of Stephen Kerr, would require ministers to make regulations to establish national exemptions for single-room bed and breakfast accommodation, accommodation that forms part of the provider's principal residence and single-occupancy self-catering premises. Likewise, that would reduce the flexibility that the 2024 act gives local authorities to decide whether such exemptions are appropriate for their area, and it would impose national exemptions without the benefit of full consultation or an assessment of the impacts. The industry does not support

amendment 25, as it would, in effect, introduce occupancy-based distinctions that were removed at stage 2, when the per person, per night model was removed.

Amendment 26, in the name of Tim Eagle, would require ministers to make regulations to exempt the use of overnight accommodation where the visitor is attending a medical appointment. The 2024 legislation is deliberately designed to give councils the flexibility to shape visitor levy schemes in a way that best addresses local needs and circumstances, including any local exemptions. A national exemption of that kind would reduce the flexibility by requiring all authorities, regardless of local context, to apply it.

Jamie Halcro Johnston (Highlands and Islands) (Con): Does the minister accept that, if patients from Orkney, Shetland or somewhere else go down to a council area in the central belt—perhaps with family or somebody else joining them—and they have no option other than to stay overnight because of the limited transport, there is no possible advantage or reason for a council in Glasgow or the central belt to give them an exemption? That is why councils are not doing so. Does the minister think that that is acceptable?

Ivan McKee: The key point is local flexibility and allowing local authorities the ability to manage the scheme as they see fit. I am sure that councils are perfectly capable of engaging with one another through existing mechanisms when there are issues that affect multiple councils.

Amendment 26 would require local authorities and accommodation providers to establish whether each visitor was using overnight accommodation to attend a medical appointment. That might involve checking appointment evidence, including the sharing of personal information, and it would require new administrative processes, which would create additional burdens on businesses. Although I understand the reasons behind the amendment, I believe that these matters are best addressed through local exemptions instead of by imposing new national exemptions without the benefit of consultation or an assessment of the impact.

Tim Eagle: I want you to reconsider that position. I am not sure that I understand what the objection is to having such exemptions, because it seems perfectly right to do so. We are not talking about a huge amount of people, and there is already the example of Edinburgh, which has proved the case that people might need to pay the visitor levy when they travel for medical appointments. That is surely a rural penalty. Given everything that we are doing to try to stop rural depopulation, it is concerning that the Government does not get that.

I urge the minister to quickly reflect on that point and to allow for a national exemption. All that you would be agreeing to do today is to put an exemption in regulations. There will be time to chat after the debate, but an exemption should be provided for in regulations.

The Deputy Presiding Officer: Always speak through the chair.

Ivan McKee: As I have already said, the scheme is deliberately designed to give local authorities the ability to tailor it to suit local circumstances.

Amendment 32, in the name of Stephen Kerr, would require local authorities, when reviewing their visitor levy schemes, to assess whether exemptions or reimbursement arrangements should be introduced for single-room bed and breakfasts, accommodation that forms part of a provider's principal residence or single-occupancy self-catering accommodation. Although I recognise the desire to support small accommodation providers, the Visitor Levy (Scotland) Act 2024 already gives local authorities such flexibility. Section 21 of the act requires local authorities to review the operation and impact of visitor levy schemes, and they can consider any modification to the scheme, including the introduction of exemptions that are based on local evidence.

Stephen Kerr: Does the minister accept that an unintended consequence of not putting such an assessment in the bill might be that that this important part of the tourism economy—microbusinesses, small businesses and single-room lets—will shrink and that capacity, particularly in rural and remote locations, will therefore be diminished, which will harm the tourism sector?

Ivan McKee: I am sure that local authorities will consider that point carefully, because they understand the local circumstances and the business profile of such providers in the tourism sector. The way in which the bill, as amended, is now configured will allow for a wide range of flexibility for local authorities to set the rates for different types of accommodation as they best see fit—that also answers the point that Murdo Fraser made earlier. If local authorities feel that there is a need to do that due to the nature of their local tourism sector, I am sure that they will consider that seriously.

Amendment 32 would oblige every local authority to review those particular accommodation types, even when they are rare or where there is no evidence that the levy affects them disproportionately. That would create additional administrative requirements, which is something that we are trying to avoid, without

having a clear benefit, and it would divert focus from locally significant issues, as is best understood by local authorities.

As I said, local authorities are already able to shape the schemes and the associated reviews that are referred to in amendment 32. We believe that the amendment would be overly prescriptive and that imposing nationally prescribed considerations in such a way is inconsistent with the flexible approach that is being taken forward in the bill.

Murdo Fraser: I will respond briefly to the points that have been made, and I will begin with the points that were made by Tim Eagle and by Jamie Halcro Johnston in his intervention, which we did not hear a convincing answer to. Jamie Halcro Johnston's point was that people from the Highlands and Islands who, say, have a sick child in a hospital in Edinburgh will need to travel. The City of Edinburgh Council has no incentive to grant a medical exemption because there are no people who live in Edinburgh who would benefit from that, so it is people in other parts of Scotland who will end up losing out. As Tim Eagle said, that would have a particular impact on those who live in rural areas. It would therefore be unfortunate if amendment 26 is not agreed to.

I turn to the point that Stephen Kerr made about shrinkage. I can, from my personal knowledge, give the minister several examples that I have come across of people who ran bed and breakfasts in their homes, letting one room on a short-term seasonal basis, who gave that up entirely because of the short-term let regulation that was brought in by this Government. They decided that it was not worth their while, and there was a shrinkage of that part of the rural economy. The danger is that the visitor levy will come in and add to the bureaucracy and cost of doing business, which will make it more likely that people will say that it is not worth the candle of carrying on with their businesses.

I will address the broader point that the minister referred to—which Mark Griffin also referred to in his intervention—about leaving the schemes up to the discretion of councils. Councils right across Scotland are hard-pressed when it comes to their finances, and many of them are looking at the visitor levy as a way to fill the gap between the amount of money that they need to spend on vital local services and the amount of money that they receive, either through council tax or the grant that comes from the Scottish Government. They face huge cost pressures in areas such as care, and they need to find money somewhere. Therefore, it is not surprising that they are considering how they can raise the maximum amount of money from the visitor levy. That money will come out of the pockets of people who stay in accommodation.

I lodged my amendment on camping sites and caravan parks because the accommodation that they provide is the accommodation that is most used by families who would otherwise struggle to go on holiday, who cannot afford to fly abroad or to stay in swanky hotels. Staying in a static caravan in a caravan park is the only holiday that they can afford. If we do not exempt such accommodation, the reality is that, in future, many people will not be able to take such holidays, because the additional cost of the visitor levy will put it beyond their means.

I intend to press amendment 5 and to move amendment 6, because they relate to the important issue of protecting those families who, without such protection, would not be able to afford a holiday.

I press amendment 5.

The Deputy Presiding Officer: The question is, that amendment 5 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

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

15:25

Meeting suspended.

15:31

On resuming—

The Deputy Presiding Officer: We come to the division on amendment 5. Members should cast their votes now.

For

Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Dowey, Sharon (South Scotland) (Con)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gulhane, Sandesh (Glasgow) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
McCall, Roz (Mid Scotland and Fife) (Con)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)

Ross, Douglas (Highlands and Islands) (Con)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Webber, Sue (Lothian) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)

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)
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)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kidd, Bill (Glasgow Anniesland) (SNP)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
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, 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)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 27, Against 82, Abstentions 0.

Amendment 5 disagreed to.

Amendment 6 moved—[Murdo Fraser].

The Deputy Presiding Officer: The question is, that amendment 6 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Dowey, Sharon (South Scotland) (Con)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gulhane, Sandesh (Glasgow) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
McCall, Roz (Mid Scotland and Fife) (Con)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Ross, Douglas (Highlands and Islands) (Con)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Webber, Sue (Lothian) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)

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)

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)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kidd, Bill (Glasgow Anniesland) (SNP)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
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)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 26, Against 83, Abstentions 0.

Amendment 6 disagreed to.

Amendment 25 moved—[Stephen Kerr].

The Deputy Presiding Officer: The question is, that amendment 25 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Dowey, Sharon (South Scotland) (Con)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
McCall, Roz (Mid Scotland and Fife) (Con)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Ross, Douglas (Highlands and Islands) (Con)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Webber, Sue (Lothian) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)

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)
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)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)

Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
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)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kidd, Bill (Glasgow Anniesland) (SNP)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
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)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 25, Against 82, Abstentions 0.

Amendment 25 disagreed to.

Amendment 26 moved—[Tim Eagle].

The Deputy Presiding Officer: The question is, that amendment 26 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dowey, Sharon (South Scotland) (Con)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Greene, Jamie (West Scotland) (LD)
Gulhane, Sandesh (Glasgow) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
McCall, Roz (Mid Scotland and Fife) (Con)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Rennie, Willie (North East Fife) (LD)
Ross, Douglas (Highlands and Islands) (Con)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
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)
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)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)

Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kidd, Bill (Glasgow Anniesland) (SNP)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Robertson, Angus (Edinburgh Central) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
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)

The Deputy Presiding Officer: The result of the division is: For 30, Against 79, Abstentions 0.

Amendment 26 disagreed to.

Section 3—Duty to make returns

Amendment 7 moved—[Ivan McKee]—and agreed to.

Section 4—Modification of existing visitor levy scheme

Amendment 8 moved—[Ivan McKee]—and agreed to.

Section 4A—Modification of proposed visitor levy scheme

Amendments 9 to 11 moved—[Ivan McKee]—and agreed to.

After section 5

The Deputy Presiding Officer: That takes us to group 4, on transitional provision. Amendment 12, in the name of Murdo Fraser, is grouped with amendment 27.

Murdo Fraser: My amendment 12 is in a group with amendment 27, in the name of my colleague Tim Eagle, which covers the same issue but approaches it in a slightly different way.

As drafted, the bill allows a local authority to charge a visitor levy from the date on which it decides to introduce the scheme, which can be up to 18 months before that scheme is actually introduced. That therefore captures forward bookings made for dates after the scheme is brought in.

It seems to me that that creates an issue of equity and natural justice and that the liability for a levy should arise only once a scheme has legally commenced. The provision also causes legal uncertainty for accommodation providers and booking platforms.

At the point at which a local authority decides in principle to introduce a visitor levy, no one knows the detail of how that scheme will operate. For example, they would not know whether the levy will be a fixed fee or a percentage. How, therefore, can booking platforms and accommodation providers properly advise those making bookings about how much they will pay for the accommodation? We could end up in a position where people book a holiday and pay up front, expecting that to be the total cost, only to find out subsequently what visitor levy might be added on. A visitor could be unfairly caught by a charge when they might well not have made the decision to book a holiday in that particular location had they known how much the additional cost would be or they might have made a decision to book in a different local authority area rather than in the one that is introducing the scheme. We cannot expect visitors, some of whom might be from overseas, to be fully informed as to the intentions of a local authority at the time when a booking is made.

As it stands, the system that we have causes confusion. My amendment 12 would ensure that any levy liability would apply only where both payment and the overnight stay take place on or

after the formal commencement date of the scheme and that no authority can require collection of the levy during the protected implementation period.

John Mason (Glasgow Shettleston) (Ind): Would the member accept that lots of things can change after somebody books a holiday? Beer duty often goes up overnight. People buy things, and a few pounds here or there will not make a difference.

Murdo Fraser: I am afraid that Mr Mason is being unduly optimistic in talking about "a few pounds here or there". We could be talking about substantial sums. Edinburgh's visitor levy is 5 per cent plus VAT, which is 6 per cent, and other councils have even higher charges. The total could be hundreds of pounds for a family holiday when people are staying for a couple of weeks. Mr Mason is being far too blasé in his approach to the issues, perhaps in customary fashion.

Tim Eagle's amendment 27 addresses the same issue but takes a slightly different approach. I am sure that he will explain that in more detail when he speaks.

In the meantime, I am pleased to move amendment 12.

Tim Eagle: I could just say "Ditto" to what Murdo Fraser said, as my amendment 27 is almost exactly the same as his amendment 12, with just a wee difference.

We need to consider the real effect of the liability on destination management companies and businesses that have booked way in advance a package of hotel rooms or whatever at a fixed price that cannot be changed for legal reasons. The visitor levy will have a consequence for such businesses. If the minister is not inclined to accept a period of 18 months, perhaps he will accept my amendment 27, which would reduce that to 15 months after the decision to introduce a scheme. There you go—that is compromise for you, Presiding Officer.

Ivan McKee: Murdo Fraser's amendment 12 and Tim Eagle's amendment 27 seek to, either completely or to some extent, prevent the visitor levy from being charged on bookings that were made in advance of a visitor levy scheme coming into force.

Section 17(1) of the Visitor Levy (Scotland) Act 2024 prevents the levy from being charged on bookings that were paid for before the authority decided to introduce a visitor levy scheme, while section 17(2) allows the levy to be charged on bookings that were paid for between the date of the decision and the levy scheme coming into force if the visitor takes entry to the accommodation after the scheme comes into force.

Amendment 12 seeks to amend section 17 of the 2024 act so that the levy may be charged on overnight stays only if they were booked and paid for after the scheme had gone live. That could result in stays on the same night being treated differently, with a stay that was booked in advance of the scheme coming into effect not being liable but a stay that was booked after that being liable. The amendment would prevent the levy from being charged on all overnight stays that take place after a scheme comes into force, which would reduce the revenue generated by the levy.

Amendment 27 seeks to amend section 17 of the 2024 act to prevent a local authority from charging the levy on advance bookings that were paid for during a period of 15 months after the date of its decision to introduce the scheme. The levy could be applied to stays that were booked and paid for after the expiry of that 15-month period.

I understand that the amendments in the group seek to address concerns that were raised by industry representatives who believe that the transitional provisions in section 17 of the 2024 act run counter to section 14, which requires an implementation period of at least 18 months. However, this Parliament agreed to both provisions when the original bill was passed. They were not thought to be contradictory then and they are not contradictory now. Parliament agreed to give local authorities the power to apply the levy in respect of overnight stays that take place after a levy scheme comes into force, including in cases where the overnight stay was booked and paid for in advance. Parliament placed a limit on that power so that the levy may not be charged if the overnight stay is booked and paid for before the decision is made to introduce a scheme.

It is right that local authorities should be allowed to charge for some pre-booked overnight stays if the stay takes place after a scheme goes live. Moreover, local authorities have taken a pragmatic approach to exercising their discretion to charge the levy on advance bookings, recognising that there is a need for accommodation providers to prepare and put systems in place. Under their schemes, Glasgow City Council and the City of Edinburgh Council have given providers more than nine months to prepare for the charging of the levy on bookings that are made in advance.

It is not clear whether the amendments are intended to apply retrospectively or only to new schemes that are agreed after the provisions are commenced. The City of Edinburgh Council has been applying the levy to bookings for almost six months, and Glasgow City Council could have around three months of advance bookings. If the

amendments were to be applied retrospectively, any levies that had already been paid in relation to those bookings would need to be refunded. It would involve a considerable administrative burden on accommodation providers to check which bookings were eligible and then make those refunds.

Preventing the levy from applying to advance bookings could also increase the risk of avoidance. Third parties could seek to place block bookings for large numbers of rooms months, if not years, in advance, thus avoiding any levy liability and impacting levy revenues.

I met representatives of industry and local government two weeks ago to hear their views, and I propose that any concerns will be best addressed by the statutory guidance published by VisitScotland. That guidance could bring out best practice where the levy is applied only to advance bookings that were made, for example, nine months before the start date of the scheme. Local government was willing to compromise on that, and I still consider that that is the best approach. We should not introduce uncertainty at stage 3 by making abrupt changes to provisions that were agreed to by this Parliament and by doing so without the benefit of full consultation and engagement on them.

15:45

Murdo Fraser: There is a massive, gaping hole in the minister's argument where he said that Parliament agreed the schemes and therefore we should stick with them. The reason that the bill is in front of us is that we accepted that the original legislation was deeply flawed and we had to bring it back to amend it, which is what we are trying to do. His logic fails him on that particular aspect.

We have lodged the amendments in this group in response to requests from the industry, which sees this as a major challenge. People are booking in advance without realising what the final cost is going to be. As we have heard, people who are coming to Scotland are booking overseas tours with tour operators. They are planning well in advance—sometimes a year or two years in advance—and the operators do not know the total cost that they will pass on to their clients. It is a major burden, and that is why industry is concerned.

I press amendment 12.

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

Members: No.

The Deputy Presiding Officer : There will be a division.

For

Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Dowey, Sharon (South Scotland) (Con)
Eagle, Tim (Highlands and Islands) (Con)
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)
Gulhane, Sandesh (Glasgow) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hoy, Craig (South Scotland) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Lumsden, Douglas (North East Scotland) (Con)
McCall, Roz (Mid Scotland and Fife) (Con)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Ross, Douglas (Highlands and Islands) (Con)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Webber, Sue (Lothian) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)

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)
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)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)

Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
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)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
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)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 26, Against 81, Abstentions 0.

Amendment 12 disagreed to.

Amendment 27 moved—[Tim Eagle].

The Deputy Presiding Officer: The question is, that amendment 27 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Dowey, Sharon (South Scotland) (Con)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Lumsden, Douglas (North East Scotland) (Con)
McCall, Roz (Mid Scotland and Fife) (Con)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Ross, Douglas (Highlands and Islands) (Con)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Webber, Sue (Lothian) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)

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)
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)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)

Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
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)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 27, Against 82, Abstentions 0.

Amendment 27 disagreed to.

Before section 5A

The Deputy Presiding Officer: Group 5 is on reports and reviews by local authorities operating visitor levy schemes. Amendment 28, in the name of Stephen Kerr, is grouped with amendments 29 to 31.

Stephen Kerr: All the amendments in the group are mine. This group is about something that is very simple but very important—public confidence. If a visitor levy is to command support over time, people must be able to see clearly what the money is being used for, what effect it is having and whether the scheme continues to make sense in practice. That is the thinking behind these amendments.

The risk with any levy of this kind is that, over time, it simply becomes another tax. The minister and I had an exchange about the nature of new taxes and what becomes of them when we had the stage 2 debate on matters that are not dissimilar to this. Money is collected and flows into the system, and the original purpose becomes harder to see, if not entirely lost. Businesses and communities begin to wonder whether the levy is doing what they were told it would do. Given that the Parliament has authorised the collection of the levy, it is entitled to expect more than a simple set of figures. We should be asking the obvious question, which we perhaps should ask more often: what difference has it made?

Amendments 28 to 30 would strengthen transparency and public accountability. Amendment 28 would require reporting on how the proceeds of the levy have been spent and, where the information is available, how the spending has affected visitor numbers, the length of visitor stays and the viability of tourism businesses. Those are not abstract questions—they go directly to the strength of the tourism sector in the communities where the levy would operate.

Amendments 29 and 30 are alternatives to amendment 28. I am trying to be reasonable—I think that the minister knows that I am quite a reasonable person. [*Interruption*.] I hear that that view is being contested; I cannot believe that.

These amendments would require a local authority to publish a clear report on how the net proceeds of a scheme have been used and what impact the use of the scheme has had. The two amendments differ in only the timing of the first reporting period—

John Mason *rose*—

Stephen Kerr: I will just finish my sentence.

One reporting period would be for two years and the other would be for three years, but they share the same purpose.

John Mason: Does the member think that he is being realistic? Edinburgh has millions of tourists who come for all sorts of reasons, but they could be put off doing so by the exchange rate, problems in the middle east and other sorts of things. Does he really think that we can pin things down to the visitor levy? Would his proposals not just add bureaucracy and make public service reform even more difficult?

Kenneth Gibson (Cunninghame North) (SNP): Well said.

Stephen Kerr: To be frank, John Mason is underestimating the analytical powers of the sector and the Government. In business, there is constant evaluation of how a market is growing and what factors are having an impact. Those of us in the chamber who have been involved in businesses or in huge sectors know that that is an on-going process. It is not beyond reasonable to expect that such analysis could be done. I am not suggesting that the analysis would result in a conclusive piece of evidence that says, “This is entirely down to one thing.” Monitoring what is happening to the market as a consequence of the introduction of what effectively would be a new tax

is sensible. I am sure that John Mason will appreciate that, if the visitor levy is justified, the evidence should demonstrate that.

We are debating the amending bill because aspects of the original legislation were not, in every respect, as carefully thought through as they should have been. That experience should make us more attentive to the need for proper review and correction. That is where amendment 31 comes in. I am grateful to the minister for his collaboration to agree on what the amendment would do. It would require a local authority, when carrying out its review of a visitor levy scheme, to consider whether the scheme should be modified or revoked. The report should be provided to the local visitor levy forum, which is expected to discuss its contents and offer the authority advice and make representations, as the forum considers appropriate.

Finally, where a local authority finds that the scheme should be modified or revoked, it will need to set that out in a report that is to be published by it under section 21(2) of the 2024 act. In other words, the review must be a genuine test—not a procedural exercise or a box to be ticked, but a moment when an authority asks whether the scheme is still justified. That seems to me to be simple common sense.

Mark Griffin: The Scottish Government is not well known for devolving power to local authorities or handing powers to other places. The bill is an example of that. It seems that the whole package of Conservative amendments is trying to pull back that power. In particular, the amendments in the group almost tell councillors how to do their jobs when analysing the levy that they would design and introduce. Are councillors not best placed to do that job, rather than the Parliament passing amendments to tell them what to do?

The Deputy Presiding Officer: I would be grateful if Stephen Kerr could start to wind up.

Stephen Kerr: That is not what my amendments seek to do. They are simply a way of doing what I believe good legislation should always do: answer the question, “Has this made a positive or a negative difference?” It is not unrealistic for that to be built into every piece of legislation that we pass, because if we are sitting here creating laws that have no effect, have a negative effect or produce unintended consequences, what is the point? That is all that my amendments seek to do.

In conclusion, my proposal for a review is common sense. If the levy is working well, the review will confirm that. If it is not, the legislation should encourage honesty rather than inertia. The amendments are not hostile to the principle of a visitor levy. They are about accountability, transparency and evidence. If the levy is to endure, those aspects will matter. For those reasons, I encourage colleagues to support amendments 28 to 31.

I move amendment 28.

Ivan McKee: I do not know whether that was John Mason’s last contribution in the chamber before he retires, but seeing him render Stephen Kerr momentarily speechless was a sight to behold.

Amendment 28 would require that a local authority’s annual report on a visitor levy scheme include information on how the use of levy proceeds has impacted on visitor numbers, length of stay and the viability of tourism businesses, where such information is available. That is similar to an amendment that Mr Kerr lodged at stage 2. When I met him recently to talk about that and other amendments, we discussed issues around availability and data lag, and the fact that it could be difficult to identify causality of changes. Could a change in length of stay be down to the introduction of the levy or to wider economic factors?

I welcome that Mr Kerr has recognised the issue of data availability in this iteration of his amendment. However, it does not address the key point that I made at stage 2: the amendment is not necessary. Section 13 of the Visitor Levy (Scotland) Act 2024 requires a local authority to prepare and publicise how it intends to measure and report on the achievement of a scheme’s objectives. If relevant, the authority’s annual report on the scheme can already include an assessment of impact on tourist numbers, length of stay and viability of tourism businesses. I appreciate the intention behind the amendment. As I indicated at stage 2, and when I met Mr Kerr, I would be happy to explore whether the statutory guidance provided by VisitScotland for local authorities could be revised to emphasise that detail, where robust data is available.

Amendments 29 and 30 would introduce separate requirements for local authorities to report on the use of net proceeds. Both have similar intent but would apply to different timescales. Amendment 29 would require that a first report on the impact of levy funds on tourist numbers, length of stay and viability of tourism businesses be prepared two years after a scheme goes live, and amendment 30 would require that a first report be prepared three years after the scheme goes live. Such a report would then be published annually. The amendments are intended to account for data lag.

Amendments 29 and 30 seek the same information as amendment 28 but in a different way. They would create a new reporting duty for

local authorities and require them to report on the specific issues separately from the section 20 annual reports under the 2024 act.

The amendments would allow the two reports to be combined and published together. Imposing different objectives and reporting periods might make that difficult to work with in practice. However, as with amendment 28, that is not necessary—it is simply a new reporting requirement, but duplicating what is already provided for by the 2024 act. I repeat my commitment to seek to address those issues in amended VisitScotland guidance.

Amendment 31 would require a local authority to consider, as part of each three-year review of the operation of a scheme, whether the scheme should be modified or revoked. Mr Kerr raised that issue at stage 2, and I undertook to discuss it with him. We had a constructive discussion on that, and I recognise that there is benefit in a local authority considering whether a scheme should be revoked at that review stage. Therefore, the Government will support amendment 31.

The Deputy Presiding Officer: I call Stephen Kerr to wind up and press or withdraw amendment 28.

Stephen Kerr: I have no further comments to add, although I am not entirely sure that I was all that speechless.

The Deputy Presiding Officer: The question is, that amendment 28 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Dowey, Sharon (South Scotland) (Con)
Eagle, Tim (Highlands and Islands) (Con)
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)
Gulhane, Sandesh (Glasgow) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Lumsden, Douglas (North East Scotland) (Con)
McCall, Roz (Mid Scotland and Fife) (Con)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Ross, Douglas (Highlands and Islands) (Con)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Webber, Sue (Lothian) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)

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)
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)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
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)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kidd, Bill (Glasgow Anniesland) (SNP)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
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)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Rowley, Alex (Mid Scotland and Fife) (Lab)

Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
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)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 27, Against 83, Abstentions 0.

Amendment 28 disagreed to.

16:00

Amendment 29 moved—[Stephen Kerr].

The Deputy Presiding Officer: The question is, that amendment 29 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 app would not connect. I would have voted no.

The Deputy Presiding Officer: Thank you, Ms McNair. I will ensure that that is recorded.

For

Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Dowey, Sharon (South Scotland) (Con)
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)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Lumsden, Douglas (North East Scotland) (Con)
McCall, Roz (Mid Scotland and Fife) (Con)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Ross, Douglas (Highlands and Islands) (Con)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Webber, Sue (Lothian) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)

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)
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)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (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)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kidd, Bill (Glasgow Anniesland) (SNP)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)

Rowley, Alex (Mid Scotland and Fife) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
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)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 24, Against 84, Abstentions 0.

Amendment 29 disagreed to.

Amendment 30 moved—[Stephen Kerr].

The Deputy Presiding Officer: The question is, that amendment 30 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Briggs, Miles (Lothian) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Dowey, Sharon (South Scotland) (Con)
Eagle, Tim (Highlands and Islands) (Con)
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)
Gulhane, Sandesh (Glasgow) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Lumsden, Douglas (North East Scotland) (Con)
McCall, Roz (Mid Scotland and Fife) (Con)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Ross, Douglas (Highlands and Islands) (Con)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Webber, Sue (Lothian) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)

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)
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)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (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)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kidd, Bill (Glasgow Anniesland) (SNP)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)

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)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 26, Against 84, Abstentions 0.

Amendment 30 disagreed to.

Amendment 31 moved—[Stephen Kerr].

The Deputy Presiding Officer: The question is, that amendment 31 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is closed.

Collette Stevenson (East Kilbride) (SNP): On a point of order, Presiding Officer. My app froze. I would have voted yes.

The Deputy Presiding Officer: Thank you, Ms Stevenson. I 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)
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)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dowey, Sharon (South Scotland) (Con)
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)
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)
Gray, Neil (Airdrie and Shotts) (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)
Hepburn, Jamie (Cumbernauld and Kilsyth) (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)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Robertson, Angus (Edinburgh Central) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Slater, Lorna (Lothian) (Green)
Smith, Liz (Mid Scotland and Fife) (Con)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Webber, Sue (Lothian) (Con)
White, Tess (North East Scotland) (Con)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baker, Claire (Mid Scotland and Fife) (Lab)
Boyack, Sarah (Lothian) (Lab)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Ewing, Fergus (Inverness and Nairn) (Ind)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Johnson, Daniel (Edinburgh Southern) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Marra, Michael (North East Scotland) (Lab)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Mochan, Carol (South Scotland) (Lab)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)

Rowley, Alex (Mid Scotland and Fife) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sweeney, Paul (Glasgow) (Lab)
Thomson, Michelle (Falkirk East) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)

The Deputy Presiding Officer: The result of the division is: For 81, Against 28, Abstentions 0.

Amendment 31 agreed to.

Amendment 32 moved—[Stephen Kerr].

The Deputy Presiding Officer: The question is, that amendment 32 be agreed to. Are we agreed?

Members: No.

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

The vote is closed.

Marie McNair: On a point of order, Presiding Officer. I am sorry; I have connection issues with my app. I would have voted no.

The Deputy Presiding Officer: Thank you. I will make sure that that is recorded.

For

Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Dowey, Sharon (South Scotland) (Con)
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)
Gulhane, Sandesh (Glasgow) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Lumsden, Douglas (North East Scotland) (Con)
McCall, Roz (Mid Scotland and Fife) (Con)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Ross, Douglas (Highlands and Islands) (Con)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Webber, Sue (Lothian) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)

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)
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)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (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)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kidd, Bill (Glasgow Anniesland) (SNP)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
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)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 25, Against 83, Abstentions 0.

Amendment 32 disagreed to.

Section 5A—Reporting on impact on tourism in rural areas

The Deputy Presiding Officer: Group 6 is on reporting on the operation of the act. Amendment 13, in the name of the minister, is grouped with amendment 33.

Ivan McKee: At stage 2, I supported an amendment that was lodged by Tim Eagle that will require ministers, when reviewing the 2024 act, to consider the impact of visitor levy schemes that were introduced under that act on tourism in rural areas of Scotland. Amendment 13, which is in my name, will adjust that requirement to remove a redundant reference and avoid repetition.

Amendment 33, in the name of Tim Eagle, would require a report on a review of the operation of the 2024 act to set out an assessment of whether the levy should be paid to the relevant local authority by visitors rather than by accommodation providers. The act makes accommodation providers liable for payment of the levy and the liability is enforced on that basis. The model that is set out in the act was agreed to by Parliament after extensive consultation and engagement. The bill seeks to enhance the act's operation and not to reopen its basic principles, which amendment 33 seeks to do. Therefore, I ask Tim Eagle not to move the amendment and, if it is moved, I ask members to reject it.

I move amendment 13.

Tim Eagle: On Willie Rennie's advice, I did not lodge hundreds of amendments to the bill, which I was going to do. I thought that I would be reasonable and lodge just three. I have lost on two of my very reasonable amendments, but I hope that I will not lose on amendment 33.

For, I think, the second time, the minister has said that we cannot go back and open up the 2024 act. However, as Murdo Fraser pointed out, we are opening it up, because of mistakes that the Government made originally. It is only fair to point out again that we are having this debate only because the Conservatives went to the Scottish National Party and said that we would work with it on the bill to help to fix the problems.

Amendment 33 is an easy one for the SNP to get behind. When the 2024 act first went through, there was a lot of concern in the Highlands and Islands from the business community. I commend three business owners—I had better not name them, because they have not given me permission to do so—who have worked tirelessly with me over the past few months to present practical ways that we can change the bill to help them.

One of those suggestions related to the fact that it is quite an administrative burden to collect the levy, fill in acres of paperwork and submit it to the authority. The easiest thing to do, with the technology that we have in this day and age, would be to have the visitor pay the levy directly to the local authority, perhaps through a platform. I am not asking for that to be changed right now, and I do not propose that in amendment 33. All that I am saying is that, as part of a review, the Government could consider whether that might be a feasible option in future.

Willie Rennie (North East Fife) (LD): I will correct Tim Eagle: the Labour Party and the Liberal Democrats also made representations to the minister about having flexibility on that. We were clear—I was at the meeting—that the desire was to have a tight and neat bill so that we could get it through in a tight parliamentary schedule. I am glad that that has been done and I am grateful to Tim Eagle for not adding bells and whistles to the bill. I hope that we can move forward, pass the bill and fix the problem.

Tim Eagle: There is no doubt that we will fix the problem today. Willie Rennie is right that we all want the bill to be passed, because that is the right thing to do. However, there are little things that we could have added—the bells and whistles, as he says. Amendment 33 would be one of those bells and whistles. There would be an understanding for businesses that, as part of a review in future, there could be consideration of whether a technological option would allow the payment to go to the local authority, which would reduce the administrative burden on our businesses across Scotland. In this day and age, businesses need as few restrictions and burdens as possible.

The Deputy Presiding Officer (Annabelle Ewing): I advise members 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) of standing orders to allow the debate on this group to continue beyond the limit in order to avoid the debate being unreasonably curtailed.

I call the minister to wind up.

Ivan McKee: I have nothing to add.

Amendment 13 agreed to.

After section 5A

Amendment 33 moved—[Tim Eagle].

The Deputy Presiding Officer: The question is, that amendment 33 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Dowey, Sharon (South Scotland) (Con)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gulhane, Sandesh (Glasgow) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
McCall, Roz (Mid Scotland and Fife) (Con)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Ross, Douglas (Highlands and Islands) (Con)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Webber, Sue (Lothian) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)

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)
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)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kidd, Bill (Glasgow Anniesland) (SNP)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
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)
Roddick, Emma (Highlands and Islands) (SNP)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
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)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 26, Against 84, Abstentions 0.

Amendment 33 disagreed to.

Section 10—Commencement

Amendments 14 to 16 moved—[Ivan McKee]—and agreed to.

Schedule—Consequential and minor modifications of the 2024 Act

Amendments 17 to 24 moved—[Ivan McKee]—and agreed to.

The Deputy Presiding Officer: That ends consideration of amendments.

Mercedes Villalba (North East Scotland) (Lab): On a point of order, Presiding Officer. I would like to question whether proper procedures have been followed in relation to the requirement, under standing orders, that any member who has a declarable interest in any matter declares that interest before taking part in any proceedings of the Parliament relating to that matter.

In Murdo Fraser's contribution, when speaking to his amendments 5 and 6, in relation to caravan parks, I did not hear him refer to his entry in the register of members' interests, which states that, on 18 August 2024, he received a donation of £2,000 for his leadership campaign from Hamish Mair. If that is the same Hamish Mair who is head of private equity funds at F&C Investment, which invested £3.3 million in Park Holidays UK, which seems to be the country's fourth-largest caravan park operator, I believe that the member ought to have declared an interest, and I seek your ruling on that matter.

The Deputy Presiding Officer: I advise Mercedes Villalba that that is not a point of order. It is a matter for each member to declare whether they have a relevant interest.

We now turn to the determination. As members will be aware, the Presiding Officer is required, under standing orders, to decide whether, in her view, any provision of the bill—[*Interruption*.]

If members are leaving the chamber, I ask them to do so quickly and quietly. I will have to start again from the beginning. I ask members not to have conversations while standing up and while the chair is in the process of outlining the determination.

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

Business Motion

16:15

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is consideration of business motion S6M-21147, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, setting out a timetable for the stage 3 consideration of the Crofting and Scottish Land Court Bill. I ask any member who wishes to speak to the motion to press their request-to-speak button.

Motion moved,

That the Parliament agrees that, during stage 3 of the Crofting and Scottish Land Court Bill, debate on groups of amendments shall, subject to Rule 9.8.4A, be brought to a conclusion by the time limits indicated, those time limits being calculated from when the stage begins and excluding any periods when other business is under consideration or when a meeting of the Parliament is suspended or otherwise not in progress:

Groups 1 to 3: 45 minutes

Groups 4 to 6: 1 hour 35 minutes

Groups 7 to 9: 2 hours.—[*Graeme Dey*]

Motion agreed to.

Crofting and Scottish Land Court Bill: Stage 3

16:15

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is stage 3 proceedings on the Crofting and Scottish Land Court Bill. In dealing with the amendments, members should have the bill as amended at stage 2—that is, SP bill 71A—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 stage 3. The period of voting for the first division will be 30 seconds. Thereafter, I will allow a voting period of one minute for the first division after a debate. Members who wish to speak in the debate on any group of amendments should press their request-to-speak button or enter the letters 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 1—Enabling environmental uses of crofts

The Deputy Presiding Officer: Group 1 is on duties and enforcement. Amendment 1, in the name of Beatrice Wishart, is grouped with amendments 2 to 4, 38 to 42 and 25.

Beatrice Wishart (Shetland Islands) (LD): I have only one amendment, and, coincidentally, it is the last one in my name before I leave the Parliament.

Following my stage 2 amendment 168, amendment 1 makes a consequential change to section 19C of the Crofters (Scotland) Act 1993. The stage 2 amendment clarified that a tenant crofter can fulfil their duty to cultivate and maintain the croft either personally, with the help of their family, or with hired labour. Amendment 1 would ensure that the same approach applies to owner-occupier crofters under section 19C, keeping both sets of duties aligned and consistent. I ask members to support my amendment.

I move amendment 1.

The Minister for Agriculture and Connectivity (Jim Fairlie): I am delighted to support Beatrice Wishart's final amendment, and, as that might be her final contribution, I would like to say that it has been an absolute pleasure to work with her. She has been an outstanding servant to her constituents, and we will miss her greatly in the next parliamentary session. [*Applause*.]

I support amendment 1 because it is important that the bill is clear that the flexibility that it offers for satisfying the duties applies equally to owner-occupier crofters.

I turn to my amendments. Amendment 2 will close a loophole that would have allowed someone who had been served a suspected breach of duty notice to submit an assignation application for the sole purpose of preventing the Crofting Commission from putting their other regulatory applications on hold. Amendment 2 will prevent that from happening.

My amendments 3 and 4 will ensure that all appeals under section 26K of the 1993 act are subject to the same rules, including the 42-day time limit, and the same statutory grounds of appeal.

My amendment 25 will simply reinstate the existing position so that the new duties notice can be sent by ordinary post to crofters and owner-occupier crofters.

I turn to Rhoda Grant's amendments 38 to 41, all of which I am happy to support. In my many discussions with crofters and stakeholders, I have heard real concerns that some new owner-occupier crofters are not fully aware of their duties before they take on their croft. That is why I have been happy to work with Rhoda Grant on these amendments. Similarly, I am happy to support Rhoda Grant's amendment 42, which will help to provide valuable guidance to crofters on how the Crofting Commission will assess applications for consent to be absent. I meet regularly with the Crofting Commission's chief executive officer and chair, and I welcome their commitment to providing interim policy guidance on that and other issues. Such guidance is already available on their website.

The Deputy Presiding Officer: I call Rhoda Grant to speak to amendment 38 and other amendments in the group.

Rhoda Grant (Highlands and Islands) (Lab): I will speak to amendments 38 to 42. I thank the minister for his assistance with the amendments.

Amendments 38 to 41 seek to deal with the issue that often arises when crofts change hands on the open market. People see that croft assignations or crofts themselves are for sale and fall into the trap of believing that they are simply buying a house or a piece of land without any additional obligations. That is why crofts are often left unworked, which falls foul of crofting law. The purpose of my amendments is simply to ensure that anyone who purchases a croft or buys a lease of a croft knows what their obligations are.

New section 19BC of the 1993 act, which is entitled "Regulations on requirement for proposed owner to be aware of owner-occupier duties",

requires Scottish ministers to make, by regulations,

"provision requiring that before any person may … acquire title to a croft as a nominee of a crofter, or … purchase a croft from a constituting landlord, … the Commission must be satisfied that the person is aware of the duties of an owner-occupier crofter under section 19C."

Amendment 38 would reword the title of the new section—section 11B—introduced by an amendment in my name at stage 2 and would make a consequential change to the title of new section 19BC, to reflect the changes that would be made by amendment 40.

Amendment 39 would modify new section 19BC by substituting "may" for "must", meaning that the power to make regulations would be discretionary rather than there being a duty to do so. That would resolve a technical issue, because making regulations under the affirmative procedure is not necessarily within the minister's gift, as, strictly speaking, such regulations are subject to the approval of Parliament before they can be made by ministers.

Amendment 40 would modify new section 19BC to reframe the duty so that regulations would need to make provision

"about how a person is to satisfy the Commission that the person is aware of the duties of an owner-occupier crofter under section 19C before the person"

acquires or purchases the croft. That would mean that the imposition would be on the person who is acquiring or purchasing the croft to satisfy the commission that they were aware, rather than the commission having a duty to satisfy itself of that person's awareness. Indeed, that could be difficult, given that no existing mechanism would make the commission aware of such a transfer.

Amendment 41 would insert a new subsection (1A), which sets out a non-exhaustive list of things that regulations under section 19C(1) "may" make provision about. Those include:

"the steps which must or may be taken by a person to satisfy the Commission of the person's awareness of the duties, and … the effect of a failure to take such steps."

Amendment 42 deals with a crofter's application to be absent from a croft. Gaining consent to be absent should not be used by crofters as a way of avoiding their duties under crofting law. Crofters often apply to be absent, and the agreements on absence are quite often open ended. Of course there are times when a crofter would need to be absent—for example, to attend to training, or for healthcare and the like—but an agreement on absence should not allow people simply to hold crofts with no intention of returning to them. Amendment 42 would require the Crofting Commission to publish guidance on how it exercises its functions under sections 21B to 21D of the 1993 act, which are on consent for absence from crofts. That guidance will set out for crofters the commission's policy on how it will assess an application for consent to be absent. It will also provide direction and support to help crofters prepare such an application.

Labour also supports the other amendments in the group.

The Deputy Presiding Officer: I call Beatrice Wishart to wind up and to press or withdraw amendment 1.

Beatrice Wishart: I press amendment 1.

Amendment 1 agreed to.

Section 4—Enforcement of duties

Amendments 2 to 4 moved—[Jim Fairlie]—and agreed to.

Section 8—Assignations to family members

The Deputy Presiding Officer: Group 2 is on assignations. Amendment 34, in the name of Rhoda Grant, is grouped with amendment 35.

Rhoda Grant: Amendment 34 would amend section 8 of the Crofters (Scotland) Act 1993 to provide a simplified process for obtaining the commission's consent to an assignation of a croft if certain conditions, which are set out in the proposed new section 8(2B) and which primarily relate to the assignation to a family member, are met.

Section 11B of the bill will further modify section 8 of the 1993 act by inserting a new subsection (1C), which will provide that the commission may not grant consent or approval to an assignation

"unless it is satisfied that the proposed assignee is aware of the duties they would have as a crofter, following any such assignation, under sections 5AA, 5B and 5C"

of the 1993 act. Amendment 34 would have the effect of providing that proposed new subsection (1C) would not apply in relation to fast-tracked assignations to family members where the commission is satisfied that conditions in proposed new subsection (2B) are met. I thank the minister for his help with the amendment.

I do not agree with amendment 35, which would remove the three-croft limit from family assignations. Although most family assignations are likely to be to an assignee who is already working the crofts and has helped to run the business, I note that the subsection that would be removed by the amendment will only allow scrutiny by the commission. It will not mean that the commission will deny such assignations; it will simply provide a safeguard to ensure that people do not accumulate crofts that could be better used.

I move amendment 34.

Tim Eagle (Highlands and Islands) (Con): Amendment 35 is my only amendment to the bill, so I will just speak briefly to it.

Section 8 of the bill, which deals with assignations to family members, will amend the 1993 act. The bill, as amended at stage 2, will insert two new subsections in section 8 of the act.

The 1993 act prevents a crofter from assigning their croft unless consent is received by the commission. It requires the crofter to apply for consent and specifies what the commission must do if the croft in question is unregistered.

The bill as amended outlines what action must be taken if the commission is satisfied that certain conditions have been met in relation to an unregistered croft. One of those conditions is that

"the proposed assignee is not entered in the Register of Crofts as the tenant or owner-occupier crofter of three or more crofts".

My amendment 35 would delete that.

There are two reasons for deleting the condition. First, there is a concern that, if it remains in the bill, the process of transferring crofts could be slowed down in certain circumstances, whereas the original idea was to speed things up.

Secondly—this is the main reason for lodging the amendment—crofters have been in touch with me to say that, with regard to the stipulation that the proposed assignee should not have three or more crofts, three is an arbitrary number and fails to consider regional diversity in croft ownership, particularly in some of our island areas.

Therefore, I propose that the condition should be deleted to speed things up and recognise regional difference.

Jim Fairlie: I am very happy to support Rhoda Grant's amendment 34. Crofters want a genuinely fast-tracked process. I have heard that at first hand, particularly on my tour of the crofting counties over the summer, when I sat down with crofters and asked what their biggest ask was. That was it, and that is what section 8 of the bill will provide.

I agree with Rhoda Grant that there is no need for an extra check that family assignees are aware of their crofting duties. We should not be building an extra piece of process where there is no need for one to be put in.

However, I cannot agree with Tim Eagle's amendment 35, which would allow for fast-tracked family assignations to a crofter who already has three crofts or more. In some cases, a community might be happy for one person to acquire multiple crofts, but, in others, that would be an area of concern. Even for family assignation, it is right that the local crofting community should be able to have a say on proposed assignations to a person who already has three or more crofts. As Rhoda Grant has pointed out, that does not mean that the commission will not still grant the assignation, but there is no reason why it should not go through the process. Tim Eagle's amendment 35 would deny the community that right. For that reason, I encourage Mr Eagle not to move the amendment; if he does, I encourage members to oppose it.

The Deputy Presiding Officer: I call Rhoda Grant to wind up and to press or withdraw amendment 34.

Rhoda Grant: I will press amendment 34. I have nothing else to add.

The Deputy Presiding Officer: The question is, that amendment 34 be agreed to. Are we agreed?

Members: No.

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

I am terribly sorry—there will not be a division immediately. We have to suspend, because this is the first division of the stage 3 amendment stage. I suspend for around five minutes to allow members to access the digital voting system.

16:29

Meeting suspended.

16:35

On resuming—

The Deputy Presiding Officer: We will proceed with the division on amendment 34. Members should cast their votes now.

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)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)

Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
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)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
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)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Dowey, Sharon (South Scotland) (Con)
Eagle, Tim (Highlands and Islands) (Con)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gulhane, Sandesh (Glasgow) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Lumsden, Douglas (North East Scotland) (Con)
McCall, Roz (Mid Scotland and Fife) (Con)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Webber, Sue (Lothian) (Con)
Whittle, Brian (South Scotland) (Con)

The Deputy Presiding Officer: The result of the division is: For 81, Against 25, Abstentions 0.

Amendment 34 agreed to.

Amendment 35 not moved.

Section 8A—New crofts: power to determine applicant will become the owner-occupier crofter

The Deputy Presiding Officer: Group 3 is on environmental and other purposeful uses. Amendment 5, in the name of the minister, is grouped with amendments 43 to 46, 15, 16, 16A, 17 to 21, 47 and 29 to 31.

Jim Fairlie: My amendments in the group seek to clarify the powers of the commission when it considers proposals by a grazings committee for the grazings to be used as woodlands or for an environmental purpose. They also seek to make technical modifications or changes that are consequential to other provisions in the bill.

Amendment 5 seeks to correct the reference to "other purposeful use" in section 3AZA of the 1993 act, which is inserted by section 8A of the bill, so that it applies to owner-occupied crofts.

Amendment 15 is consequential on a stage 2 amendment in the name of Tim Eagle, which I was happy to support. The landlord's deadline for responding to a grazings committee application is mentioned twice in section 18, and amendment 15 seeks to change the second reference from six weeks to eight weeks, in line with the change that was made at stage 2.

My amendments 29 to 31 are also consequential. The bill will give tenant crofters the right to put their croft to an environmental use, and consequential changes are needed to provisions of the 1993 act that refer to the uses to which a croft can be put—they are section 30, on compensation for improvements; section 58, on the commission's decision making; and schedule 2, on the statutory conditions of tenure. The necessary changes will be made by amendments 29 to 31 respectively.

I am happy to support Alasdair Allan's amendments 16 to 21, which seek to clarify important changes that the bill will make. They seek to make it clear that the commission, not the landowner, will have the final say on a grazings committee application for the common grazings to be used for an environmental purpose or for forestry.

Rhoda Grant's amendments 43 to 46 propose changes to the landowner's role in that process. I am happy to support amendment 46, because it is right that the owner should be required to specify any conditions that they wish to impose and the rationale for them, but I cannot support amendments 43 to 45, which would reinstate three words that were removed from the bill at stage 2 through amendments that I supported.

Amendments 43 to 45 would forbid the owner from refusing consent on the grounds of detriment, hardship or loss, unless those impacts were substantial, undue or significant. At stage 2, I argued that those words were unnecessary because, with the bill, we are strengthening the role of the commission. In future, the final decision will lie with the commission, which will decide how much weight should be given to a decision to refuse consent on account of, for example, detriment to the management of the estate. The commission will set out its reasons for its decisions on such applications. We want that process to be—as far as is possible—the standard process that will apply to all decisions, so that the commission considers the wider public interest when it takes a view on the balance of the benefits and the drawbacks of the scheme.

Rhoda Grant's amendment 16A would require that, in imposing any conditions of its own, the commission must act reasonably and must set out its reasons for decisions, including why they are justified. I think that we all agree that the commission should do that anyway. However, as a public body, the commission is already under a statutory obligation to act reasonably and to communicate fully the reasons for its decisions. Duplicating those obligations in the bill would be bad law and, for that reason, I ask members to oppose amendment 16A.

Finally, Rhoda Grant's amendment 47 would provide that grazings committees should be entitled to all the financial benefit from an approved crofter-led forestry or environmental initiatives on the common grazings. In respect of forestry, that would cut across the measures that are already in the bill that ensure that a grazings committee will continue to have exclusive economic and recreational use of woodlands on its grazings. With regard to other environmental uses, the provision would sit uncomfortably with new section 50AA of the 1993 act, which provides for grazings committees to be able to enter into binding joint venture agreements with the owner of the grazings with the consent of the commission. I believe that the measures that we have set out in the bill deliver the right balance that will ensure that crofting communities can benefit from environmental uses of common grazings. As part of the wider review of crofting law, we are committed to carefully considering how natural capital markets can support vibrant crofting communities.

I turn to the wider issues of natural capital and financial benefits that must be looked at in a wider cross-Government space to ensure that natural capital markets support vibrant crofting communities. A lot of the detailed work on the natural capital markets is on-going, but it would be premature to set out in legislation at this stage how any financial benefit from a scheme should be shared between landlords and tenants. Therefore, I cannot support amendment 47.

I move amendment 5.

Rhoda Grant: I will speak to amendments 43 to 46, 16A and 47. As the minister said, the bill was amended at stage 2 to remove the words "substantially", "undue" and "significantly". I wanted to see those words put back into the bill, because I believe that landowners cannot spuriously stop developments on a croft. That was before I saw the new section 50ZA and, given the minister's assurances, I do not intend to move those amendments.

Amendment 46 would add a paragraph to the section that states that, should the owner add conditions to consent for environmental purposes, they must specify why they are imposing them and why they believe that they are reasonable.

I have listened to what the minister said about amendment 16A and I accept his assurances, so I will not seek to move that amendment.

On amendment 47, when we were taking evidence on the climate change plan, the committee heard that there were issues with progress and questions about who was responsible for the environmental use of a croft that was holding back peatland restoration, for example. At the moment, a crofter is entitled to cut peat and plant trees on their crofts—indeed, we have forest crofts. However, there is a concern that, if the crofter invests time, labour and finance in forestry or peatland restoration, the landlord will try to sell the carbon credits over their head. Amendment 47 therefore seeks to ensure that the financial benefit of any crofter's activity remains with the crofter. That is custom and practice and it is wise to set it out in law. The landowner has no control over the peat or trees on a croft or common grazing, and therefore they cannot take any benefit from that work, because they have no idea

what will happen to those trees or peat in the future.

At stage 2, the Scottish Government stated that there was a legal difficulty with including carbon credits in the bill, because they were not legally defined. Therefore, amendment 47 does not use the term "carbon credits" but it seeks to ensure that crofters get value from their endeavours. There is nothing in amendment 47 that would prevent crofters from entering into joint agreements with a landowner. The problem is that the landowner is not part of that joint agreement and does not want to take part, but is sitting back and hoping to make financial benefit from it. I therefore believe that amendment 47 is necessary.

I do not think that the matter should be determined in the court. Crofting is different from other patterns of ownership in that the crofter is already entitled to the peat and forestry on their croft, and nobody else should be able to take that from them. I will therefore move amendment 47.

16:45

Alasdair Allan (Na h-Eileanan an Iar) (SNP): I will speak to my amendments 16 to 21. Proposed new sections 50 and 50ZA of the 1993 act make changes to the regime for crofter-led forestry projects on common grazings and, importantly, also extend that regime to other crofter-led environmental projects. A system whereby the grazings committee has to get separate consent from both the landowner and the commission is to be replaced by one in which the commission has the final say. The commission must, of course, consider the owner's views, but alongside other factors such as the benefit to the crofting community and the public interest. In short, my amendments would ensure that the commission, and not the landowner, has the final say on crofter-led environmental projects.

Amendment 16 clarifies that the commission has full discretion to substitute its own decision when it considers that an owner's original decision was unreasonable. That would apply whether the owner's decision was to refuse outright, to put conditions on the project, or to approve it.

Amendment 21 expands the list of factors that the commission must take into account in reaching its decision, in line with the commission's standard decision-making criteria as set out in section 58A(7) of the 1993 act. That list will now include the interests of the estate, the interests of the crofting community and the sustainable development of the crofting community, as well as such things as the public interest and any objections received. In addition, amendment 21 requires the commission to take account of the owner's decision, including the reasons stated by the owner for any refusal.

Other changes within amendment 21 and in amendments 17 to 20 will remove duplication and correct cross-references.

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

Jim Fairlie: I have nothing further to add.

Amendment 5 agreed to.

Section 10A—Power to make provision about the sale of owner-occupied crofts

The Deputy Presiding Officer: We come to group 4, on common grazings. Amendment 6, in the name of Alasdair Allan, is grouped with amendments 7 to 14 and 48 to 50.

Alasdair Allan: I will speak to my amendment 6, but I begin by saying that I strongly support sections 14A and 15 of the bill, which will prevent the further separation of grazing shares from crofts, which has been an unfortunate consequence of the crofter's right to buy and has been detrimental to crofting. I will also support the minister's amendments 7 to 14, which will strengthen those sections still further.

My own amendment 6 would support sections 14A and 15. Section 10A, which was inserted by one of my amendments at stage 2, gives ministers power under the affirmative procedure to make regulations on the transfer of owner-occupied crofts. My amendment 6 would make it clear that that power includes the ability to make provisions on the transfer of associated grazing shares, should it be desirable to strengthen or modify the regime set out in sections 14A and 15.

I move amendment 6.

Jim Fairlie: I am happy to support Alasdair Allan's amendment 6, for the reasons that he has set out. The link between owner-occupied crofts and grazing rights is a complicated area in which property law and crofting law intersect, so it is sensible for ministers to have regulation-making powers in case the provisions on the grazing shares of owner-occupied crofts require to be refined in the future.

My own amendments in the group also concern that connection between grazing rights and owner-occupied crofts. It is an area of law where the policy intention is clear and, I think, agreed by everyone involved, but the means of achieving it is definitely not simple.

A tenanted croft generally comes with an attached right to use common grazings and, in legal terms, the grazing right is a pertinent of the tenancy. Our policy is that grazing rights should stay attached to crofts, no matter what changes a

croft goes through. It might be bought by its tenant and become an owner-occupied croft, and it might then be sold or even re-let to a new tenant. It might fall vacant and eventually be re-let by the Crofting Commission. However, the policy aim is that, no matter what happens to a croft, the grazing right should, by default, stay attached to it.

The only exception should be that, if there is a specific application to separate the grazing right from the croft, that should be treated like any other application to divide a croft. The separation may happen only if the Crofting Commission consents, and it will take account of the current and future interests of the crofting community, among other things, in its decision-making process. That is what sections 14A and 15 are designed to achieve.

However, because this is a complex area of law, officials have drawn on advice from a small group of stakeholders and experts, many of whom are practising crofting solicitors, to look closely at those two sections. I am extremely grateful to those people for giving up their time to help us to get this right. My amendments at stage 2, and now at stage 3, have been informed by those discussions between my officials and that group.

Amendments 7, 10 and 11 will clarify the wording of the bill but will not materially change the purpose of the provisions.

Amendment 8 will remove from the bill a change that we proposed to make to the right to buy an apportionment. That was never a core part of the provisions on retaining grazing rights with crofts and, following input from the group of advisers, I have decided that it is best not to venture into that territory without further examination of the legal implications of any proposed change.

Amendment 9 will clarify that, when an owner-occupied croft is let, an attached share may have one of two legal forms. It also covers the circumstance where the owner-occupier crofter is letting only part of the croft. In that circumstance, they will be able to specify whether the grazing right is attached to the part that is let or the part that is not. Again, however, that will be subject to the commission's consent.

Amendments 12 and 14 will clarify who has the right to re-let a vacant grazings right. The Land Court has ruled that that should be the person who was the landlord of the inby croft when it was a tenanted croft, or their successor in title. Sometimes that person is not the same as the person who owns the land over which the grazing rights are exercised, and sometimes, perhaps after a passage of years, they cannot be traced. Amendment 14 provides that we will follow the Land Court's principle whenever possible but that, pragmatically, we will allow the grazings owner to take over the role if need be.

Amendment 13 will allow a longer timescale for the letting of vacant shares in order to allow for the commission's necessary exchanges with both the owner and the grazings committee.

Rhoda Grant: Amendment 13 seeks to increase, from three months to five months, the time for the Crofting Commission to respond. People already complain that it takes far too long to do so. Can the minister give an assurance that people will not have to wait five months for a response from the commission?

Jim Fairlie: It will be for the commission to make those determinations. I hope that the crofting community, Rhoda Grant and other members who have engaged with what is happening will see that the Crofting Commission has sped up its provisions to make sure that it is getting the work done far more timeously than was the case in the past.

I turn to Edward Mountain's amendments 48 to 50. In the debate on the bill at stage 1, there was strong cross-party consensus on two points: first, that the bill contains a number of important and valuable crofting reforms; and, secondly, that the next step must be a more strategic and fundamental review of crofting to identify a direction of travel for the coming decades. That review will, of course, include common grazings. I support that approach and I will say more about it when we consider amendment 26, which will commit ministers to a review of crofting legislation in general.

Issues concerning common grazings are among the most important ones that the future review will consider. I recognise the issues that Edward Mountain has raised, and I am happy to support amendment 50, which will commit the next Government to consulting on them. I thank him for his contributions on this important matter.

Edward Mountain (Highlands and Islands) (Con): I thank the minister for taking the time to meet me and trying to find compromise. Sometimes that is not possible, but he tried very hard on this, and for that I am grateful.

In relation to common grazings, I am sad that we have not resolved the issue of what are often called slipper crofters. There are real issues where crofters have moved away and sold their shares in the common grazings to people who are no longer part of the crofting community.

I lodged my amendments 48 to 50 to encourage ministers to commit to a review of the operation of common grazings. I wanted such a consultation to be undertaken within three years; the minister wanted the time period to be much longer, although no figure was put on that; and he has compromised by making it five years, which is fair.

The reason that I was pushing for such a review is that 1,078 common grazings in Scotland, which cover more than 500,000 hectares, are recorded in the register of crofts. Of those, only 461—fewer than half—have common grazing committees in place.

Considering the amount of land involved, and the significance of crofting in reaching net zero, which will be a high priority for the next Parliament, it is important that we utilise common grazings and that crofters benefit from them, to the extent that they can, and that the country benefits from them, too.

I will say no more, except that I will not move amendment 48 or amendment 49, and that I would appreciate the support of the Government on amendment 50.

Ariane Burgess (Highlands and Islands) (Green): I will speak to Edward Mountain's amendments 48, 49 and 50. It is a helpful step for everyone who is involved with common grazings that ministers should consult with experts to achieve better guidance.

That is a useful backstop to amendment 26, to which the minister has already spoken, and which we will get to in group 8. Getting the timing right is important. I appreciate the intention behind Edward Mountain's amendment 50, which is one that the Green Party is likely to support.

The Deputy Presiding Officer : I invite Alasdair Allan to wind up and to press or withdraw amendment 6.

Alasdair Allan: I press amendment 6.

Amendment 6 agreed to.

After section 10A

The Deputy Presiding Officer: Group 5 is on resumption. Amendment 36, in the name of Rhoda Grant, is grouped with amendment 37.

Rhoda Grant: Amendment 36, which is similar to my amendment 188 at stage 2, was lodged ahead of Alasdair Allan's amendment to new section 50ZA of the 1993 act, as inserted by section 18 of the bill, to add protections for crofters.

However, I still believe that amendment 36 is required, as resumption can take from a crofter their land and work. Surely, if that happens, it must be in the public interest rather than in the interest of the landowner alone. Resumption must not happen for spurious purposes.

Amendment 37 is similar to amendment 47 in my name and relates to financial benefit. The amendment would protect crofters in a scenario in which a landlord attempted to take back a croft to benefit from the financial gain arising from activities carried out on the croft by the crofter. That could include, for example, the sale of carbon credits. It is very important that we protect crofting from the carbon market.

I move amendment 36.

The Deputy Presiding Officer: As no other member has sought to speak, I call the minister.

Jim Fairlie: First, I must ask Rhoda Grant not to press amendment 36 or move amendment 37. However, I just want to set out some context with regard to resumption. Current legislative provisions on resumption ensure that crofters are compensated for any loss of land, and they also entitle crofters to 50 per cent of the value achieved by the resumption. The Land Court can reject the resumption application, especially if it is opposed by crofters.

I am aware of renewed concern about resumption in the context of the increased opportunities and incentives from peatland restoration and tree planting. I, too, am genuinely concerned about that, but there is particular concern from crofters who want to take up such opportunities through grazings committees and joint ventures. We are committed to ensuring a balanced approach that protects the rights of the owner and the crofter and, as part of the review, we will very carefully consider whether the law on resumption needs to be updated.

Many resumption applications are made with the consent of the crofter and are for the good of the croft and the crofter. If we were to prevent landlords from resuming the land on the grounds that they might receive financial benefits, as amendment 37 would do, we would prevent crofters from receiving a share of the benefits of a consented project. Even if that project gave crofters 80 per cent of the financial benefit, amendment 37 would not allow the resumption application to be authorised. That is where the problem lies.

I assure Rhoda Grant and other members that I recognise and have genuine sympathy with the issues that they have raised, but I hope that she will accept that we should not take such a significant step without first considering all of the consequences and how they might affect not only the croft owners but the crofters. We will be considering that very carefully as part of the further review.

The Deputy Presiding Officer: I call Rhoda Grant to wind up and to press or withdraw amendment 36.

Rhoda Grant: I seek to withdraw amendment 36, given the reassurances that the minister has put on the record that the resumption will not be used against crofters and that they will have adequate protection.

Amendment 36, by agreement, withdrawn.

Amendment 37 not moved.

17:00

Section 11B—Requirement for proposed crofter to be aware of duties

Amendments 38 to 41 moved—[Rhoda Grant]—and agreed to.

After section 11B

Amendment 42 moved—[Rhoda Grant]—and agreed to.

Section 14A—Common grazings: acquisition of shares with croft

Amendments 7 to 9 moved—[Jim Fairlie]—and agreed to.

Section 15—Common grazings: unattached shares etc.

Amendments 10 to 12 moved—[Jim Fairlie]—and agreed to.

The Deputy Presiding Officer: The question is, that amendment 13 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 Education and Skills (Jenny Gilruth): On a point of order, Presiding Officer. My app did not connect. I would have voted yes.

The Deputy Presiding Officer: 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)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
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)
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)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
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)
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)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
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)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baker, Claire (Mid Scotland and Fife) (Lab)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Burgess, Ariane (Highlands and Islands) (Green)
Carlaw, Jackson (Eastwood) (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)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
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)
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)
McCall, Roz (Mid Scotland and Fife) (Con)
Mochan, Carol (South Scotland) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Ross, Douglas (Highlands and Islands) (Con)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sweeney, Paul (Glasgow) (Lab)
Webber, Sue (Lothian) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)

The Deputy Presiding Officer: The result of the division is: For 67, Against 36, Abstentions 0.

Amendment 13 agreed to.

Amendment 14 moved—[Jim Fairlie]—and agreed to.

Section 18—Use of common grazings for forestry or environmental purposes

Amendments 43 to 45 not moved.

Amendment 46 moved—[Rhoda Grant]—and agreed to.

Amendment 15 moved—[Jim Fairlie].

The Deputy Presiding Officer: The question is, that amendment 15 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)
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)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Eagle, Tim (Highlands and Islands) (Con)
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)
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)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
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)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
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)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baker, Claire (Mid Scotland and Fife) (Lab)
Boyack, Sarah (Lothian) (Lab)
Burgess, Ariane (Highlands and Islands) (Green)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Duncan-Glancy, Pam (Glasgow) (Ind)
Grant, Rhoda (Highlands and Islands) (Lab)
Greer, Ross (West Scotland) (Green)
Harvie, Patrick (Glasgow) (Green)

Johnson, Daniel (Edinburgh Southern) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Mackay, Gillian (Central Scotland) (Green)
Marra, Michael (North East Scotland) (Lab)
Mochan, Carol (South Scotland) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Slater, Lorna (Lothian) (Green)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)

The Deputy Presiding Officer: The result of the division is: For 83, Against 21, Abstentions 0.

Amendment 15 agreed to.

Amendment 16 moved—[Alasdair Allan].

Amendment 16A not moved.

The Deputy Presiding Officer: Does Alasdair Allan wish to press or withdraw amendment 16?

Alasdair Allan: I will press amendment 16.

The Deputy Presiding Officer: The question is, that amendment 16 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)
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)
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)
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)
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)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Neil (Airdrie and Shotts) (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)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hoy, Craig (South Scotland) (Con)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Stephen (Central Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
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)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
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)
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)
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

Eagle, Tim (Highlands and Islands) (Con)

The Deputy Presiding Officer: The result of the division is: For 102, Against 1, Abstentions 0.

Amendment 16 agreed to.

Amendments 17 to 21 moved—[Alasdair Allan].

The Deputy Presiding Officer: The question is, that amendments 17 to 21 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)
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)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kidd, Bill (Glasgow Anniesland) (SNP)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
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)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Dowey, Sharon (South Scotland) (Con)
Eagle, Tim (Highlands and Islands) (Con)
Findlay, Russell (West Scotland) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
McCall, Roz (Mid Scotland and Fife) (Con)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Ross, Douglas (Highlands and Islands) (Con)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Webber, Sue (Lothian) (Con)
Whittle, Brian (South Scotland) (Con)

The Deputy Presiding Officer: The result of the division is: For 82, Against 22, Abstentions 0.

Amendments 17 to 21 agreed to.

Amendment 47 moved—[Rhoda Grant].

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.

For

Baker, Claire (Mid Scotland and Fife) (Lab)
Boyack, Sarah (Lothian) (Lab)
Burgess, Ariane (Highlands and Islands) (Green)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Duncan-Glancy, Pam (Glasgow) (Ind)
Grant, Rhoda (Highlands and Islands) (Lab)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Harvie, Patrick (Glasgow) (Green)
Johnson, Daniel (Edinburgh Southern) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Mackay, Gillian (Central Scotland) (Green)
Marra, Michael (North East Scotland) (Lab)
Mochan, Carol (South Scotland) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Slater, Lorna (Lothian) (Green)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)

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)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Eagle, Tim (Highlands and Islands) (Con)
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)
Gulhane, Sandesh (Glasgow) (Con)
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)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
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)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Greene, Jamie (West Scotland) (LD)

The Deputy Presiding Officer: The result of the division is: For 22, Against 84, Abstentions 1.

Amendment 47 disagreed to.

After section 18

Amendments 48 and 49 not moved.

Amendment 50 moved—[Edward Mountain]—and agreed to.

Section 24—Requirement for certain applications for first registration to be copied to landlord

The Deputy Presiding Officer: Group 6 is on registration requirements. Amendment 51, in the name of Edward Mountain, is grouped with amendments 52 to 55, 22 to 24, 32 and 33.

Edward Mountain: I have five amendments—51 to 55—in the group. These amendments are about promoting communication between the crofter and the landlord at the point of registration. We all agree that registration of crofts is absolutely critical and it has been Government policy for a while. The amendments would minimise and simplify the first registration of crofts and to identify any discrepancies at an early stage. The Crofting Commission would prescribe a form of notice to be given by a crofter to the landlord, which would include a copy of the application. That would allow the landlord to comment on the application. I stress that the commission would be required not to act as arbiter but simply to highlight the discrepancies to the Keeper of the Registers of Scotland when the croft was going through the registration process.

The amendments would not add an administrative burden to the commission or put it in the middle of a fight between a landlord and a crofter, if such a thing were ever to happen, but they would flush out potential areas of dispute as the registration process was going ahead. This has come about from my experience of trying to register a croft, which has sometimes been quite difficult because the ownership is quite difficult to identify in title deeds.

The other amendments in the group—22 to 24, 32 and 33—are minor technical amendments in the name of the minister. I confirm that we will support those amendments on this side of the chamber. The minister can talk to them for some length of time if he wishes to, or he could just accept our report and allow us to concentrate on amendments 51 to 55.

I move amendment 51.

Jim Fairlie: I cannot support Edward Mountain's amendments 51 to 55. On the surface, the amendments are quite harmless, but they are either unnecessary or would not provide any benefit. There is no need for a separate form to be created, because this bill provides the same thing in a simpler and more direct way by requiring the crofter to share the draft application with the landlord 21 days in advance. The draft application includes the map.

The Crofting Commission is responsible for drafting and providing the regulatory applications that are used by its customers. It does that for all applications, whether assignations, decroftings, the creation of a new croft or anything else. In fact, the commission is already in the process of drafting all the forms necessary for this new provision, which will take into account the requirement, as set out in the bill, that the tenant must give a copy of the draft application to the landlord.

When the commission receives a first registration application, it already checks, in accordance with section 7(3) of the Crofting Reform (Scotland) Act 2010, the information contained in or accompanying the application against the information relating to the croft in the register of crofts.

If there is a dispute between the landlord and crofter, that should always remain a matter for the Land Court. Neither the commission nor the keeper has the authority or the skills to resolve registration disputes. That is one of the reasons why we have a specialised court to deal with crofting disputes. I know that Edward Mountain is well aware of that process.

My amendments 22 to 24 are technical amendments that correct aspects of section 27G for consistency with the rest of the bill and with the aim of that section, that decrofting applications can be made only on registered crofts or on a feu croft.

My amendments 32 and 33 will ensure that Ariane Burgess' successful amendment at stage 2, which we supported and which allows the Crofting Commission to consider a review application to bring a part of an apportionment to an end, also serves as an event that must be registered against a registered croft or common grazing. Those two amendments also ensure that the Crofting Commission can treat all apportionment applications in the same way by including those made between 1955 and 1993 along with those made under the 1993 act.

17:15

The Deputy Presiding Officer: I call Edward Mountain to press or withdraw amendment 51.

Edward Mountain: I will keep this short and sweet. I understand what the minister says, but practical experience tells me that my amendments would be a sensible way forward. Therefore, I will press amendment 51. If it falls, I will not move amendments 52 to 55. The Conservative members will support the other amendments in the group.

The Deputy Presiding Officer: The question is, that amendment 51 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)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Ind)
Eagle, Tim (Highlands and Islands) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Leonard, Richard (Central Scotland) (Lab)
Lumsden, Douglas (North East Scotland) (Con)
Marra, Michael (North East Scotland) (Lab)
McCall, Roz (Mid Scotland and Fife) (Con)
McNeill, Pauline (Glasgow) (Lab)
Mochan, Carol (South Scotland) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Ross, Douglas (Highlands and Islands) (Con)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)

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)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
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)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
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)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
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)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 42, Against 66, Abstentions 0.

Amendment 51 disagreed to.

Amendments 52 to 55 not moved.

Section 27G—Decrofting in case of resumption or vacancy of croft: requirement for croft to be registered

Amendments 22 to 24 moved—[Jim Fairlie]—and agreed to.

Section 30—Crofting census notices

Amendment 25 moved—[Jim Fairlie]—and agreed to.

Section 32—Appointed members: special considerations

The Deputy Presiding Officer: Group 7 is on Crofting Commission: landlord representation. Amendment 56, in the name of Edward Mountain, is grouped with amendment 57.

Edward Mountain: The two amendments in my name are the only ones in the group. The amendments relate to the representation of landlords' interests on the Crofting Commission. Before anyone questions that, I advise that I am not a landlord and I have no landlord's interest. I am purely a tenant, and not a tenant of a croft.

Currently, the interests of landlords must be represented on the commission, but the bill as drafted would remove that obligation. I make the gentle comment that every croft has a landlord, unless it is an owner-occupied croft—which has a landlord, technically, within the law.

I note that the bill does not remove the current provision on Gaelic speakers being represented on the commission, despite the fact that only 130,000 people in Scotland speak Gaelic, which is 2.5 per cent of the population. I am not disputing the importance of the Gaelic language in the crofting communities. There is therefore a fundamental protection of the language and of some of our rural populations, which I feel very strongly about. However, my amendment 56 would reverse the removal of landlord representation on the commission, reinstating the status quo. If that is unacceptable to the minister—

Alasdair Allan: Will the member take an intervention?

Edward Mountain: I will just finish this point and then I will come back to Dr Allan.

If amendment 56 is not agreed to, my amendment 57 would provide an option for the commission—without forcing it—to co-opt a member who represents the interests of landlords.

Alasdair Allan: Does the member acknowledge that there are only 11 commonly used irregular verbs in Gaelic? If a landlord wishes to become the Gaelic-speaking representative on the commission, he or she need only learn.

Edward Mountain: I will not give in to temptation and say that that might prove too difficult for some landlords. As Dr Allan knows, the current representative of landlords' interests on the commission is a Gaelic speaker, so theirs is dual-hat position. I very much take his point, but I am trying to make sure that there is an equilibrium between the two roles.

As I made clear earlier, it is absolutely vital that common grazings are used by crofters to ensure that the country meets its net zero obligations, not only in peatland restoration but in woodland planting. Having a landlord representative on the commission would ensure that there was no conflict. Giving the commission the flexibility to have a landlord representative would therefore be helpful.

I know that the minister will say that he can co-opt a landlord representative on to the commission, but I want to take that out of the minister's hands and put it in the commission's hands, because I would like to see the power at commission level rather than at ministerial level. I await the minister's comments on that.

I move amendment 56.

Rhoda Grant: I want to make a couple of comments. I do not agree with amendments 56 and 57. Until the previous legislation changed it, the Crofting Commission used to be called the Crofters Commission, which belonged to the crofters and upheld their rights. Putting landlords on the commission as par for the course would not be helpful, regardless of whether they are a Gaelic speaker. The commission should recognise the power imbalance in the relationship between the crofter and the landowner.

Jim Fairlie: I cannot support Edward Mountain's amendments 56 and 57, but I recognise the importance of landlords' interests being represented. The bill continues to recognise that in the provisions that he wants to remove. However, with only three appointed commissioners to the board and appointments made only every few years, the commission needs flexibility—and is asking for flexibility—when it comes to selecting the strongest overall mix of skills and experience. That is what the bill provides for: that the Scottish ministers must consult the commission on the desired attributes of a new member before appointing them, while also having regard to the value of a commissioner who can represent landlords' interests. That approach gives proper weight to the landlord voice, without constraining the minister's ability to make the best appointment for the commission as a whole.

In addition, I reassure Mr Mountain that the commission is more than willing—in fact, I would expect this—to formalise the relationship between itself and the organisations that represent landlords, and it is happy to have a dedicated commissioner who will consult those organisations on any relevant matters and then feed back to the board at a strategic level.

The Scottish Government supports that initiative, which will ensure that the whole board gains a better understanding of the landlord perspective. As Mr Mountain pointed out, the 1993 act gives ministers the power to increase the number of members on the commission's board,

which could be used to fill any skills gaps if required. I therefore urge Mr Mountain not to press or move his amendments, and if he does, I ask members not to support them.

The Presiding Officer (Alison Johnstone): I call Edward Mountain to wind up and to press or withdraw amendment 56.

Edward Mountain: I have listened carefully to what the minister has said, which gives me some confidence. However, I will make a small observation: crofting commissioners are paid £10,812 a year for working four and a half days per month. If it were decided that an additional commissioner was required, that would not add overly to the bill.

The minister has highlighted, previously as well as today, that paragraph 3(6) of schedule 1 to the Crofters (Scotland) Act 1993, which is one of the many acts that cover crofting—and my goodness, you need to know your way round them—gives the minister the ability to co-opt an additional member. I would rather that that ability were in the hands of the Crofting Commission, so that it would have the flexibility to make sure that crofting goes from strength to strength.

I will withdraw amendment 56, but I intend to move amendment 57.

Amendment 56, by agreement, withdrawn.

Amendment 57 moved—[Edward Mountain].

The Presiding Officer: The question is, that amendment 57 be agreed to. Are we all agreed?

Members: No.

The Presiding Officer: There will be a division.

The vote is closed.

The Minister for Drugs and Alcohol Policy and Sport (Maree Todd): On a point of order, Presiding Officer. I would have voted no.

The Presiding Officer: Thank you, Ms Todd. I will ensure that that is recorded.

For

Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Dowey, Sharon (South Scotland) (Con)
Eagle, Tim (Highlands and Islands) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gulhane, Sandesh (Glasgow) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Lumsden, Douglas (North East Scotland) (Con)
McCall, Roz (Mid Scotland and Fife) (Con)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Ross, Douglas (Highlands and Islands) (Con)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Webber, Sue (Lothian) (Con)
Whittle, Brian (South Scotland) (Con)

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)
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)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kidd, Bill (Glasgow Anniesland) (SNP)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)

Mochan, Carol (South Scotland) (Lab)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
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)

The Presiding Officer: The result of the division is: For 25, Against 80, Abstentions 0.

Amendment 57 disagreed to.

After section 33

The Presiding Officer: Group 8 is on a review of crofting legislation. Amendment 26, in the name of the minister, is grouped with amendment 26A.

Jim Fairlie: I agree with members across the chamber that future reform of crofting will be absolutely necessary. The past four years of stakeholder engagement and consultation have been incredibly informative. We now have a bill that has wide stakeholder input and buy-in. However, those discussions have also shown us that there is a diverse range of views within the crofting sector.

That is why, following discussions with stakeholders and members from all parties, I propose that we carry out a review of crofting legislation. In order to assess the effectiveness of the legislation, we need to be clear about what it is that we want to deliver. Therefore, we all, including stakeholders, need time to consider what crofting policy should be in the future.

We are committed to working closely with stakeholders, crofters, landlords and everyone else who is involved in the sector. It is important to build consensus and to find solutions that will stand the test of time, and that is what we need to do. Establishing clear policy outcomes will take time and will be central to future wholesale reform.

17:30

The review will include the 1993 and 2010 acts, and it will also include this bill when it becomes an act. Therefore, requiring the review to be started within three years at the latest will allow this bill a period of time to bed in and for its full impact and effectiveness to be measured and assessed. That includes the full impact of the many changes that the Crofting Commission is planning to make to its policy plan and its approach to enforcing regulatory duties.

It is right that we allow up to three years for an incoming Government to decide its approach. However, I put on the record that, if my party remains in government, we will commence the review within two years of royal assent, well ahead of the three-year deadline, and we will seek to build on the engagement that we have carried out during this parliamentary session. I hope that that provides members with the reassurance that they need regarding my party's on-going commitment to crofting reform.

Edward Mountain: I remember that we started looking at the issue of crofting reform when I first came into the Parliament in 2016. It was agreed that crofting reform is not just about crofting but about keeping the population in the crofting areas and providing a sanctuary for language and people on the land. When the review is to be carried out on the legislation, of which there are numerous acts—too numerous to mention—will it first detail what the aims of crofting should be for the future? If we do not set out those aims, we will not be able to protect crofting and ensure that it thrives for many years to come.

Jim Fairlie: I am glad that Edward Mountain put that on the record. He is right: crofting is about people, culture, history and what the future of Scotland looks like. For me, any review of crofting must take all those things in the round and make sure that we deliver what the people of Scotland and the crofting communities want.

Rhoda Grant's amendment 26A would require the review to start within 12 months of royal assent. I worry that that could prove to be too soon after the extensive changes that will be made by this bill. I ask Rhoda Grant to support my amendment 26 and not to press amendment 26A. That will allow the bill that is before us to bed in so that we can then do a proper review in order to know exactly where we stand and where we are trying to go.

I move amendment 26.

Rhoda Grant: My concern is that amendment 26 will require a report after three years, which would limit any practical chance of introducing new crofting legislation in the next session. I heard what the minister said about allowing the bill to bed in. However, we all know that there are huge gaps in the bill, which is about administration rather than the future policy that will surround crofting. He acknowledged that there is agreement across

industry stakeholders and most political parties that crofting needs new law and needs to be modified at pace.

This bill was promised not in this parliamentary session but in the previous one, and we waited until the end of this parliamentary session for it to be introduced. However, it will not really make any changes to policy. Therefore, I seek to change the reporting period to 12 months—

Jim Fairlie: Will the member take an intervention?

Rhoda Grant: Yes.

Jim Fairlie: I hear the point that Rhoda Grant is making. However, she should bear in mind that there have been four years of on-going work on the bill from when work on it first started. The provision that is in amendment 26 is for the review to begin up to three years after royal assent, but that is a backstop. The review will start within that three-year period and, if we return to government, I hope that we would start it within two years. We must get it right and allow the bill that is currently before us to bed in in order to allow people to see how it will work, and then we can work out what we will do going forward. We give that commitment.

I hope that the bill demonstrates that we take crofting seriously and that we want to make sure that we provide a firm future for crofting in Scotland by making sure that we get it right in the first place.

Rhoda Grant: I agree that it must be got right, because part of this bill is about putting right some of the wrongs that happened before.

With that reassurance, I will not seek to press amendment 26A.

The Presiding Officer: I ask Ms Grant to move the amendment at this point—we will come back to it.

Rhoda Grant: Okay—I move amendment 26A.

The Presiding Officer: Thank you. I call Ariane Burgess.

Ariane Burgess: I express my thanks to the minister for taking on board the amendments that Tim Eagle and I lodged at stage 2 and amalgamating them into amendment 26 at this stage. It is vital that the next Government and session 7's cohort of MSPs take a deep look at the present crofting legislation, at how we can tackle the big issues facing the crofting community and at how the existing body of legislation can be streamlined and simplified. In fact, I have just been having a chat with my colleague Gillian Mackay about an anomaly in Brora. Those are the kinds of things that we need to address. I urge the Scottish Government to front load the key issues in that piece of work, including common grazings and crofting tenancies. The three-year time limit for getting that work under way is reasonable. I hear Rhoda Grant's points about wanting the review to happen sooner, but I take on board the Government's points about needing to get deep into the work and unravel a whole lot of issues.

I am therefore not minded to support Rhoda Grant's amendment 26A.

Amendment 26A, by agreement, withdrawn.

Amendment 26 agreed to.

After section 39

The Presiding Officer: Group 9 is entitled "Land Court: reviews and guidance". Amendment 28, in the name of Ariane Burgess, is grouped with amendment 27.

Ariane Burgess: The merger of the Scottish Land Court and the Lands Tribunal for Scotland is welcome. It will bring greater clarity and consistency to how land-related matters are handled. As part of the changes, matters concerning access rights will transfer from the sheriff courts to the merged court. Amendment 28 will support that transition. It will ensure that, before the transfer of jurisdiction, guidance issued under section 27 of the Land Reform (Scotland) Act 2003 will be updated to reflect the Scottish Land Court's new role.

Although I accept that the Government would naturally update that guidance in due course, I feel that it is important to place a clear legal requirement on ministers to do so. Local authorities and others who rely on the guidance need certainty that it will be revised at the right time. Amendment 28 will help to ensure a smooth and well-understood transition.

In relation to the other amendment in the group—amendment 27, in the name of Jim Fairlie—it is prudent of the Scottish Government to commit to a review of how the merged Land Court is getting on. I am especially pleased that the amendment will require ministers to assess whether further areas of environmental law might be suitable for transfer to the Land Court and to communicate that assessment to the Parliament. I believe that amendment 27 will make a clear case for what I called for at stage 2: that we should enable the Land Court to become an environmental court.

I move amendment 28.

Jim Fairlie: I thank Ariane Burgess for lodging and explaining amendment 28. I agree that, as access rights matters transfer to the merged Scottish Land Court, it is essential that the supporting guidance properly reflects the new arrangements. The Government would, of course, update the section 27 guidance as part of

implementing those changes. However, I recognise that amendment 28 will ensure that the update happens in advance of the new jurisdiction taking effect, allowing those who use the system to be ready for the change. For that reason, the Scottish Government is happy to support amendment 28.

At stage 2, Ariane Burgess and Tim Eagle brought forward proposals seeking a review mechanism. I appreciate the points that they raised, and amendment 27 responds directly to those concerns by including a clear and structured review duty in the bill. Amendment 27 provides a statutory mechanism to review the effect of the merger of the Scottish Land Court and the Lands Tribunal for Scotland. Importantly, before any review is carried out, there is a safeguard with regard to judicial independence, with a requirement to consult the Lord President. That will ensure that the judiciary's perspective is properly considered as the work is undertaken.

Amendment 27 requires the Scottish ministers to review each new area of jurisdiction three years after it comes into force. I believe that that provides the right amount of time for the changes to bed in and for evidence to emerge about how the new arrangements are working. A key element involves ensuring that the judicial, operational and user experience is fully reflected in the process, and the framework provides that insight to be drawn on as part of each review. That will help to identify whether any refinements are needed to support the effective operation of the court.

In line with the policy intention that the court's remit may develop over time, ministers must also assess whether any further areas of environmental law may be suitable for transfer into the court's jurisdiction. Following a review or assessment, a report must be prepared and laid before the Parliament, setting out the findings and whether any legislative changes are proposed.

Taken together, the provisions create a proportionate and evidence-based framework for monitoring how the court's expanded jurisdiction is operating and for informing any future development. I invite members to support amendment 27.

The Presiding Officer: I call Ariane Burgess to wind up and to press or withdraw amendment 28.

Ariane Burgess: I have nothing further to add. I press amendment 28.

The Presiding Officer: The question is, that amendment 28 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)
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)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
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)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)

Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
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)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Dowey, Sharon (South Scotland) (Con)
Eagle, Tim (Highlands and Islands) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gulhane, Sandesh (Glasgow) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Lumsden, Douglas (North East Scotland) (Con)
McCall, Roz (Mid Scotland and Fife) (Con)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Ross, Douglas (Highlands and Islands) (Con)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Webber, Sue (Lothian) (Con)
Whittle, Brian (South Scotland) (Con)

The Presiding Officer: The result of the division is: For 82, Against 28, Abstentions 0.

Amendment 28 agreed to.

Amendment 27 moved—[Jim Fairlie]—and agreed to.

Schedule 2—Minor and consequential amendments

Amendments 29 to 33 moved—[Jim Fairlie]—and agreed to.

The Presiding Officer: That ends consideration of amendments.

As members know, I am required, under standing orders, to decide whether, in my view, any provision of a bill relates to a protected subject matter—that is, whether it modifies the electoral system and franchise of Scottish parliamentary elections. In the case of the Crofting and Scottish Land Court Bill, no provision of the bill relates to a protected subject matter. Therefore, the bill does not require a supermajority to be passed at stage 3.

Children (Care, Care Experience and Services Planning) (Scotland) Bill

The Presiding Officer (Alison Johnstone): The next item of business is a debate on motion S6M-21102, in the name of Natalie Don-Innes, on the Children (Care, Care Experience and Services Planning) (Scotland) Bill at stage 3. I would be grateful if members who wish to take part in the debate were to press their request-to-speak button. I call Natalie Don-Innes to speak to and move the motion.

17:45

The Minister for Children, Young People and The Promise (Natalie Don-Innes): Presiding Officer,

"We grow up loved, safe and respected so that we realise our full potential."

No law can achieve such an ambition on its own, but it can create the conditions, the support and the services that make it possible. That is what the Children (Care, Care Experience and Services Planning) (Scotland) Bill does.

I thank every child, young person and adult with care experience who has contributed their views, experiences and ideas to shape the bill. I know that some of them planned to be in the gallery for the debate and many more are watching online.

When Fiona Duncan agreed to lead Scotland's independent care review in 2016, she set in motion the action that was needed to challenge, encourage and transform the system—and that continues to this day. Equally, I recognise the leadership of our former First Minister, Nicola Sturgeon, whose commitment to the Promise helped to ensure that the findings of the care review were not only heard but acted on. Her determination to place care-experienced children and young people at the centre of national policy has been instrumental in driving that work forward and setting the direction that we continue to build on today.

I also thank the committed individuals and organisations across Scotland who are working tirelessly every day to implement the Promise and improve lives. It has been a privilege to visit many of them, to see their work at first hand and to witness their passion and determination.

The bill gives effect to the five foundations of the care review. We promised that children would be listened to and meaningfully and appropriately involved in all decisions about their care. Through the bill, children and adults with care experience will have a right to independent advocacy. We are

making changes to the children's hearings system to make it more child centred and rights respecting. By bringing key services within the scope of the United Nations Convention on the Rights of the Child, we are putting children's rights at the heart of the care system.

We promised that, where children are safe, loved and supported in their families, they should stay with them. Through the bill, we are making family group decision making more consistently available and introducing a right to request it. We are strengthening support for kinship carers, and a national register of foster carers will help to protect children and ensure better matching with carers.

We promised that, where living with family is not possible, children should stay with their brothers and sisters where it is safe to do so and belong to a loving home for as long as they need to. The bill commits to annually uprating kinship care and foster care allowances, extends continuing care to the age of 26 and limits the ability to make profit from the provision of children's care services.

We promised that children would be supported to build and sustain relationships with the workforce and their wider communities. We are creating a new system of aftercare, offering advice, guidance and support during the critical years, and we are strengthening corporate parenting duties.

We also promised that the system would be responsive and that the scaffolding of support would be there when needed. Through the bill, we are promoting greater understanding of care experience. We are strengthening children's services planning and accountability. Changes to the children's hearings system will improve timescales, consistency and continuity—something that we heard very strongly from those who had experience of the hearings system.

On that, I want to recognise the amazing work of the young people who were involved in Our Hearings, Our Voice. Their voices and work have been instrumental in transforming the hearing system, and they should be proud of the contribution that they have made to the bill.

Many of those measures have been shaped by members from across the chamber, and I thank them for their thoughtful and constructive engagement, which continued right up to our stage 3 deliberations yesterday. Our willingness to work together sends a clear message to children and young people in care, and to those who have been in care, that this Parliament is determined to keep the Promise by 2030.

I recognise that concerns about deliverability have been raised, and I understand those, but the bill was always intended to be ambitious, because delivering the Promise demands ambition from all of us. The Government is committed to working with partners to ensure that delivery is not only possible but meaningful.

I am not seeking re-election, so there will be a new minister to take the work forward. I want to take a moment to say how much it has meant to me. I have put my heart and soul into the bill and have prioritised it above everything else. I have worked harder on this than on anything I have ever done. I do not say that for recognition; I say it because of how deeply I care.

One of the most meaningful parts of my role has been meeting young people with care experience and I am truly grateful to every one of you who gave me your time. Those conversations kept me focused and determined. You were never afraid to challenge me—ministers might think that committee scrutiny is tough, but it is nothing compared with walking into a room full of young people who have strong views on the Promise. You asked the hard questions and that mattered. Listening to your experiences of loneliness, anxiety, distrust and struggle stayed with me.

At times, I shared parts of my own story because I wanted people to know that I understood their story, too. I remember telling one group that I still feel uneasy when there is an unexpected knock at my door, because, when I was growing up, that rarely meant good news for me. I grew up in a world where distrust in services was normal, yet here I am, in politics, meeting senior officials, police leaders and educators. That journey has not been easy. Overcoming that distrust and the impostor syndrome that comes with it has taken time and those feelings do not disappear—people just learn how to manage them.

This is not about me. I am deeply grateful to have been given the opportunity to lead the work and I thank the First Minister for giving me that opportunity and for his commitment to ensuring that the Promise remains a Government priority.

My background did not set me on a path to become a politician, let alone a Government minister, but I hope that, by stepping into this role, I have shown any child or young person who feels that their future is hopeless, as I once did, that it is not. You have so much to give and I am living proof of that. Do not give up.

I do not have time to say everything that I would like to, so I will close by once again thanking everyone: the children and young people, the organisations, my officials, members from across the chamber and everyone who has contributed to the bill. It has honestly been the honour of my life.

I move,

That the Parliament agrees that the Children (Care, Care

Experience and Services Planning) (Scotland) Bill be passed.

17:53

Roz McCall (Mid Scotland and Fife) (Con): I begin by thanking the minister, not only for her willingness to work across the chamber, and directly with me, throughout the passage of the bill, but for the speech that she has just given. Her speeches are best when they come from the heart.

That constructive engagement has been genuinely appreciated and reflects the spirit in which the legislation should be taken forward. There can be no question of my belief in the Promise. Like many here, I supported it because it represents something rare in public policy: a clear and shared commitment to fundamentally change the lives of children who have too often been failed by the systems that are designed to protect them. It was ambitious, necessary, bold and, above all, urgent. Scotland made a collective vow to its care-experienced children and Parliament has a responsibility to ensure that that vow is kept.

Make no mistake: the bill is not the Promise and does not come close but, on behalf of the Scottish Conservatives, I can confirm that we will vote in favour of it at decision time.

I also want to be honest with members about what that support means and what it demands. Right from the initial evidence sessions I asked about the deliverability of the bill.

Throughout stage 1, stage 2 and, now, stage 3, concerns have consistently and credibly been raised by those on the front line. Social Work Scotland has warned that the bill's ambitions simply cannot be realised without meaningful investment in workforce capacity. The Convention of Scottish Local Authorities has been clear that local authorities are already under immense pressure and that giving them new duties without adequate funding risks stretching services even further. The Law Society of Scotland has raised serious questions about the legal clarity and practical application of key provisions.

Those are not fringe voices. They are the very organisations that we rely on to deliver change, and those are the people who will be asked to implement every provision and resource every new duty in the bill. When they tell us that the foundations are not strong enough, we have a duty to listen, and the Scottish Government has a duty to respond with action.

Social Work Scotland, which sees the consequences of the system every day, has reluctantly taken the extraordinary step of urging Parliament to reject the bill. It has done so with what it describes as "deep regret and disappointment." It reminds us of something we should all reflect on: the care system is already

"cluttered, complex and does not provide a clear frame to support children, families, decision makers and service providers."

We must not take those words lightly, and supporting the bill does not mean that we can dismiss them.

The Law Society of Scotland has warned that the bill

"does not fully meet recognised human rights standards or provide the legal clarity and consistency that are required in Scotland's child and family law landscape."

That is not a minor technical critique—it is a fundamental warning. We should not pass legislation that legal professionals tell us falls short of the human rights standards that we are obligated to uphold.

COSLA has been unambiguous that local authorities are already under immense pressure and that imposing new duties on them without adequate funding will not help care-experienced children but, instead, risks making the system worse for them. The Scottish Government must not pass the bill and then walk away from the funding question. That would not be progress—it would be pressure dressed up as policy.

We will support the bill at decision time because we believe in what it could achieve, but the Scottish Government must understand that passing legislation is not the same as delivering change. The workforce must be resourced, the funding must be real and the legal clarity must be provided. Without those things, the bill will not keep the Promise. It will become another layer of complexity in a system that is already struggling under the weight of good intentions that were never properly implemented.

A vote for the bill today will be a vote for the Promise only if the Scottish Government treats what comes next with the seriousness that those warnings demand. Implementation, resourcing and accountability must not be afterthoughts; they are the whole point. This Parliament must not simply pass the bill and consider its work done. Scrutiny does not end at stage 3. We will be watching and asking the hard questions about whether the investment is real, whether the workforce is supported and whether the children that the bill is meant to protect are actually better off.

The 2030 deadline that was set by the Promise is not a comfort but a countdown, and with the warnings that we have heard from Social Work Scotland, COSLA and the Law Society, the clock is ticking louder than ever. Further reform, sustained investment and an unrelenting focus on

outcomes are not optional extras; they are what the Promise requires.

For care-experienced young people and families, what matters is not what we pass in the chamber but what it changes in their lives. Too many of them have lived in the gap between policy and reality, and between what the system promised and what is actually delivered. The bill on its own does not guarantee change. It does, however, create an obligation, and we intend to hold the Scottish Government to that.

The Scottish Conservatives will vote in favour of the bill not because it is sufficient, but because the children that it is meant to serve cannot afford for us to stand still. However, our support is not a green light for complacency. It is a demand for delivery. If we are to stand here in 2030 and say with our hands on our hearts that we have kept the Promise, today must not be the finish line but the moment when the Scottish Government's accountability begins.

17:59

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

I am grateful for the opportunity to speak on behalf of Scottish Labour in this debate. Last night, it was striking to note the significant levels of agreement on the stage 3 amendments. That demonstrated three things. First, there has been much-improved engagement by the minister and the Government to deliver on issues that I and colleagues across the chamber raised at stage 2. Secondly, there is still an encouraging level of consensus and commitment across the chamber on fulfilling the Promise. Thirdly, many people across Scotland, including people in the care-experienced community and those who support them, want to see change.

Unfortunately, the fact is that improved engagement was an absolute necessity. Engagement during the early stages of the bill's development, before it came to the chamber, was extremely poor. Not all the people who had the most experience and knowledge to contribute to the bill were listened to, and it is much poorer legislation for that.

The bill should not have been left to the last moment; it is far too important. The independent care review told us in 2020 that legislation was needed to simplify the legal landscape, and the Government promised us in 2022 that that would happen. The bill is a lot of things, but simple it is not. Unfortunately, further legislation will be required in the next parliamentary session to clear up the messy legislative landscape, as well as to properly redesign the children's hearings system. We must learn the lessons that this process has taught us as politicians in Parliament and the Government.

I am proud, however, that we managed to reach a point at which legislation can start to make real and tangible differences to the lives of people in one of the most vulnerable groups in our country. The bill introduces the right to return to care, and that in particular is worthy of celebration. It has provided an opportunity to shine a light on the incredibly important work that the independent advocacy services do. Under article 12 of the UNCRC, young people have the right to have their voices heard, and that must always guide our policy making. Independent advocacy empowers young people to use those voices.

During the proceedings on the bill, I have sought to highlight the need for our legislation to be guided by the UNCRC, to reimagine our approach to children's hearings and to acknowledge the vital contribution and immense value of foster carers. The provisions in the bill and the discussions surrounding them must provide an impetus to act on those issues.

That is what the bill actually is: an impetus to act. It is an instruction to act. It is a call to capture the voices of our young people telling us to act. It does not fulfil commitments to the care-experienced community—we are still not where we need to be. Corporate parenting and social work are still operating in incredibly challenging environments. Too many care-experienced young people are still not being given the nurturing that they need to thrive. The hard-won victories in the bill will mean nothing if its provisions are not properly resourced and effectively implemented.

In the short time that I have left, I wish to make some genuine comments about a minister who is, as she leaves Parliament, probably at her most valuable. She has crafted a way of reaching out, through stages 2 and 3 of the bill, that I think many people with far more experience could learn from. I hope that whoever follows her builds on that. I hope that they do not start again and need to learn again but that they look at what she has achieved.

From discussions that I have had with the minister and from her contribution, I know that she has had imposter syndrome. In my view, she absolutely should not think that she is an imposter—she is not an imposter in any way. She is a highly skilled and articulate politician who has defended the Scottish Government, has listened to care-experienced people and sometimes to buffooning politicians around the chamber, and has done everything that she could to get the bill into place.

I confirm that Scottish Labour will support the bill tonight, and I thank the minister specifically for that

work. Six years ago, parties across Parliament came together to make a Promise. We now need to build on that consensus. We must keep being ambitious but, most of all, where we fall short, we must keep being accountable to the people who really matter, and that is our care-experienced community.

18:04

Ross Greer (West Scotland) (Green): I pay tribute to Scotland's care-experienced community. We would not be here without the incredibly powerful political movement that they built, which was ultimately impossible for politicians, Parliaments and Governments at all levels to ignore. That is the only reason why we are here to pass the bill.

The bill is not everything that our care-experienced community deserves, but it makes huge progress. We will need to return to the issues and there will need to be at least one more bill in the next session. As members have highlighted, in general, child law is pretty hopelessly fragmented. At the very least, the great many acts that have been passed by the Parliament, and by the Westminster Parliament before the Scottish Parliament was formed, will need to be consolidated. I am still frustrated that the review of legislation on the care system will come only after the bill is passed, when there could have been an opportunity to make a great many of the obvious changes that I think will be in the review's conclusions.

Nonetheless, the Scottish Greens are proud to support the bill. It is a stronger bill because of the Parliament's work. It establishes the right to independent advocacy, which is huge progress. I am glad that we succeeded in defining what that means in the amendments that I lodged at stage 2, as well as the amendments from Nicola Sturgeon and the minister at stage 3. I believe that we now have a far more operable and effective definition.

Yesterday, we added non-instructed advocacy for children's hearings. It cannot be right that, for reasons of age or incapacity, some children who cannot speak for themselves are at risk of missing out on advocacy in the most critical of settings.

Ministers will now be required to publish corporate parenting guidance, which will need to include information on the provision and renewal of training. Although that sounds dry, it is incredibly important when we think of the critical role that councillors will play in delivering the Promise. Councillors are the leaders of local government and have direct responsibility for looking after so many children in our society.

We can all acknowledge that we came to a relatively untidy solution on UNCRC compliance, but it was the right solution. Everything that we do in the Parliament must be underpinned by, and compliant with, the UN Convention on the Rights of the Child. I am glad that we came to the decisions that we did on that.

I thank the minister for the work that she has done throughout the process in agreeing to take forward work to look at the situation of estranged young people across Scotland. Not all estranged young people are care experienced. In fact, many find themselves, in the first moments of adulthood, almost totally ineligible for any form of support, or they might be unaware of what support they can access. In that regard, I pay tribute to Councillor Blair Anderson. As I said yesterday, there are no organisations left in Scotland that are dedicated to representing the estranged community—only Blair Anderson plays that role. As a result of the work that he has done, we have a commitment from the Government to take forward work on the issue. That must be on the agenda in the next parliamentary session.

Before I close, I thank the minister for her work and her willingness to collaborate on the bill, as well as all the work that we have taken forward together throughout her portfolio. There is no doubt about how deeply she believes in the mission to make Scotland the best place in the world for children and young people to grow up. I wish her and her family well in whatever she chooses to do after she leaves the Parliament.

I also thank Nicola Sturgeon for her leadership in this and so many causes that are core to what many of us believe that this country can be. Being the then Deputy First Minister's temporary bag carrier in 2014 was possibly the most nerve-wracking job that I have ever had or will ever have, but I am grateful for everything that Nicola Sturgeon has given to Scotland and, in particular, everything that she has given to our care-experienced community and the impact that that has made on them.

The bill is one more step towards meeting the Promise to Scotland's care-experienced community. It is an opportunity for the Parliament to prove that love is a verb. Above all others, we have a duty to show love to Scotland's children and young people. For far too long, the state failed to show that love to care-experienced children and young people. The past 13 years have been a journey to make amends for that, and this is just one more step on that journey. Although it is far from the final step, it is an important one. For that reason, the Scottish Greens will be proud to vote for the bill at decision time.

18:09

Willie Rennie (North East Fife) (LD): Having responsibility for the Promise is probably the most difficult job in Government. It encapsulates everything that the Government does and it reaches every corner of its work. To be a junior minister in charge of that enormous responsibility was a gigantic task. I have seen the minister grow in strength and authority as the bill has progressed, and I think that she has become an outstanding minister. I know that she doubts herself, but she should not, because she has risen to the challenge and navigated a really difficult bill in such a way that it is now in decent shape. I thank her for that.

The minister also had the former First Minister breathing down her neck throughout the process. I want to take the opportunity to pay tribute to Nicola Sturgeon for her commitment to the Promise. I think that she came into her own during the pandemic. I know that I have probably tested her patience at times. At one point, she called me a "pathetic attention seeker". I have three older sisters, and that was probably the only time that they have ever agreed with her. I compliment her on her time in Parliament and in Government, and I wish her well in the future.

I thank the officials. It has been a difficult process, but they have been resilient throughout, and I have appreciated the advice that they have provided.

I also thank the care-experienced community and all the various groups that have provided excellent support and guidance. They do not always agree with one another, but that is fantastic, because it gives a great feeling that a thousand flowers will bloom through the process. We have been able to learn from them and, as a result, we have developed a commendable bill.

I recommit myself and the Liberal Democrats to the Promise. It is important to say that—it is important for people to hear that we are not going cold on the Promise and that we will stay resolute to it. On its own, the bill will not deliver the Promise, but it will help on independent advocacy, the children's hearings system, aftercare, the right to return, kinship and foster care.

I am particularly pleased about the provisions in three important areas, which came about as a result of amendments: the provisions on places of safety, as an alternative to a police station; the provisions on family group decision making, on which I am grateful to Children First for its support and guidance; and the provisions on a register of premature deaths, in relation to which I am grateful to Duncan Dunlop. Although the provisions on that that we have included in the bill are not everything that he wanted, they are a step in the right direction.

The Children (Care, Care Experience and Services Planning) (Scotland) Bill is a good bill, but we must heed the warning that we have been given. All the fine ambitions and good intentions will not matter a jot unless we deliver. COSLA and social workers gave us a stark warning. In the evidence that they gave in committee, they made it clear that they are stretched to breaking point, so if we load many more responsibilities on them, we should not be surprised if that puts the system under greater strain. The bill must be followed by the resources and the experienced people who will be needed to deliver it.

Too often, I see a system that is run on a crisis basis and that is able to respond only when a child is in crisis. When a child is in crisis, it is almost too late—it is never too late, but it is almost too late—and we cannot afford to allow that to continue, because we cannot fail.

When it comes to the future of these young people, we have two choices. We can carry on as we are, with services that are failing to meet demand and lives that are being limited and, sometimes, tragically lost, or we can draw on the amazing talents of these young people, and adults, who are amazingly resilient. They have been through so much that they could make a great contribution to our society. Those are the choices that we have. Do we want those with care experience to contribute and be great people, or do we want those lives to be limited and lost?

That is why we cannot afford to fail. We absolutely must deliver the Promise.

The Presiding Officer: We move to the open debate.

18:14

Nicola Sturgeon (Glasgow Southside) (SNP): This will be my final contribution in the Parliament, so forgive me if I get a bit emotional. It feels fitting—fated, even—that I am making this final speech on an issue that is as close to my heart as the Promise is and always will be.

I am one of the few remaining 1999-ers—those of us who were almost literally in with the bricks of this place—which means that I have been here for 27 years. That is almost exactly half my life. Even though the time is right to move on, I will not pretend that leaving is not a wrench—it is.

I say a heartfelt thank you to those whose support has meant so much, to MSP colleagues past and present and to the staff who work so hard behind the scenes. From catering and cleaning to security, the mailroom, IT, the clerks and the

official report, you truly are the unsung heroes of this place. I also say thanks to my own staff, who have worked with me in the Parliament and in my constituency.

To my constituents in Glasgow Southside—the best constituency in the country, bar none—thank you for the incredible honour of representing you.

When I look back across the past 27 years, in opposition and in government, through all the triumphs and, yes, the occasional disasters, the thread running through everything that I have sought to champion and achieve is this: equality. I seek equality for my country—hence my passionate belief that Scotland should be and will be independent—and for everyone in it.

Each of us, regardless of background, class, gender, sexuality or ethnicity, should have the same chances in life. What we do with those chances is up to us, but the circumstances of our birth should not place limits on what we can achieve. I believe that we have made progress towards that during my time here, but the global moment that we live in warns us that it cannot be taken for granted. The arc of history might be long, but I have never believed that it automatically bends towards justice—it must always be pushed that way.

It was a group of care-experienced children who, 10 years ago, reminded me of that and persuaded me that, no matter how much progress we make in other ways, Scotland will not be a fair and equal country until those who spend their childhood in care enjoy the same support, stability and love—I underline the word "love"—that most of us get from our parents and families. For as long as those with care experience are more likely than the rest of us, through no fault of theirs, to end up homeless, incarcerated, addicted or dead, Scotland will have no right to claim the mantle of equality. Changing that is what the Promise is all about.

The bill represents, in the words of Who Cares? Scotland, an incredible step in the right direction. That is, in no small measure, down to the hard work and dedication of the minister, Natalie Don-Innes. As she also prepares to step down, she should feel extremely proud of what she has achieved. I am very proud of her. She has stewarded the bill with diligence, care and skill, and I echo what everyone before me has said today: that she should never, ever doubt herself. She is a first-class minister, and the Parliament will be poorer without her. [*Applause*.]

The Promise must be kept by 2030, and I believe that it can be, but that will require a monumental effort from the next Government and the next Parliament. It will take commitment, courage, investment and a ruthless determination to put the lives of children ahead of the established practices of the systems that they rely on.

I may have been the First Minister who made the Promise, but the real place in history will belong to the First Minister who keeps the Promise. I hope with all my heart that that will be my friend, John Swinney, but whoever it is, I say to them: "Do not fail these children. If you pick up this baton and run towards the finish line with every ounce of your energy, you will hear me cheering you on, but if you do not, be in no doubt—you will definitely hear from me."

Presiding Officer, I have an eye on the clock, but I hope that you might indulge me for just a moment longer.

Over my years here, I have seen politics and political discourse change almost beyond recognition, and not always for the better. That is true globally, but Scotland has not been immune—and, yes, I know that I bear my share of responsibility for that.

This session of Parliament has been the most fractious and divided that I have served in, but the past couple of weeks have reminded us, through our consideration of the assisted dying legislation and now this bill, that it does not have to be that way. So, let me offer some parting thoughts. Since I have not always lived by these principles, I should probably frame what I am about to say as advice to my younger self, rather than to those who will come after me. Either way, here it is.

Make friends in other parties. Opponents need not be enemies—on that note, I thank one of my good friends from another party, Ross Greer, who has given up some of his speaking time for me today. Reach across the aisle. No matter the depth of your loyalty to your own political tribe, do not forget to think for yourself.

Keep a sense of perspective. If everything is a scandal or an outrage, nothing is, which means that those who deserve to be held to account get off scot free.

Even when trying to bring your opponent down in debate, elevate this institution. This Parliament was hard fought for, and it will outlive all of us, but there are those in the ascendancy in politics today who do not want that to be the case, so do not take this Parliament for granted.

Do not live life on social media. Use it, but never forget that there is a real world out there, and it is the people in it that you are here to serve.

Finally, every day that you walk through these doors and into this magnificent chamber, remember that it is a privilege—a rare privilege. For 27 years, it has been my privilege, one that I must now draw to a close. Let me do so by urging

everyone here today to vote for the bill, for the sake of the children who rely on the state—who rely on us—to look after them.

I want the very final words that I utter in this chamber to be for those children and to those who will occupy these benches in just a few weeks' time. Those words are simply this: keep the Promise. [*Applause*.]

18:23

Jeremy Balfour (Lothian) (Ind): I thank the former First Minister for her words. I am not sure that there are lots of things that we agree on politically, but I think that her advice to her younger self is excellent. I had the privilege of being a lobbyist in this Parliament 26 years ago, and I can see the difference since then. Some of the changes have been very positive, but I absolutely agree with Nicola Sturgeon that the way that we conduct ourselves in this chamber is not the way that the Scottish people would want us to. I also want to acknowledge that we have this bill before us today only because of the work that Nicola Sturgeon has done, and, on behalf of the many young people whom I have engaged with on the bill, I thank her for getting us here.

I also thank the charities and groups that have contacted me, spoken to me and helped me with the amendments that I moved last night.

I think that we are still in a good place with cross-party support. I hope that, no matter who forms the next Government and which parties are represented in the next Parliament, that will continue and hold together.

There are some really good things in the bill. I am particularly pleased about the movement on kinship care, and I thank the minister for the work that she has done on that.

In the speaking time that I have left, I will ask three simple questions about where we are and about the bill.

The first is on the issue of UNCRC compliance, on which I agree absolutely with Ross Greer—again, that does not happen often. I hope that the bill is compliant. We have had warnings from the Law Society of Scotland and a number of charities questioning compliance, even given the amendments that we agreed to yesterday. I fear that there will be a legal challenge to the bill from somebody. Clearly, it will take better legal minds than mine to decide on that, but I hope that, whatever challenge comes, we can build on the bill and that, whatever challenges the court brings back to the next Parliament, they can be dealt with quickly.

My second question is on whether the bill can be delivered in practice. I welcomed the comments about that from the minister in her opening speech and from other members. We have to listen carefully to those who have given us briefing papers and warnings on the issue, whether that is social workers, COSLA or others. They have said that the bill will not work unless we fund local services better. This Parliament and this Government cannot do that; it will be a challenge for the next Government and Parliament. If we are truly going to have children's hearings that work, if we are truly going to have the right interventions at the right time, and if we are truly going to support grandparents, uncles, aunties and others to provide kinship care, it all needs to be funded, and I hope that that will happen.

Finally, what comes next? I join colleagues in thanking the minister for her work at stages 2 and 3. If I am honest, the reason why she is such a good minister is that we gave her a hard time as convener of the Social Justice and Social Security Committee when she first arrived in the Parliament. She has grown in her role as a leader, and she has taken the bill through in a way that many others could learn lessons from.

With both the minister and the former First Minister leaving, and with who knows who being elected in May, my worry is this: who will pick up the challenge after the election? I hope that, in the same way as the present First Minister, Mr Rennie and Mr Greer have done, the two leaders from the Labour Party and the Conservative Party will give a commitment that, whoever forms the next Government, we will see the Promise delivered by 2030. The bill will not be worth the paper that it is written on unless we—not just this Parliament but civic society as a whole—do that.

I hope that the bill will be delivered. It is the first step, and I look forward to seeing what bill is introduced in the next session of Parliament. I am sure that we will all get behind whoever leads it, so that it will be delivered and, most importantly, so that some of the most vulnerable children in our society get a better chance than they have today.

18:29

Paul O'Kane (West Scotland) (Lab): For probably the final time in this parliamentary session, I declare an interest in that my husband is a children and families social work manager and a registered social worker.

As I sum up on behalf of Scottish Labour, I put on record my thanks to everyone who has been involved in the bill process—in particular, my colleague Martin Whitfield, who was involved in something of a marathon last night as he sat on our front bench and pursued amendments, as did

colleagues across the chamber, including the minister, with the support of the relevant officials.

During the passage of this bill, I have said many times that it is an opportunity as well as, at points, a risk, and I think that we are all reflecting on that this evening. As we have heard, it was this Government that brought together the care review and made the Promise. The Parliament agreed with the Promise and, together, we hold it. However, we must reflect that it is the Government of the day that has the power to set the direction and drive the change, and that will be true whoever forms the next Scottish Government when it comes to the progress that we make. As we have heard from several members this evening, the bill does not deliver the Promise and we still have much to do.

I want to recognise, as others have, what the bill does. I acknowledge the progress that, by passing this legislation, we will make in many areas—particularly advocacy, the right to return to care, UNCRC issues and kinship care—and I note the contributions that have been made by many colleagues in that regard. However, we should reflect on the reservations that have been outlined by the social work profession, COSLA and the Law Society of Scotland, and the reservations that have been raised throughout the process by care-experienced people and many others about what more we have to do in order to move forward and keep the Promise.

I join colleagues tonight in paying a warm tribute to Natalie Don-Innes. She inherited the Promise and the bill process as a minister, and I very much believe her when she speaks about how much the bill means to her. I saw that through the interactions that we had on the cross-party group on care leavers, when she was absolutely willing to sit there, front up and answer questions from those young people. Despite a very busy ministerial diary, crucially, she spent time with me on many an evening in this Parliament, engaging with care-experienced people. That speaks to the effort that she has put in.

I have been going round the doors in Bridge of Weir and Houston to solicit votes, and many folk have spoken to me about the respect that they have for the minister and the work that she has done locally. I am grateful that she is not standing as a candidate against me in the election, and I wish her all the very best for the future.

In reflecting on the conclusion of this parliamentary session and on the session to come, it is incumbent on us all, whether we return here or not, to reflect that the biggest danger in relation to the whole bill process and more widely is that a care-experienced person might feel that the Promise was made and people did what they could but then they moved on and the Promise remained undelivered. For too many people—this was at the heart of the care review—that has been the pattern and the story of their experience, and it is what they are seeking to fundamentally change. That should weigh on us all, whether or not we return to the Parliament in the next session.

We have much more to do. We will need more legislation and we will need more energy and dedication, but, like others have done tonight, I recommit myself and my party to the Promise and to ensuring that we drive forward its delivery.

18:33

Miles Briggs (Lothian) (Con): I, too, take the opportunity to pay tribute to the minister. It is a strange fact that it seems to be only at the end of the parliamentary session that any of us is able to express our respect or friendship for one another.

I thought that the First Minister was about to make an intervention there.

I pay tribute to Natalie Don-Innes, who, as has been mentioned, did a great job as convener of the Social Justice and Social Security Committee. She should also be proud of the work that she has done as a minister and the example that she has set. We often talk in the chamber about lived experience, and it is sometimes thrown around as evidential proof of what we are trying to achieve. I know that the minister has brought that to her role. It is especially important for kinship care, which is one of the aspects of the bill that many of us feel is not where it should be. However, I know that the minister has set in course actions and work that will make sure that that is taken forward.

Other members have already touched on the fact that this is not the complete Promise. This is not us being able to stand up and say that we have collectively kept the Promise. We need to dedicate ourselves to doing that in the next parliamentary session. All the young people who are watching or listening to the debate should know that they are the ones who have driven the change and made every politician from every political party that is represented in the Parliament commit to keeping the Promise and making it a reality.

I have been inspired by every single young person I have met during my time working on the bill. There was the young man who told me that he was studying law and then joked that Scotland needs more lawyers, who has seen how the Promise has made a difference in enabling him to go on to study. Then there were the two sisters whom Paul McLennan and I met at an event in Parliament with the Education, Children and Young People Committee, who demonstrated that we are seeing welcome progress on keeping

siblings together, which is something that Parliament demanded.

There is a lot more that we should and must do to make sure that the bill achieves what it has to achieve. As I said, kinship care is an area that I think is important. I met some kinship care families this morning, and I am still concerned about what we are seeing and about the postcode lottery that we all want to be addressed. It is unacceptable that we still see huge variation between local authority areas in what is being delivered for care-experienced young people, from support stopping at 16 or 18 to councils not making sure that support continues up to 21, as is the case in foster care.

We can and must have a far better vision for kinship carers, especially families. At the committee, the minister and I sat in a round-table meeting with kinship care families. It is a story that I repeat, and it sticks with me as one of the main things that has made me think that we, who are doing this job, can always do better. A grandparent told us that, at 3 in the morning, the police arrived at her door with her half-naked grandchild, handed her over and that was it. She had to put together a package, leave her job, rally round and get the support that she needed. She fought for absolutely everything. It should not be like that.

I hope that the opportunities that the minister has outlined—the kinship care vision, the awareness and the visibility of support, and some of the changes that the Government intends to make, especially around providing clearer local support offers, proactively supplying information and improving consistency and transparency—will make the difference. However, if they do not, I intend to make sure that the next bill does more for kinship care families. It is the only way that we can make sure that they will be supported. We can pass legislation, but we need to make sure that attitudes change, and the Promise can build on what the legislation has done.

In the past few years, I have chaired and been involved in many meetings with people who work in social work and across our public sector, who talk about the Promise and their ambitions to meet it. It comes down to resources, and it always will. However, those people are collectively committed to keeping the Promise, and we cannot put to one side the concern, which has been expressed by COSLA, the Society of Local Authority Chief Executives and others, that delivering the Promise on the ground will be the major challenge of the next parliamentary session.

Tonight, I hope that Parliament can and will reaffirm our support for delivering the Promise. I hope that every care-experienced young person who is watching or listening to the debate will see that their Parliament continues to work to progress towards delivering the Promise by 2030. I know that there is frustration at the lack of progress in many areas of delivery on the ground and on reforms. However, we are all committed to this, and I hope that we can send a clear message to care-experienced young people that we care about them and that we will make sure that, by 2030, the Promise is delivered.

The Deputy Presiding Officer (Liam McArthur): I call John Swinney to wind up the debate. First Minister, you have a reasonably generous six minutes.

18:39

The First Minister (John Swinney): Before Parliament votes tonight, I want to reflect on what this moment represents for Parliament, and for care-experienced young people in Scotland. Throughout the debate, we have spoken about systems and reform, but, at its heart, the bill is about people. It is about the children and young people whose lives have been shaped by the care system, and our responsibility to do better for them. The Promise asks Scotland to look honestly at the experiences of those who have grown up in care. It asks us to listen to their stories, not just of resilience and courage but of systems that, too often, failed to provide the love, stability and support that every child deserves and needs in their life.

On Tuesday, with the minister, I met a number of care-experienced people whom I first met 10 years ago. One of those present told me that when someone cannot rely on their parents to care, they need their nation to care. That is a challenge that rests on all of us. Those young people also told me about tangible change that we have seen over the years since the Promise was made. They told me that, in their opinion, our nation cares more than it has in the past. That is welcome, but the challenge that we must always strive to live up to is to improve the experience of children who experience care.

The Promise asked us to change. Members across the chamber accepted that challenge. Today, we take another seismic step in honouring that commitment. Roz McCall is absolutely correct to say that the keeping the Promise bill is not a single bill. It is a generational commitment to transform how Scotland supports children and families. The world is watching the progress that Scotland is making, but, more importantly, our children and young people are watching this Parliament and the steps that it is taking. Moments such as this matter. They show that Scotland is prepared to listen, to learn and to change—that it is prepared to face up to uncomfortable elements of our country's identity and make things better for those for whom we need to make our country

better. They show that the voices of people with lived experience can shape the laws of this country. That is what is happening tonight. Moments such as this remind us why the work that we do in this chamber matters in improving the lives of individuals in our country.

I believe that the bill represents real progress and a clear statement of the direction that Scotland has chosen to take, but it would not have reached this point in the shape that it is in without the leadership of Natalie Don-Innes in steering the bill through Parliament. Since her election to Parliament, Natalie Don-Innes has spoken openly about her own experiences of growing up, which drove her commitment to this legislation. That is clear in everything that she says and does as one of my ministers. She can be proud of the progress that she has delivered in government, and I am immensely proud of how she has gone about doing that and improving the lives of others as a consequence. She has listened, engaged and reflected. That approach has made this Government better and it has made this legislation stronger. I associate myself with what Mr Whitfield said about the learning that hands that are, perhaps, more experienced can take from more junior hands on matters such as this.

I also express my thanks to members of all parties for their commitment to enhancing the bill, as a consequence of their engagement with the minister. That has been the foundation of making the bill as strong as it is, because the minister has led a process of engagement with all parties to ensure that the bill is as strong as it can be.

I know that Natalie Don-Innes's role as a minister has demanded her personal engagement, investment and activity. Those qualities are rooted in her entire being. I do not often disclose to Parliament the private conversations that I have with my ministers, but I want to make it clear to Parliament tonight that Natalie Don-Innes's decision to stand down from Parliament is one that I deeply regret and worked hard to try to ensure that she did not take.

Tonight, in the most public way that I can, I express my admiration for Natalie Don-Innes for all that she has contributed to the work of my Government and the Parliament. She stands down from the Parliament with my warmest wishes and my admiration for all that she has achieved. [*Applause*.]

I also pay tribute to my friend and colleague Nicola Sturgeon, who made her final contribution to debate in the Scottish Parliament this evening—although there will be a First Minister's question time next Wednesday, at which she may decide to hold someone to account. There is always fear in every week of the parliamentary session. [*Laughter*.]

Nicola Sturgeon and I have travelled far together since our earliest days in the Scottish National Party. We became members of the Scottish Parliament on the same day and we entered Government on the same day. I was proud and honoured to serve for every minute of my time as her Deputy First Minister. The decisions that she took as First Minister have transformed the lives of people in Scotland—in particular, our children and young people. She led from the front with her bold decision to introduce the Scottish child payment. As First Minister, she expanded free early learning and childcare, extended free school meals and introduced the baby box, but I know that the policy that she feels most proud of and most passionate about is the Promise.

When Nicola Sturgeon and I started on the journey of engaging with the issues of care when I was her education secretary, we started by listening carefully to the voices that were at the heart of the independent care review, which called for a system that is focused on love, safety and respect. I took part in a number of meetings, but Nicola Sturgeon gave a commitment to speak to 1,000 care-experienced young people in Scotland, and she spoke to 1,000 care-experienced young people—and likely more than that.

As she is the First Minister who made the Promise, I know that Nicola Sturgeon feels a particular responsibility to see that it is fully honoured, and that is a responsibility that she has discharged in the way that she has engaged with the bill. I know that the responsibility that she feels to care-experienced children—to ensure that everyone grows up feeling loved, safe and respected—will not end when she leaves this Parliament. In looking forward to her continuing contribution to this effort, I want to express, as First Minister, on behalf of the people of Scotland, my warmest thanks to Nicola Sturgeon for the immense public service that she has given to Scotland as a member of the Scottish Parliament, as the Deputy First Minister, and as the longest-serving and first female First Minister of Scotland. She has much to be proud of and she steps down from the Parliament with my heartfelt thanks for all that she has done for Scotland and with my warmest wishes for all that lies ahead. [*Applause*.]

Presiding Officer, you have been very generous in your allocation of time to me. I will not speak for much longer, but there is one more important thing that I need to say to the Parliament. As we all are, I am about to embark on an election campaign. Although it will not be a universally popular concept around the Parliament, I intend to work very hard to try to be a First Minister that returns to the Parliament after the election on 7 May. I say

openly to the Parliament, to the country, to care-experienced young people in Scotland, and to Nicola Sturgeon, who did so much to pave the way to enhance the lives of care-experienced young people, that if I am fortunate enough to be elected as the First Minister of Scotland and have the privilege of continuing that work, I will do my all to deliver the Promise. We entered into this commitment to improve the lives of care-experienced young people in Scotland and to keep the Promise, which is what I pledge to do if I am elected as First Minister.

I also pledge to work in the way that Nicola Sturgeon did, which is also, if I may say so, what Liz Smith referred to in her speech to the Parliament the other day, when she spoke about our collective endeavour. Presiding Officer, your leadership of the bill that we have wrestled with over the past week has been, as Nicola Sturgeon said, a demonstration that it is possible for us to have courteous and respectful debate as we wrestle with big questions. There can be no bigger question than that of making sure that the future of young people in our country is the best that it possibly can be. If I am fortunate enough to lead a Government, I will work with others to make sure that we fulfil that promise. [*Applause*.]

The Deputy Presiding Officer: Thank you, First Minister. I have exercised a degree of latitude in allowing participation from the public gallery, but we will draw a diplomatic veil over that now.

That concludes the debate on the Children (Care, Care Experience and Services Planning) (Scotland) Bill at stage 3.

Reimbursement of Members' Expenses Scheme and Party Leaders' Expenses Scheme

The Deputy Presiding Officer (Liam McArthur): The next item of business is consideration of motion S6M-21143, in the name of Jackson Carlaw, on behalf of the Scottish Parliamentary Corporate Body, on the reimbursement of members' expenses scheme, and motion S6M-21143, in the name of Jackson Carlaw, on behalf of the SPCB, on the party leaders' expenses scheme. I call Jackson Carlaw to speak to and move the motions.

18:50

Jackson Carlaw (Scottish Parliamentary Corporate Body): As concisely as I can, I will speak to and move two motions on behalf of the corporate body.

The corporate body lodged two motions to replace the current reimbursement of members' expenses and party leaders' expenses schemes. We are making the change now, in order that the new scheme can be fully effective from the start of session 7, to enable new and returning members to set up offices and employ their staff.

On behalf of the corporate body, the Presiding Officer wrote in November to all members following both reviews undertaken during session 6, explaining the detail of the changes that are proposed. A strong Parliament depends on having members who are equipped to fulfil their role, and we believe that the recommended changes will continue to help to ensure that MSPs will be properly supported to represent their constituents and hold the Government of the day to account.

If the scheme is agreed to, therefore, from the start of session 7, more support will be provided to enable members and their staff to work hybridly between home, Parliament and their local office. More flexibility will also be available to members in relation to the amount that can be transferred between the office costs and engagement provision, enabling more choice in how members communicate with their constituents or in the office that they may choose to have.

In responding to the gender-sensitive board findings, the provision for additional temporary resources where a member is absent long term, which was introduced last session, will be moved from an exceptional provision to a standard provision that members can apply for. New minimum office standards will be introduced, and more guidance will be provided to members to help them in finding suitable offices, including when they need to engage a property expert or to seek

independent legal advice to protect members' rights.

A new provision to provide additional care costs when business sittings go beyond our normal hours will be available on application to support members with caring responsibilities, for a child or children under the age of 16 or an adult dependant, up to a maximum of £1,050 per month, based on £350 per dependant, up to a maximum of three dependants.

We also assessed Edinburgh rents during the review. Although we are content that those who are entitled to flats can still afford them under the latest uplift, we have also recognised that there will be an on-going need for support with the additional council tax premium being applied to the accommodation. Therefore, rather than that support being a temporary measure, it has become part of the scheme as standard.

We have also looked at how better to support members who travel extensively in their constituency or region because of its geography. We will be providing additional funding to those who incur mileage over 11,000 miles, although, under His Majesty's Revenue and Customs rules, that additional funding will be taxable.

We have also reviewed the party leaders' allowance, which now becomes the party leaders' expenses scheme. We have widened access to the scheme by reducing the eligibility criteria from parties with 15 or more members to those with five or more members. Funding should now be provided based on a fixed amount per party of £20,000, plus an amount per member returned for the party of £1,500.

Changes to the scheme to widen it have the support of all party leaders at Holyrood, and I hope that the corporate body can also count on the support of members in the chamber to support the motion.

I move,

That the Parliament, recognising that the Scottish Parliamentary Corporate Body (the SPCB) carried out a review of the Reimbursement of Members' Expenses Scheme approved by Resolution of the Parliament of 2 March 2021—

(a) in exercise of the powers conferred by section 81(2), (5)(b) and 85(5) of the Scotland Act 1998—

(i) confers functions on the SPCB to reimburse members in respect of expenses and cost incurred in each financial year in accordance with the Reimbursement of Members' Expenses Scheme (the Scheme) annexed as Annex 1 to this Resolution and confers other functions on the SPCB as specified in the Scheme;

(ii) determines that the various limits on expenses or costs under the Scheme are as set out in the Schedule of Rates annexed as Annex 2 to this Resolution and that such limits are applicable until the SPCB exercises its power under the Scheme to uprate or vary them;

(iii) confers other functions on the SPCB as specified in the Scheme; and

(iv) approves the Scheme;

(b) determines that the Scheme shall come into effect on 8 May 2026;

(c) rescinds, with effect from 8 May 2026, the Resolution of the Parliament of 2 March 2021 (and as last amended).

Motion moved,

That the Parliament, recognising that the Scottish Parliamentary Corporate Body (the SPCB) carried out a review of the Party Leaders' Allowances Scheme approved by Resolution of the Parliament of 21 March 2002—

(a) in exercise of the powers conferred by section 81(2), (5)(b) and 85(5) of the Scotland Act 1998—

(i) confers functions on the SPCB to reimburse party leaders in respect of expenses and cost incurred in each financial year in accordance with the Party Leaders' Expenses Scheme (the Scheme) annexed as Annex 1 to this Resolution and confers other functions on the SPCB as specified in the Scheme;

(ii) determines that the various limits on expenses or costs under the Scheme are as set out in the Scheme annexed to this Resolution and that such limits are applicable until the SPCB exercises its power under the Scheme to uprate or vary them;

(iii) confers other functions on the SPCB as specified in the Scheme; and

(iv) approves the Scheme;

(b) determines that the Scheme shall come into effect on 8 May 2026(c) rescinds, with effect from 8 May 2026, any previous resolution of the Parliament in relation to party leader expenses.—[*Jackson Carlaw*]

Standing Order Rule Changes (Strengthening Committees' Effectiveness)

The Deputy Presiding Officer (Liam McArthur): The next item of business is consideration of motion S6M-21053, in the name of Martin Whitfield, on the Standards, Procedures and Public Appointments Committee's third report of 2026.

18:55

Martin Whitfield (South Scotland) (Lab): Unlike the previous two motions, our motions do not include our entire reports. If they had, they would perhaps have made the *Business Bulletin* the longest in the entire session.

This evening, I will speak to three motions that mark the conclusion of two important pieces of work that the Standards, Procedures and Public Appointments Committee did in this session—our inquiry into committee effectiveness and our consideration of the recommendations in the gender-sensitive audit that the Presiding Officer established. If the changes that I will speak to are agreed, they will take effect from the start of session 7.

Our third report of 2026 sets out a number of standing order rule changes that the committee recommends following its report on strengthening committee effectiveness. Parliament endorsed those changes in the committee's debate on its inquiry, which was held on 6 November 2025. Members may wish to note that the proposal relating to elected conveners will be considered under a separate motion later this evening.

The key rule changes that are proposed in the report include reducing from 15 to 10 the maximum number of members who may sit on committees, implementing the recommendation in the gender-sensitive audit that no single-sex committees be permitted in the next session, ensuring that committee membership normally reflects the gender balance of the Parliament, and enabling committees to meet in private at the same time as the chamber without requiring prior permission to do so.

Sue Webber (Lothian) (Con): As Martin Whitfield knows, we support the majority of the proposed changes, but I raise a specific concern about proposed new rule 6.3.4A, which states that the Parliamentary Bureau must ensure that a committee's members are not all of the same sex. Does he accept that that rule will inevitably result in some women being pressured to join more committees than men and working harder for the same MSP salary? Does he think that that will be in line with equal pay laws?

Martin Whitfield: I am grateful for the intervention from Sue Webber, who was a member of the committee when we discussed the matter. She and other members will be aware from the report that great concern was raised that pressure will be put on women, particularly but not exclusively in smaller parties, by an expectation that they will serve on committees that will be driven merely by the fact that they are women. There is concern that they may be persuaded to sit on more than one or two committees in order to fulfil the rule. However, we discussed the matter at a number of meetings and I have confidence that the wording that we propose will reflect the reality and prevent that situation from occurring. If it did occur, it would be beholden on not just the committee or those who sit in the Presiding Officer's chair but the Parliament as a whole to look at it immediately.

In the evidence that we took for our report, we picked up that there are sometimes difficulties in the expectations that are placed on members. However, it is interesting to note that, in standing orders, the bureau is asked to take into account individual members' interests in serving on committees. That has perhaps been celebrated in its absence more than it has been taken forward, and it is perhaps something that Parliament can look at in the new session.

We also propose that the deadline for the introduction of members' bills be brought forward. That has been discussed at great length over the past month in various debates in the chamber. The change would prevent what we have seen at the end of the current session, when a significant number of members' bills have had to be pushed and forced through. Bringing the deadline forward will prevent such backlogs from occurring at the end of future sessions.

Other proposals include strengthening committees' annual reporting requirements and introducing a requirement for a dedicated debate slot for the people's panels that are being committed to in the next session.

Finally, the report recommends changes to the standing orders to introduce a hosting role to allow for the sharing of knowledge and expertise between committees. That will enable a committee to invite members of another committee to attend and participate in the committee's meetings and to have enhanced rights to access the private sessions and meeting papers but not the right to vote at that committee.

The committee believes that making those changes will strengthen the Parliament's committees and give them additional tools for

more effective scrutiny. I invite members to support the motion at decision time.

I move,

That the Parliament notes the Standards, Procedures and Public Appointments Committee's 3rd Report, 2026 (Session 6), *Standing Order rule changes arising from the Committee's report 'Strengthening committees' effectiveness'* (SP Paper 977), and agrees that the changes to Standing Orders set out in Annex A of the report be made with effect from 11 May 2026.

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

Standing Order Rule Changes (Gender-sensitive Audit Recommendations)

The Deputy Presiding Officer (Liam McArthur): The next item of business is consideration of motion S6M-21052, also in the name of Martin Whitfield, on the Standards, Procedures and Public Appointments Committee's fourth report of 2026.

19:00

Martin Whitfield (South Scotland) (Lab): There is a phrase about a bad penny, but I will try to recall that later on.

Our fourth report of 2026 sets out the committee's proposals for standing order rule changes relating to the Parliament's gender-sensitive audit recommendations for Parliamentary Bureau membership, elections of the Presiding Officer and Deputy Presiding Officers and membership of the Scottish Parliamentary Corporate Body. In making these proposals for standing order rule changes, we are keen to ensure that progress is made towards a gender-sensitive Parliament in which equality truly exists between men and women in relation not only to representation but to participation in the Parliament.

The committee's role has been to consider the audit recommendations within the context of potential rule changes and how they would operate on practical levels, as well as whether there are any potential unforeseen circumstances.

The first rule change relates to the Parliamentary Bureau membership. We recommend strengthening the wording in standing orders to increase the prospect of gender balance on the bureau from the start of a session and when nominating a new member if a current member ceases to hold office.

The second change relates to the election of Presiding Officers and Deputy Presiding Officers. We recommend that the rules be changed so that those who are elected cannot all be of the same gender. That change formalises an existing Scottish parliamentary norm and we consider that that will protect and embed that norm for the future.

The third change relates to the Scottish Parliamentary Corporate Body. We gave serious consideration to the proposals for introducing an acting SPCB member but, as we detail more fully in our report, we understand that that is likely to require a change to the Scotland Act 1998. Therefore, we decided that we did not wish to pursue that recommendation at present. However,

we have recommended changes to the wording of standing orders to strengthen gender balance as an issue for consideration at the nomination stage for corporate body membership.

Jackson Carlaw (Eastwood) (Con): As the only man on a corporate body dominated by women, I ask Mr Whitfield whether he is confirming that no man would find himself in such a happy position in a future Parliament.

Martin Whitfield: I am grateful for the member's careful wording as to how he feels that his time on the corporate body has gone. He is correct, because the recommendations strengthen the requirement for gender balance to be considered at the nomination stage. That is important.

We believe that making those changes will enhance the consideration of, and the process for, appointment or election to those four key roles within the Parliament and make an important contribution to delivering a truly gender-sensitive Parliament.

I move,

That the Parliament notes the Standards, Procedures and Public Appointments Committee's 4th Report, 2026 (Session 6), *Standing Order Rule changes - Related to Gender Sensitive Audit recommendations on Parliamentary Bureau Membership, Election of Presiding Officer/Deputy Presiding Officers and SPCB Membership* (SP Paper 978), and agrees that the changes to Standing Orders set out in Annex A of the report be made with effect from 11 May 2026.

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

Standing Order Rule Changes (Elected Conveners)

The Deputy Presiding Officer (Liam McArthur): The next item of business is consideration of motion S6M-21049, in the name of Martin Whitfield, on the Standards, Procedures and Public Appointments Committee's eighth report of 2026. [*Interruption*.] I invite members who wish to participate not to do so from a sedentary position but to press their request-to speak-button.

19:04

Martin Whitfield (South Scotland) (Lab): In these challenging times, we need to remember that the proposals for amendments to standing orders are about getting the next session of Parliament off to the best possible start without any periods of wondering.

This final report is the committee's eighth report of 2026. It recommends that the Parliament agree to standing order rule changes in order to provide for conveners of the subject and mandatory committees to be elected by the whole Parliament.

During the course of our committee effectiveness inquiry, those in favour of elected conveners emphasised that having conveners elected by the whole chamber can bring a degree of confidence and visibility to the role. We also heard that, for conveners, that can create a sense of legitimacy and of accountability for the activities of their committee. It can also support public perception that committees operate independently of the Government and political parties, and it can afford committees the opportunity to create a distinct identity.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I have been a convener four times. I have long campaigned not only for conveners to be elected but for them to receive responsibility pay for the role. That is because a good convener makes for a good, effective committee. Conveners deserve that status. What were the Standards, Procedures and Public Appointments Committee's reflections on responsibility pay for conveners? I have no idea what amount might have been discussed, but I wonder whether, in principle, the committee was agreeable to it.

Martin Whitfield: Christine Grahame's intervention picks up on the workload that conveners have to take on. As an innocent, naive convener at the start of the session, I had not appreciated the phenomenal workload. I accepted that as I became experienced, because, as Christine Grahame says, a good convener can make for a very good committee.

A number of people who responded to our call for evidence suggested that there should be recompense to reflect that workload. However, after discussion, we thought that that was a step too far and was too challenging at this stage. The process of electing conveners would allow for such a discussion in the future if members wanted to pursue it.

Finlay Carson (Galloway and West Dumfries) (Con): Does Martin Whitfield appreciate that, although we all expect the best from our parliamentarians, the proposed model might allow for majority-holding parties to veto candidates until they come up with one that they want? If such a rule had been in place for this session, we might not have seen the award-winning convener Douglas Ross being appointed.

Martin Whitfield: We spent a great deal of time listening to evidence—not necessarily specifically about any award-winning convener but about the challenges of such a process potentially being open to manipulation. Members will see that, under the proposed rules, where there is only one proposed candidate from a party that holds the convenership pen for that committee, there would be an election only if somebody put their hand up and said, "I object."

The other important element is that there are very few secret votes in the Scottish Parliament. The Presiding Officer and the deputy presiding officers have the privilege of being appointed in an anonymous vote. The process for electing conveners of committees would be the same. That approach was deliberately chosen to reflect what the evidence showed happens in other Assemblies and Parliaments—it removes the party's ability to dictate the vote unless the individual who is voting wants to accept that. We have heard, and have seen in debates and votes over the past few weeks, including the stage 3 debate that we have just had, that there should perhaps be room for more separation between the party or Government and individuals. I am confident that the changes that have been proposed will allow such separation for MSPs who remember who sent them to the Scottish Parliament and who their responsibility is to.

Emma Roddick (Highlands and Islands) (SNP): Martin Whitfield made a comparison with the election of deputy presiding officers. Will he confirm that he does not envisage more rounds of exhaustive balloting for every single committee convener?

Martin Whitfield: I am very grateful for that intervention, which gives me the opportunity to thank Emma Roddick for her service on my committee and to draw me back to the purpose of the proposals that we are considering tonight.

It is right to say that it is not envisaged that there will be many rounds of elections for the post of convener. Only a member of the party that holds the pen of convenership of the committee in question will be able to put themselves forward to be nominated, but their nomination will require the support of a member of another political party or a member who is not a member of a political party in the Parliament. If only one member is nominated and there are no objections, they would become convener. If there is an objection, a secret ballot would be held. In addition, it is proposed that,

"If more than one chair role is being considered in a single meeting, no member may be nominated for more than one role".

The proposed new rules detail the manner in which votes would be cast at the election for the convener, which would depend on the number of candidates in the election. Under our proposals,

"Committee members can vote to recommend removal of a convener, but that removal only occurs if a motion is agreed by the Parliament."

Should the proposed changes be agreed to, we have recommended that they be reviewed during the first half of session 7. Such a review should include consideration of the operation of the standing orders relating to temporary, deputy and acting conveners of committees. That would allow for consideration of the matter that Christine Grahame raised. [*Interruption*.]

Christine Grahame: Will the member give way?

Martin Whitfield: If the intervention is very quick.

The Deputy Presiding Officer: I will allow a brief intervention from Christine Grahame, but I encourage other members to settle down a bit.

Christine Grahame: This is a really stupid question, because I am really tired. I want to check something. Is it the case that, if we vote for the committee's report, we will not be voting for all the elements within it, and that, at some point, the Parliament will debate the recommendations in your report? I am not clear about issues such as anonymity of voting and so on. I just want to know what we will be voting on tonight.

The Deputy Presiding Officer: I ask the Standards, Procedures and Public Appointments Committee to reinforce the point that members should always speak through the chair.

Martin Whitfield: I believe that the Deputy Presiding Officer is fully aware that the committee that will follow the present Standards, Procedures and Public Appointments Committee, which had its final meeting today, would be open to any such recommendation.

The vote tonight is on a proposed standing order rule change that will amend rule 6.3 and insert after rule 11.10A rule 11.10B, which provides for the election of subject and mandatory committee conveners. Members will be making a decision on the proposal that, starting at the start of the next session, conveners should be elected in the way that is outlined in our report and in the proposed amendments to standing orders. The final part of what we are recommending is that the operation of the proposed system of elected conveners be reviewed not later than halfway through the next session.

With that, I rest.

I move,

That the Parliament notes the Standards, Procedures and Public Appointments Committee's 8th Report, 2026 (Session 6), Standing Orders rule changes – Elected Conveners (SP Paper 1033), and agrees that the changes to Standing Orders set out in Annexe A of the report be made with effect from 11 May 2026.

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

Motion without Notice

19:12

The Deputy Presiding Officer (Liam McArthur): At this point, I am minded to accept a motion without notice, under rule 11.2.4 of standing orders, that decision time be brought forward to now. I invite the Minister for Parliamentary Business and Veterans to move such a motion.

Motion moved,

That, under Rule 11.2.4, Decision Time be brought forward to 7.14 pm.—[*Graeme Dey*]

Motion agreed to.

The Deputy Presiding Officer: We will have a very short suspension to allow members to get back on to the digital voting system.

19:13

Meeting suspended.

19:14

On resuming—

Decision Time

The Deputy Presiding Officer (Liam McArthur): There are six questions to be put as a result of today's business. The first question is, that motion S6M-21102, in the name of Natalie Don-Innes, on the Children (Care, Care Experience and Services Planning) (Scotland) Bill at stage 3, be agreed to. As this is a motion to pass the bill, the question must be decided by division. I invite members to cast their votes now.

The vote is closed.

Mark Ruskell (Mid Scotland and Fife) (Green): On a point of order, Presiding Officer. I would have voted yes.

The Deputy Presiding Officer: Thank you, Mr Ruskell. I will ensure that that is recorded.

The Minister for Agriculture and Connectivity (Jim Fairlie): On a point of order, Presiding Officer. I would have voted yes.

The Deputy Presiding Officer: Thank you, Mr Fairlie. I 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)
Baker, Claire (Mid Scotland and Fife) (Lab)
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)
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)
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)
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)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Leonard, Richard (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)
Maguire, Ruth (Cunninghame South) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Regan, Ash (Edinburgh Eastern) (Ind)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
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)
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)
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)
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)

The Deputy Presiding Officer: The result of the division on motion S6M-21102, in the name of Natalie Don-Innes, on the Children (Care, Care Experience and Services Planning) (Scotland) Bill at stage 3, is: For 111, Against 0, Abstentions 0.

Motion agreed to,

That the Parliament agrees that the Children (Care, Care Experience and Services Planning) (Scotland) Bill be passed.

The Deputy Presiding Officer: The Children (Care, Care Experience and Services Planning) (Scotland) Bill is passed. [*Applause*.]

I think that the diplomatic veil is being stretched to destruction.

The next question is, that motion S6M-21143, in the name of Jackson Carlaw, on behalf of the Scottish Parliamentary Corporate Body, on the reimbursement of members' expenses scheme resolution, be agreed to.

Motion agreed to,

That the Parliament, recognising that the Scottish Parliamentary Corporate Body (the SPCB) carried out a review of the Reimbursement of Members' Expenses Scheme approved by Resolution of the Parliament of 2 March 2021—

(a) in exercise of the powers conferred by section 81(2), (5)(b) and 85(5) of the Scotland Act 1998—

(i) confers functions on the SPCB to reimburse members in respect of expenses and cost incurred in each financial year in accordance with the Reimbursement of Members' Expenses Scheme (the Scheme) annexed as Annex 1 to this Resolution and confers other functions on the SPCB as specified in the Scheme;

(ii) determines that the various limits on expenses or costs under the Scheme are as set out in the Schedule of Rates annexed as Annex 2 to this Resolution and that such limits are applicable until the SPCB exercises its power under the Scheme to uprate or vary them;

(iii) confers other functions on the SPCB as specified in the Scheme; and

(iv) approves the Scheme;

(b) determines that the Scheme shall come into effect on 8 May 2026;

(c) rescinds, with effect from 8 May 2026, the Resolution of the Parliament of 2 March 2021 (and as last amended).

The Deputy Presiding Officer: The next question is, that motion S6M-21144, in the name of Jackson Carlaw, on behalf of the Scottish Parliamentary Corporate Body, on the party leaders' expenses scheme resolution, be agreed to.

Motion agreed to,

That the Parliament, recognising that the Scottish Parliamentary Corporate Body (the SPCB) carried out a review of the Party Leaders' Allowances Scheme approved by Resolution of the Parliament of 21 March 2002—

(a) in exercise of the powers conferred by section 81(2), (5)(b) and 85(5) of the Scotland Act 1998—

(i) confers functions on the SPCB to reimburse party leaders in respect of expenses and cost incurred in each financial year in accordance with the Party Leaders' Expenses Scheme (the Scheme) annexed as Annex 1 to this Resolution and confers other functions on the SPCB as specified in the Scheme;

(ii) determines that the various limits on expenses or costs under the Scheme are as set out in the Scheme annexed to this Resolution and that such limits are applicable until the SPCB exercises its power under the Scheme to uprate or vary them;

(iii) confers other functions on the SPCB as specified in the Scheme; and

(iv) approves the Scheme;

(b) determines that the Scheme shall come into effect on 8 May 2026(c) rescinds, with effect from 8 May 2026, any previous resolution of the Parliament in relation to party leader expenses.

The Deputy Presiding Officer: The next question is, that motion S6M-21053, in the name of Martin Whitfield, on the Standards, Procedures and Public Appointments Committee's third report in 2026, in session 6, be agreed to.

Motion agreed to,

That the Parliament notes the Standards, Procedures and Public Appointments Committee's 3rd Report, 2026 (Session 6), *Standing Order rule changes arising from the Committee's report 'Strengthening committees' effectiveness'* (SP Paper 977), and agrees that the changes to Standing Orders set out in Annex A of the report be made with effect from 11 May 2026.

The Deputy Presiding Officer: The next question is, that motion S6M-21052, in the name of Martin Whitfield, on the Standards, Procedures and Public Appointments Committee's fourth report in 2026, in session 6, be agreed to.

Motion agreed to,

That the Parliament notes the Standards, Procedures and Public Appointments Committee's 4th Report, 2026 (Session 6), *Standing Order Rule changes - Related to Gender Sensitive Audit recommendations on Parliamentary Bureau Membership, Election of Presiding Officer/Deputy Presiding Officers and SPCB Membership* (SP Paper 978), and agrees that the changes to Standing Orders set out in Annex A of the report be made with effect from 11 May 2026.

The Deputy Presiding Officer: The final question is, that motion S6M-21049, in the name of Martin Whitfield, on the Standards, Procedures and Public Appointments Committee's eighth

report in 2026, in session 6, 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)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Chapman, Maggie (North East Scotland) (Green)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (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)
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)
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)
Leonard, Richard (Central Scotland) (Lab)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (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)
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)
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)
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

Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)

The Deputy Presiding Officer: The result of the division on motion S6M-21049, in the name of Martin Whitfield, on the Standards, Procedures and Public Appointments Committee's eighth report in 2026, in session 6, is: For 104, Against 2, Abstentions 0.

Motion agreed to,

That the Parliament notes the Standards, Procedures and Public Appointments Committee's 8th Report, 2026 (Session 6), *Standing Orders rule changes – Elected Conveners* (SP Paper 1033), and agrees that the changes to Standing Orders set out in Annexe A of the report be made with effect from 11 May 2026.

The Deputy Presiding Officer: That concludes decision time.

Meeting closed at 19:19.

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