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Scottish Parliament

Wednesday 16 September 2026

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

Portfolio Question Time

Justice

The Deputy Presiding Officer (Katy Clark): Good afternoon. The first item of business this afternoon is portfolio question time, and the first portfolio is justice. If a member wishes to ask a supplementary question, they should press their request-to-speak button during the relevant question. I remind members that questions 3 and 4 have been grouped together and that I will take any supplementaries on those questions after both have been answered. Questions 5, 6, 7 and 8 have also been grouped together, and I will take any supplementaries on those questions after question 8.

Vietnamese Children (Trafficking)

1. Amanda Bland (Central Scotland and Lothians West) (Reform): To ask the Scottish Government, in light of a recent Police Scotland freedom of information response indicating that there have been 342 referrals involving south-east Asian children since 2020, including 31 cases of sexual exploitation, what action it is taking to ensure that Vietnamese children at risk of trafficking are identified at an early stage, protected from exploitation and provided with appropriate support. (S7O-00220)

The Minister for Victims and Community Safety (Kirsten Oswald): Child trafficking is a horrific form of child abuse that can have a devastating impact on children and young people. In all cases, the child's safety and wellbeing must be paramount, and support is provided through Scotland's child protection system.

Tackling human trafficking requires a co-ordinated response involving the Scottish Government, the United Kingdom Government, Police Scotland, local authorities and specialist support services. The Scottish Government provides more than £2 million annually to guardianship Scotland, which provides specialist support to all unaccompanied asylum-seeking children, victims of trafficking and children who are vulnerable to trafficking who arrive in Scotland.

Amanda Bland: What assessment has the Scottish Government made of whether the current systems for identifying and recording child trafficking adequately capture the specific circumstances of Vietnamese children, including those who may initially be treated as missing children or immigration cases? What action will it take to improve early identification and information sharing between agencies?

Kirsten Oswald: I am grateful to the member for that question and its focus on partnership working. There is data that tells us, year on year, how many children from Vietnam appear to have come here through trafficking. That data indicates that those children may be subject to forced criminality. That has been the primary reason for referrals since 2020.

Regardless of the type of exploitation involved, a child who is suspected of being the victim of trafficking or exploitation should receive an appropriate protection response, and the work with statutory safeguarding partners that the member alluded to is absolutely key in that regard.

Counterfeit Cigarettes

2. David Barratt (Cowdenbeath) (SNP): To ask the Scottish Government what action it is taking to address the criminal trade in counterfeit cigarettes in local communities, including what support it provides to trading standards departments. (S7O-00221)

The Minister for Victims and Community Safety (Kirsten Oswald): I recently met the Scottish Grocers Federation to discuss the impact on legitimate traders of illicit trade. I fully recognise the harm that is caused to businesses by such illegal activity.

We are committed to doing everything that we can to disrupt that damaging activity. We work with trading standards and law enforcement partners, and we are engaging with a range of stakeholders, as well as with the United Kingdom Government's high street serious organised crime unit. In addition, we are considering what further action can be taken to tackle high street criminality. That includes reviewing the framework for closure orders and any changes to the law that may be required to strengthen enforcement.

David Barratt: I thank the minister for that response and for her prior engagement on the matter. I am aware of one shop in my constituency that has no planning consent that is selling counterfeit cigarettes at a

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third of the normal retail price, undercutting legitimate businesses. The trading standards department is aware of the situation, but it has told me that it lacks the powers to shut down the shop in question. Will the Scottish Government's review include giving more powers to local authorities to shut down such shops and take organised crime off our high streets?

Kirsten Oswald: It is important for the member, trading standards or anyone who has such concerns to report those crimes to Police Scotland. Trading standards officers already have a wide range of enforcement powers available to them. They can seize illicit tobacco, take enforcement action, seek prosecutions and apply for banning orders, working closely with HM Revenue and Customs and Police Scotland to tackle organised crime.

Tackling illicit tobacco remains a priority for the Government and our partners. Through operation CeCe, for example, partners including Police Scotland have seized more than 1.8 million illicit cigarettes and more than 1,100kg of hand-rolling tobacco in Scotland during 2025-26, which demonstrates the significant enforcement activity that is under way.

In addition, the Scottish Government is currently reviewing antisocial behaviour legislation, which includes the framework governing closure orders and whether changes there would strengthen enforcement.

David Linden (Glasgow Baillieston and Shettleston) (SNP): I pay tribute to the minister, who has been an advocate on the issue of vapes as well as on counterfeit tobacco.

My colleague Mr Barratt is absolutely right that there is a role for trading standards departments here, but the reality is that trading standards departments have been hollowed out over many years, and we do not have as many staff. I ask the minister to work across Government, particularly with her colleagues in the education department, to ensure that more apprentices are going into regulatory standards so that we can empower trading standards officers to shut down the types of shops that are selling counterfeit tobacco.

Kirsten Oswald: I am grateful to Mr Linden for his focus on this area. He will know that responsibility for workforce planning rests with individual local authorities and with the Convention of Scottish Local Authorities, in their role as employers. Nonetheless, it is an important point, and there has been a conversation on progress there. The Cabinet Secretary for Public Service Reform asked Consumer Scotland to make proposals under section 3 of the Consumer Scotland Act 2020 to help inform the Government's approach to trading standards services in Scotland. That report has now been received, and we are looking at recommendations in order that we can be as effective as possible in this area.

Mark Simpson (North East Scotland) (Reform): Does the Scottish Government accept that the growth of counterfeit tobacco is a sign that organised crime is gaining a foothold in local communities?

Kirsten Oswald: Organised crime is of serious concern to the Scottish Government, and it affects communities in Scotland and further afield. That is why the record funding that has been provided to Police Scotland by the Government is so important, given Police Scotland's ability to make the best operational decisions in order to deal with criminality where it exists. The connection that the member has made between organised crime and the problem of illicit tobacco is a very valid one, and I would assure him that it is a matter of ongoing consideration for the Government.

Julie MacDougall (Mid Scotland and Fife) (Reform): Back in March 2024, Fife Council's trading standards team made use of detection dogs provided by Consumer Protection Dogs UK. That resulted in the confiscation of nearly 3kg of suspected counterfeit roll-up tobacco in one operation. Can the minister confirm whether the Government has considered providing more detection dogs to all relevant bodies that investigate the manufacture and sale of those dangerous items?

Kirsten Oswald: I recently visited some of the detection dogs that the member speaks of, and I was very impressed by their effectiveness. I have been given other evidence to indicate that, as one of a range of measures, they provide a helpful tool to help us detect and deal with that particular kind of crime. The actions of local government, trading standards and Police Scotland in their operation are really for them to determine, but the member makes a valid point, highlighting the value of that as one element that we can use.

Domestic Abuse Victims (Rural and Remote Communities)

3. **Andrew Baxter (Skye, Lochaber and Badenoch) (LD):** To ask the Scottish Government what action it is taking to address any barriers faced by victims of domestic abuse in rural and remote communities. (S70-00222)

The Cabinet Secretary for Justice (Neil Gray): Our equally safe strategy recognises that women in rural and island communities may experience distinct barriers to seeking support. Therefore, our programme for government commits to ensuring that every woman and girl, regardless of where she lives, has access to

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safe and sustainable services. That includes developing a new multiyear fund for specialist organisations, responding to what they need to sustain vital services and deliver critical preventative activities, and allowing them to respond flexibly to local needs. Further details will be set out in the next equally safe delivery plan, which will be published later this year.

Andrew Baxter: Victims of domestic abuse in rural communities can face additional barriers in accessing specialist support, particularly where those services are spread across vast geographical areas. As part of the cabinet secretary's plan, will he commit to a specific rural domestic abuse delivery plan that will be backed up by secure long-term funding for local women's aid services and other specialist services, so that where a woman lives does not determine the support that is available to her?

Neil Gray: The equally safe delivery plan that will be published later this year will have at its core the elements that Mr Baxter is asking for. He should take confidence in the fact that the delivering equally safe fund has benefited from a 5 per cent increase in funding this financial year, which takes funding to £23 million per year, with total investment being almost £46 million. Of that, £5.6 million is going to projects that support women and girls in our most rural and island communities. I am more than happy to continue a conversation with Mr Baxter about how we can ensure that the delivery plan meets the needs of women and girls in rural and island communities.

Domestic Abuse and Gender-Based Violence Support (Rural and Coastal Communities)

4. Karen Adam (Banffshire and Buchan Coast) (SNP): To ask the Scottish Government how it will ensure that women and girls in rural and coastal communities who experience domestic abuse and gender-based violence have equal access to specialist support and protection, including through the criminal justice system. (S7O-00223)

The Cabinet Secretary for Justice (Neil Gray): Our programme for government commits to ensuring that there is equal service provision for women no matter where they are and recognises the vital role of the criminal justice system in responding to such behaviour. I welcome the fact that more women are coming forward to report crimes, including historical ones, and the fact that there has been an increase in prosecutions and convictions, especially for current and historical sexual violence. Through the implementation of the Victims, Witnesses, and Justice Reform (Scotland) Act 2025, we will establish a sexual offences court as well as introducing statutory rights of anonymity and access to independent legal representation.

Karen Adam: The Parliament heard evidence that Grampian Women's Aid workers had to make up to 60 calls to find one legal aid solicitor for a woman who was experiencing domestic abuse. For a woman who is already in crisis, that is another barrier and another delay to accessing justice. With the Government consulting on legal aid reforms, how will the cabinet secretary ensure that women who are experiencing domestic abuse can access timely legal advice and representation regardless of where they live?

Neil Gray: That was a topic of conversation during my meeting with Dr Marsha Scott from Scottish Women's Aid this morning. We discussed the work that Scottish Women's Aid is taking forward in its project to embed legal advice in Orkney and Shetland as well as in Edinburgh, which the Government is providing funding for. We considered how that might be spread more widely, as well as the fact that we are consulting on reforms to legal aid, and I encouraged Scottish Women's Aid to feed into those discussions.

I recognise the concerns that Karen Adam has raised on behalf of Grampian Women's Aid about the difficulties that someone who has been experiencing domestic abuse faces in accessing timely legal advice and representation. We remain committed to supporting women who have been affected by violence and abuse, including through the provision of funding for the Scottish Legal Aid Board, the Scottish Women's Rights Centre and other organisations.

Maggie Chapman (North East Scotland) (Green): The cabinet secretary will know that the Scottish Greens and others have repeatedly called for multiyear, inflation-proof funding and for full cost recovery for the life-saving services that support survivors of gender-based violence. Can the cabinet secretary confirm whether that will form part of his budget discussions with colleagues? Will he consider the introduction of a set of core minimum service standards that every survivor of gender-based violence would be entitled to access?

Neil Gray: That goes to the heart of the violence against women and girls section in the programme for government, which I know that Maggie Chapman has taken a keen interest in. It talks about ensuring that we have multiyear funding available to support services and the need to shift our justice posture towards a more preventative approach. That would mean that we have services available in the community for women and

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girls, as well as better wraparound family support and a public protection posture to ensure that there are fewer victims in the first place. That will form part of the budget discussions that I expect to have with my Cabinet colleagues.

“Criminal courts backlog follow-up”

5. Neil Bibby (West Scotland) (Lab): To ask the Scottish Government what its response is to the report by the Auditor General for Scotland, “Criminal courts backlog follow-up”. (S7O-00224)

The Cabinet Secretary for Justice (Neil Gray): We welcome the Auditor General’s report and its recognition that justice partners have made progress on reducing the criminal courts backlog since the original audit. The report also highlights the increasing volume and complexity of serious cases that are entering the justice system and the challenges that that creates. We recognise the distress that undue delay can cause and the need for further action to ensure that victims see justice happen as quickly as possible.

We accept the recommendations and we will continue to work closely with justice partners to strengthen collaboration, improve delivery and support the long-term reform that is needed to ensure that Scotland’s justice system remains effective, resilient and focused on the people that it serves.

Neil Bibby: In 2023, Audit Scotland recommended that the Scottish Government and the Scottish Courts and Tribunals Service developed equality impact assessments for all change projects within 12 to 18 months. Forty months on, despite a legal duty to carry out those assessments and the importance of considering in advance how reforms could affect groups such as women and children, the Auditor General told the Public Audit Committee last week that they are not being carried out as they should be. Can the cabinet secretary explain to the people who those reforms are meant to be helping why the Government has failed to properly consider them and carry out that basic legal requirement?

Neil Gray: The report recommends strengthening equality impact assessment arrangements and ensuring that they are applied consistently across reform programmes. Assessments are routinely carried out and published in relation to new legislation, but we recognise that the practice is less consistent in other areas of policy development and delivery. We therefore accept that recommendation and will continue to build on the existing work to support best practice in that area.

Court Proceedings (Backlog and Waiting Times)

6. James Adams (North East Scotland) (Con): To ask the Scottish Government what action it is taking to reduce the backlog of cases in Scotland’s courts and reduce waiting times for court proceedings. (S7O-00225)

The Cabinet Secretary for Justice (Neil Gray): We recognise that the shape of criminal court business is changing, which places renewed pressure on the system, and that we need to respond accordingly and in recognition of the distress that delays can cause. From January, High Court capacity will increase to 26 trials a day, compared with 16 at the start of the decade. We are also responding through changes that we are taking forward with justice partners and stakeholders. We are supporting the delivery of modern user-centred digital services, including expanding digital evidence-sharing capability and providing targeted investment to support a more efficient trauma-informed justice system.

James Adams: The High Court backlog has continued to rise to more than 1,000 outstanding scheduled trials, which is almost three times the pre-pandemic level. Audit Scotland found that the Scottish Government’s justice programme board has not met since summer 2024 and that its own modelling shows that High Court backlogs and waiting times are projected to continue growing until around March 2028.

In the light of Audit Scotland’s findings that the progress in criminal justice efficiency projects has been mixed, with some initiatives having still not started, limited evaluation and no equality impact assessments having been completed, what urgent steps will the Government take to address those issues and ensure that victims, witnesses and accused individuals are no longer subject to prolonged delays?

Neil Gray: I have already set out that, as of January, the number of High Court venues will increase by four so that, in addition to the current 10 venues, the High Court will sit in Airdrie, Dunfermline, Edinburgh and Glasgow sheriff courts. We also have strong lessons to learn from summary case management improvements. In his report, the Auditor General sets out significant improvements that have been made on reducing the court backlog of summary cases.

However, I am very aware that we have more work to do in relation to solemn cases. Because of the increased successful prosecution and police investigation work, for which I pay tribute to Police Scotland and the Crown, we are seeing more and more complex cases coming forward that need to be dealt with. I will

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continue to work with justice partners to ensure that they have the resources that are required to get through the backlog as quickly as possible.

High Court Trials (Waiting Times)

7. Finlay Carson (Galloway and West Dumfries) (Con): To ask the Scottish Government what its response is to reports that waiting times for High Court trials are expected to almost triple by 2028. (S7O-00226)

The Cabinet Secretary for Justice (Neil Gray): As I said in my earlier answers, from this January we will increase the number of trials to 26 trials a day, compared to 16 at the start of the decade. I have met the Lord President and the Scottish Courts and Tribunals Service to discuss the issues at hand on a number of occasions. We will work with them, and with other justice partners, to explore what more can be done to address the challenges that our justice system faces. We will also invest £11.6 billion across justice from 2026-27 to 2028-29 to support front-line services, safer communities and victims and witnesses.

Finlay Carson: One of my constituents has now been waiting years for her case to be heard in the High Court. Despite facing multiple serious charges, the accused remains at liberty in the community on bail, while my constituent is left in limbo. When she sought answers, the response from the Crown Office and Procurator Fiscal Service was that the delay was, in their words, “understandably disappointing”. However, for victims of rape and serious sexual offences, it is not merely “disappointing”.

The offences themselves, the years of uncertainty, and the knowledge that the accused remains free are traumatic, exhausting and deeply distressing. The Scottish Government repeatedly promises a trauma-informed justice system, yet many victims feel that, currently, the very system that is meant to support them is letting them down. Will the cabinet secretary meet me and my constituent to hear directly how those failures have affected her? Does he accept that, right now, with victims left waiting years for trials while accused people remain on bail, the system is not trauma-informed but retraumatising?

Neil Gray: First, I recognise the trauma and distress that Finlay Carson outlined in relation to a victim seeking justice. I, of course, understand that. He will also understand that the scheduling of business is for the Scottish Courts and Tribunals Service and that decisions around bail are for the judiciary to take. I know that he is aware of that. I would be more than happy to meet him and his constituent to discuss that case, recognising the independence of the organisations that we are talking about.

High Court Trials (Waiting Times)

8. Carol Mochan (South Scotland) (Lab): To ask the Scottish Government what its response is to reports that waiting times for High Court trials are set to triple by 2028. (S7O-00227)

The Cabinet Secretary for Justice (Neil Gray): As Ms Mochan has heard, we are aware of the potential and predicted waiting times for trials. Sexual offence cases now make up around 70 per cent of High Court trials, and the number of cases continues to increase due to increased reporting and prosecution, which I think that we would both welcome.

I recognise that it is vital that we find a sustainable way of managing those cases and improve on current waiting times, as well as mitigate any future delays. In time, the sexual offences court—an initiative that was not supported by the Labour Party—will play a key role in helping us to manage the growing pressure on the courts and the impact that it has on victims.

Carol Mochan: The cabinet secretary mentioned that sexual offences crimes account for 70 per cent of High Court business. A recent report by the Scottish Women’s Convention found that only 8 per cent of surveyed respondents felt that women have fair access to justice in Scotland. In last night’s debate about violence against women and girls, we heard that access to justice and support services can be extremely challenging and that geographical inequalities persist. Given the Government’s commitment to tackling those issues, will the cabinet secretary tell us whether the Scottish Government will lodge a draft misogyny bill in Parliament before Christmas recess?

Neil Gray: In direct answer to the last part of Ms Mochan’s question, we have a programme for government commitment to progress the misogyny bill as a year 1 bill. I will also continue to work to ensure that women are well served in our justice system.

As I said in answer to Ms Mochan’s first question, the fact that we are seeing a higher rate of police investigation and charges being brought, a higher rate of prosecutions being taken forward and longer sentences demonstrates the improvements that are being made in our justice system to ensure that women are being better served.

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There is more work to do. Indeed, exemplary contributions in yesterday's debate highlighted the gravity of the situation that we face. That is why the First Minister has made violence against women and girls such a prominent issue in his time as First Minister and has ensured that it is central to our programme for government.

Alan Brown (Kilmarnock and Irvine Valley) (SNP): One of the highlights of the report on the summary case management project in the summary courts, which the cabinet secretary has already touched on, through which we had earlier resolutions without trials and 18,000 fewer witness citations, including 11,000 fewer police witness citations, which obviously freed up police resources. Could that be rolled out in solemn courts as well?

Neil Gray: I welcome Alan Brown's question, which highlights the incredible measures that my predecessor took to improve summary court management. Some areas of learning can be taken into the solemn cases, but solemn business is a bit more complex. I am looking to work with justice partners to make similar improvements in how we work in solemn business to those that have been delivered through the summary case management project.

The Deputy Presiding Officer (Katy Clark): Question 9 has been withdrawn and a reasonable explanation has been given.

Policing and Community Safety Initiatives (Rural Areas)

10. Craig Hoy (Dumfriesshire) (Con): To ask the Scottish Government what plans it has to increase funding for policing and community safety initiatives in rural areas, in light of recent data indicating upward trends in criminality in Dumfries and Galloway. (S7O-00229)

The Minister for Victims and Community Safety (Kirsten Oswald): Police and police staff play a vital role in keeping our communities safe, which is why we are investing record funding of more than £1.7 billion in policing in 2026-27.

Although decisions on the deployment of officers and staff, operational policing priorities and the allocation of resources across local areas are matters for the chief constable, Police Scotland continues to place significant emphasis on community policing and engagement with local communities, including in rural areas such as the member's.

As is set out in Police Scotland's 2030 vision and three-year business plan, community policing remains central to keeping people safe, and our record investment is ensuring that Police Scotland has the resources that it needs to respond to local demands across the country.

Craig Hoy: Overall crime rates in my local policing division have hit 552 per 10,000 residents, which is 3.5 per cent higher than in the previous year. In 2023, police numbers in Dumfries and Galloway were the lowest in Scotland, but, in recent weeks, local officers, led by chief superintendent Claire Dobson, have been touring towns and villages with a recruitment van to generate a pipeline of new officers, and I commend them for that positive and visible initiative.

Does the minister accept that it is more difficult to recruit officers in rural areas? What more can the Scottish Government do to support Police Scotland, both financially and practically, as it seeks to attract new recruits in hard-to-hire areas such as Dumfries and Galloway?

Kirsten Oswald: I am grateful to Craig Hoy for his focus on the importance of police officer numbers. Of course, we have more officers per head of population in Scotland than there are in England and Wales. Our officers also receive the best basic pay in the United Kingdom at the minimum and maximum of each rank, which is really important when we think of recruitment decisions.

Our record investment in policing continues to allow Police Scotland to recruit new officers, with more than 160 new recruits in July 2026 and further recruitment planned throughout the year. Police Scotland has confirmed that there is a healthy recruitment pipeline. I commend Craig Hoy for his focus on and support for Police Scotland as it goes about the important work of ensuring that we have a proper pipeline of recruitment in place.

David Green (Caithness, Sutherland and Ross) (LD): In recent months, there has been a worrying rise in the number of reported incidents of vandalism across my constituency. In Tain, a high street shop and the much-loved rose garden suffered significant damage. In Thurso, homes and cars were vandalised and even the entrance of Thurso police station was targeted. What action will the minister take to ensure that local officers have the resources that they need to tackle such crimes? Will she heed calls from across the Highlands to restore the local control that was lost following the centralisation of policing?

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Kirsten Oswald: It is really important that policing has a local focus in more rural areas, as the member has described. Rural crime can impact on individuals, communities and businesses, which is why the local focus that Police Scotland has is so vital as it goes about its business.

There is also the focus of the Scottish Partnership Against Rural Crime, known as SPARC. That organisation is chaired by Police Scotland and brings together key justice, enforcement and rural sector partners to ensure that there is a co-ordinated, multi-agency approach to preventing and reducing crime in more rural areas. SPARC also supports intelligence gathering and enforcement, in order that there is practical crime prevention activity taking place in communities such as the member's.

The Deputy Presiding Officer (Katy Clark): I will take a brief supplementary question from Jamie Langan.

Jamie Langan (South Scotland) (Reform): Would the minister concede that the closure of more than 200 police stations has disproportionately affected public safety in rural areas such as the Scottish Borders and South Lanarkshire?

Kirsten Oswald: Police Scotland's important focus on making its own operational decisions so that the chief constable is able to determine where and how best to deploy officers is central to both preventing and detecting crime. In all localities, significant partnership working is going on between partners and Police Scotland, which ensures that we have a local focus while appreciating that deployment is a matter for the chief constable.

Health and Care

The Deputy Presiding Officer (Katy Clark): The next portfolio is health and care. If a member wishes to request a supplementary question, they should press their request-to-speak button during the relevant question.

I will give the members on the front bench a moment to take their places.

Grampian's Radiology-Assisted Chest X-ray Evaluation Project

1. **Jack Middleton (Aberdeen Central) (SNP):** To ask the Scottish Government what assessment it has made of NHS Grampian's GRACE project and its use of artificial intelligence in detecting lung cancer. (S7O-00230)

The Cabinet Secretary for Health and Care (Angela Constance): NHS Grampian is responsible for delivery and evaluation of the GRACE project, which was developed through the north of Scotland innovation hub. It is worth putting on record that NHS Grampian is the first board in Scotland to use AI in a cancer pathway.

The Scottish Government has considered learning from the GRACE project as part of the development of a national approach to delivering an AI-enabled chest X-ray pathway across NHS Scotland to support earlier diagnosis of lung cancer. That work is being progressed through our accelerated national innovation adoption pathway, which brings together Scottish Government and NHS Scotland partners to assess evidence and take collective decisions on innovations for national adoption.

Jack Middleton: Given the obvious success of the GRACE project in NHS Grampian, as the cabinet secretary has touched on, and its integration into the lung cancer pathway, can the Scottish Government commit to a full national roll-out of that transformational project and give members an understanding of the phasing of that roll-out?

Angela Constance: In July, the Scottish Government and national health service leaders approved a national chest X-ray AI programme. Work is now progressing with NHS boards to establish the national reporting hub and put the necessary clinical, digital and governance arrangements in place over the next 12 months. We are shortly moving into that 12-month pre-implementation phase to finalise the clinical pathways. That supports the once-for-Scotland approach to a wider roll-out, helping to identify lung cancer earlier and speed up treatment.

The Scottish Government and partners have also been developing a policy framework for AI and recently published interim guidance, following discussions with trade unions, on how AI can better support staff to deliver high-quality care, in addition to the plan to develop an AI hub to accelerate safe adoption of AI in health and care settings.

Musselburgh General Practitioner Walk-In Clinic

2. **Kate Campbell (Edinburgh Eastern, Musselburgh and Tranent) (SNP):** To ask the Scottish Government when it anticipates that the GP walk-in clinic in Musselburgh will be operational. (S7O-00231)

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The Cabinet Secretary for Health and Care (Angela Constance): As a Government, we have made a clear commitment to expand walk-in services, including in Musselburgh. That is part of improving access to care and reducing pressure on accident and emergency services. Although I have approved the inclusion of a service in Musselburgh as part of the expansion of the pilot, it is for NHS Lothian to design and deliver the walk-in service, and to determine when a safe operational date will be.

Kate Campbell: I welcome the Musselburgh clinic, which will be a lifeline for the local community. However, the issue of access to healthcare is coming up in other parts of the constituency that I represent, in areas such as Tranent. That demonstrates the huge demand for such services.

On Monday, I met representatives of Queen Margaret University, which is keen to support community health on campus and would like to maximise the use of its facilities while supporting learning. Will the Scottish Government support that type of innovative approach? Will the Government continue to look at opportunities to expand community healthcare across a range of settings?

Angela Constance: Ms Campbell raises an important point about improving access to same-day primary and community care to respond to local population health needs. I welcome the interest that Queen Margaret University and other local partners have shown. We are always willing to explore opportunities that could improve access to community-based healthcare.

As the member suggests, it is important that we continue to think about how we make best use of community facilities and local assets. As set out in the new “Health and Care Improving Flow Plan 2026-2031”, we are developing a national vision for community infrastructure, which includes the role of community hospitals, GP surgeries and other local facilities that can play a vital role. We will set out further detail on that soon.

Jackie Baillie (Dumbarton) (Lab): The British Medical Association has described GP walk-in clinics as “short-term, headline-grabbing ... non-evidence-based initiatives”.

The cabinet secretary has said that those clinics will take the strain away from acute services such as accident and emergency. However, A and E data shows that Scotland had its worst summer on record for those waiting more than eight hours for treatment. Can the cabinet secretary explain why she is continuing to pursue that policy against the expert advice of GPs, when the money could be better spent and invested in improving access to existing health centres?

Angela Constance: I am well aware of the BMA’s views, and I am also aware that there are a range of views on the matter. I stress that it is not either/or. We are investing heavily in GP care through £1.3 billion of core funding and £531 million of additional funds over three years, all of which is part of a bigger package of investment in primary care.

We have 900 GP practices across the country. The walk-in services are about complementing the work of GP practices and supporting them to do what they do best in terms of continuity of care and the family doctor role. However, same-day access is crucial to preventing problems from becoming a crisis, and we have to respond to the need.

The member is right to raise the challenges around accident and emergency—those are the reason why we are taking a whole-system approach and looking at health and social care together.

National Health Service Boards Reform (Neurodivergence Assessment and Support)

3. Calum Kerr (Midlothian South, Tweeddale and Lauderdale) (SNP): To ask the Scottish Government whether it considers that its proposed reform of NHS boards will make it easier to access appropriate assessment and support for neurodivergent people, particularly adults. (S7O-00232)

The Minister for Mental Wellbeing, Public Health, Sport, Alcohol and Drugs (Maree Todd): The proposed reform of NHS boards provides an opportunity to think differently about how services are planned and delivered, including for neurodivergent people. We will work closely with NHS boards during the reform process to support joined-up approaches across health and social care and community services, ensuring that patients remain at their heart.

Just last week, we announced a £7.6 million neurodevelopmental support fund for children and young people to help to strengthen local support for children and families. That is part of work that is being taken forward with local government and partners across Scotland. As the member is aware, we have committed to adopting the Royal College of Psychiatrists’ national pathway for neurodevelopmental conditions for adults, and we will publish our route map in the autumn, setting out how that will be taken forward so that adults with neurodevelopmental conditions—with or without a formal diagnosis—can be better supported.

Calum Kerr: I thank the minister for that comprehensive answer. In NHS Borders, there is currently no pathway for adult attention deficit hyperactivity disorder or autism assessment unless someone is in a mental

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health crisis. I hear from constituents who have struggled to access treatment after moving to the Borders, because diagnoses that are recognised elsewhere are not accepted. I recognise the steps that are being taken to address that, including an NHS Borders workshop this month to look at demand for and capacity in neurodivergence services. However, we need reassurance from the minister that improving access to assessment and support for neurodivergent adults will be a priority as the reforms progress.

Maree Todd: I am absolutely willing and happy to reaffirm today our commitment to supporting the needs of people with neurodivergence, including adults.

I recognise and am sympathetic to concerns that have been raised about access to adult pathways in NHS Borders and the challenge that is faced by the board. NHS Borders is responsible for taking decisions on planning and delivering services. We fund the national autism implementation team—NAIT—to support all health and social care partnerships to meet their responsibilities on neurodevelopmental pathways and services, and that activity is complemented by our plans on the national route map.

I also recognise the issues around private diagnosis. I would be more than happy to correspond with Calum Kerr or to hear from him on particular issues. Those are clinical matters that take account of patient safety, professional guidance and local governance arrangements. Through NAIT, we have published guidance on prescribing ADHD medication to adults following private sector diagnosis in Scotland. That was drafted in consultation with professional bodies and clinicians and shared with all health boards.

Joe Long (Mid Scotland and Fife) (Lab): I thank Calum Kerr for raising the question and the minister for her comments on the topic at the Health, Care and Sport Committee this morning. What level of resource has the Scottish Government identified as necessary for the sustainable roll-out of improved neurodevelopmental assessment and support pathways, and will that be in December's budget?

Maree Todd: There will certainly be investment in mental health and in child and adolescent mental health services in December's budget. We are at an early stage of development; as we discussed this morning at committee, we are at a relatively early stage of building an entirely new system that is necessary to respond to the needs of the vastly increased number of people who are coming forward to seek diagnosis and support. I mentioned some of the funding that we have put in to develop cohesive services for children and young people—the £7.6 million that was announced last week—and I look forward to updating the member on further investments as we develop the system.

Miles Briggs (Edinburgh and Lothians East) (Con): Charities and organisations that support people in Scotland who are neurodivergent have expressed intense disappointment that the learning disabilities, autism and neurodivergence bill was not included in the programme for government, and today we have heard that there is no vision for what the Scottish Government wants to do. People across our country have been left in limbo, as members have highlighted. Will the minister confirm today whether, under Government reforms, we will see the development of a pathway for adults and children in the NHS?

Maree Todd: Let me be absolutely clear: the fact that we are not progressing with the LDAN bill does not mean that we are deprioritising learning disabilities or neurodevelopmental disorders. We are fully and absolutely committed to responding to those issues.

Part of the challenge is that there has been a sharp increase in the number of people who seek diagnosis and support, which has overwhelmed our current systems. We are having to build, from quite a low baseline, an entirely new system that can cope with a very high volume of referrals.

We are absolutely committed to ensuring that children, young people and adults get the right support, in the right place and at the right time—at the point at which they request it. At the moment, the focus is very much on diagnosis, because that is seen as a way of getting support. However, what people actually want is support, which is what I am focusing on building in our communities.

IVF Treatment (African and Asian Donor Eggs)

4. Alan Brown (Kilmarnock and Irvine Valley) (SNP): To ask the Scottish Government what assessment it has made of the availability of African and Asian donor eggs for in vitro fertilisation—IVF—treatment within the national health service. (S7O-00233)

The Minister for Mental Wellbeing, Public Health, Sport, Alcohol and Drugs (Maree Todd): I recognise that there has been interest previously in findings by the Human Fertilisation and Embryology Authority in relation to the underrepresentation of Asian and black egg donors in the donor population.

The availability of donor gametes for use in national health service in vitro fertilisation treatments is a matter for NHS boards. I expect boards to meet the needs of all people who are eligible for NHS IVF treatment and who require donor gametes for their treatment. However, we are looking more broadly at the availability of

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gametes in Scotland, and I would be happy to consider any specific concerns that Alan Brown is keen to raise.

Alan Brown: The underrepresentation that the minister speaks about has been illustrated by the experience of my constituents James and Nkechi, whose NHS-funded IVF treatment is currently on hold due to a lack of donor eggs of African ethnicity. That means an unknown wait for them, and possibly age restrictions kicking in for the mum-to-be. They have come up with a solution themselves, as they have offered to buy donor eggs, but NHS Greater Glasgow and Clyde is advising that they cannot undertake a mix of private and NHS treatment, even though they want to use a partner clinic of the NHS assisted conception service. Is there any way that a compromise can be found for couples such as my constituents in those circumstances?

Maree Todd: I absolutely appreciate your constituents' concern, and I confirm that the Scottish Government expects NHS boards to meet the needs of all couples who are eligible for NHS fertility treatment and who require donor gametes, whether that be eggs or sperm, for that treatment. We have always been very clear that couples should not pay for any aspect of their NHS IVF treatment, and that includes the purchase of donor gametes. That is the responsibility of NHS boards, and I am happy to pursue the matter further with the relevant board if Mr Brown would care to write to me with more details.

Day Centres for Older People (Glasgow)

5. David Linden (Glasgow Baillieston and Shettleston) (SNP): To ask the Scottish Government what discussions it has had with the Glasgow health and social care partnership regarding funding for day centres for older people. (S7O-00234)

The Minister for Community Care (Alison Thewliss): I recognise the value of day centres for older people and the important role that they play in wellbeing and socialisation. I understand that there is a review under way as part of a wider programme of work that Glasgow health and social care partnership is undertaking to secure future financial sustainability. I understand that staff and unions are currently being consulted on the future shape of services, but no decision about those specific services has been made at this stage.

David Linden: Of the 10 day care centres for elderly people in Glasgow, two are in my constituency, in Baillieston and Springboig; I visited them in recent weeks. The minister is right to recognise that the decision is one for the health and social care partnership. However, any decisions that might be taken on the future of those services would have an impact on loneliness and isolation, not to mention removing the vital middle step between living in the community independently and the crisis of going into permanent residential care. Would the minister therefore back my calls to the HSCP to keep those things in mind as it makes those decisions?

Alison Thewliss: I note that the member's constituency has two services, in Baillieston and Springboig. I also have a service in Dumbreck in my area, so I am not averse to discussions on the matter. I note that Glasgow health and social care partnership has published figures showing that 661 service users were attending per month, against a capacity of 1,500 places. However, I note what the member says about consultation and involvement and the importance of the services to the local community, and I have asked my officials to keep in close contact with Glasgow health and social care partnership to understand any changes that it seeks to make.

Energy Costs (People with a Terminal Illness)

6. Irshad Ahmed (Edinburgh and Lothians East) (Lab): To ask the Scottish Government what model of financial support it is considering as part of its programme for government commitment to provide additional support with energy costs for people with a terminal illness, including its plans and timings for delivering this work. (S7O-00235)

The Minister for Community Care (Alison Thewliss): We are determined that everyone receives compassionate and high-quality care, and that should be no different at the end of a person's life. In our programme for government, we have committed to working with key stakeholders on how we will best deliver further support for the energy costs of those with a terminal illness. Supporting that outcome will be a cross-Government priority; delivery plans will be developed over the coming months and Parliament will be kept updated.

It is important, of course, that I point out to the member that he may also wish to engage with his United Kingdom Labour Government colleagues on the steps that they could be taking more widely to reduce energy costs for households.

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Irshad Ahmed: The need for good palliative care was a real point of cross-party agreement at the end of the previous session of Parliament. What assurance can the minister give me that the palliative care delivery plan is leading to better end-of-life care and that services are receiving more support?

Alison Thewliss: Work is already under way to deliver on the actions that are set out in the strategy delivery plan. For example, in January 2026, we launched Scotland's first palliative care learning hub, which provides free palliative care education resources. In addition, palliative care guidelines have been developed by a multidisciplinary group of professionals and are available on the right decision service website and application. Work continues in that area.

Gender Identity Services (Waiting Times)

7. Patrick Harvie (Glasgow) (Green): To ask the Scottish Government whether the commitment in the programme for government "to ensure that, by the end of 2031, no one waits more than 26 weeks for treatment" applies to all forms of healthcare, including gender identity services. (S7O-00236)

The Minister for Mental Wellbeing, Public Health, Sport, Alcohol and Drugs (Maree Todd): It is important to recognise that waiting times for accessing gender identity services remain unacceptably long, and I am fully aware of the impact that that can have on people who are waiting and on their loved ones.

The 26-week target that is set out in the programme for government relates specifically to elective in-patient and new out-patient waits. It covers about 40 specialty pathways that patients follow in accessing acute surgical and medical specialist services on a scheduled basis, including orthopaedics, ophthalmology and cardiology. To support that work, we have announced a further £90 million of funding to help patients who are waiting the longest for elective treatment.

We continue to support specialist gender identity services. Since December 2022, we have invested almost £8.5 million, including more than £7.2 million that has been provided directly to health boards that deliver those services in order to improve service delivery and reduce waiting times.

Patrick Harvie: Many of my constituents who have been waiting years will be deeply disappointed if an apparently clear statement in the programme for government simply does not apply to them. As the minister will know, in Glasgow, waiting times even for a first appointment can be more than five years and waiting times for treatment are measured in the decades. It is simply unrealistic to imagine that we can go on in this way. Does the minister accept that nothing less than transformational change is necessary and that that must include the decentralisation of those services?

Maree Todd: I recognise the situation that Patrick Harvie has described, and I agree that we need to think about a different way of delivering care. We recognise that performance is not yet at the level that we all want at certain gender identity clinics, particularly those run by NHS Greater Glasgow and Clyde.

Over the summer, I had the privilege of visiting NHS Highland gender identity clinic, which is functioning really well. I was delighted to hear about the reconvening of the managed clinical network, which will provide an opportunity for areas to share expertise and good practice in order to improve performance across the country.

The Deputy Presiding Officer (Katy Clark): Questions and answers should be briefer.

Gary Bouse (Falkirk West) (SNP): Can the minister speak about the specific staff recruitment challenges with gender identity clinics? Does she agree that, as parliamentarians, we should all be mindful of the language that we use so that people who access those services feel supported?

Maree Todd: Gary Bouse is absolutely right. Gender identity healthcare services are specialised, and clinics across the United Kingdom have reported challenges in workforce recruitment and retention. As I said, since December 2022, we have provided more than £7.2 million of investment directly to health boards that deliver such services in order to address those challenges.

In the background, such services have been the subject of highly polarised discourse, at the centre of which are real patients and the hard-working staff who support them. The clinics have cited toxic media discourse as a factor in recruitment difficulties, and I profoundly agree that all politicians here should be mindful of that when speaking about the matter.

Mark Simpson (North East Scotland) (Reform): Given the continued pressures on the national health service, can the minister confirm that reducing waiting times for patients with life-threatening and clinically urgent conditions will remain the first priority in meeting the 26-week target?

Maree Todd: It is not a case of either/or. We know that, relative to the wider population, trans people continue to suffer poorer outcomes in mental and physical health. We are committed to promoting, protecting

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and realising the right to health of everyone in Scotland, including trans people. In my answer to Patrick Harvie, I gave details on who is included in the waiting time target and where the funding is going.

The Deputy Presiding Officer (Katy Clark): Question 8 was not lodged.

Type 1 Diabetes Services

9. Adam Harley (Strathkelvin and Bearsden) (LD): To ask the Scottish Government whether it will provide an update on the provision of services for people with type 1 diabetes across Scotland. (S7O-00238)

The Minister for Mental Wellbeing, Public Health, Sport, Alcohol and Drugs (Maree Todd): Improving outcomes for people living with type 1 diabetes is a priority for this Government. The health secretary wrote to all national health service boards in May to ask them for an update on their provision of hybrid closed-loop systems, as we provide baseline funding of £14.4 million for that each year.

I expect NHS boards to ensure that they are delivering on national policy and providing hybrid closed-loop systems in line with clinical guidance and individual clinical need, including for children and young people living with type 1 diabetes.

Adam Harley: My constituent Christine Esson has been in contact with me to raise concerns about the withdrawal of central funding for hybrid closed-loop systems for those living with type 1 diabetes and the migration away from the support provided by the national team. Although Ms Esson will not lose access to the system, what she has highlighted raises questions about others gaining access to it.

Can the Scottish Government reassure Ms Esson that those living with type 1 diabetes do not see a reduction in their support and care due to the changes, and will it ensure that diabetic patients are not subject to a postcode lottery of care?

Maree Todd: Let me make it absolutely clear that we have not withdrawn funding and that we have not instructed NHS boards to cease the provision of this technology—in fact, absolutely the opposite. We have provided £14.4 million of baseline funding from this year onwards to support provision.

The centre for sustainable delivery is looking at the expansion of access to hybrid closed-loop systems, but I want to take this opportunity to make it clear to the chamber that we have not asked anyone to cease prescribing those systems while we wait for the centre to report on its work.

The member has mentioned the on-boarding system, which has proven to be very effective. That system, which has ensured equity of access and treatment across the country, is also part of the centre for sustainable delivery's work.

Fulton MacGregor (Coatbridge and Chryston) (SNP): Following on from Adam Harley's question, I want to ask what action the Scottish Government is taking to ensure that people with type 1 diabetes who have been assessed as clinically eligible for insulin pump therapy have timely and equitable access to that treatment, regardless of which NHS board they receive their care from, as that has been a bit of an issue for some of my constituents. Moreover, what oversight does the Government, in general, have of NHS board funding and waiting times for insulin pump provision?

Maree Todd: I recognise that, over the years, there have been challenges with equity of access for a number of people across Scotland. Baseline funding in the way that we have is meant to provide certainty to every health board area that the funding is and will continue to be there, and that should iron out some of the inequity of access. We are also using the centre for sustainable delivery to improve delivery of and access to the support that is required to on-board people on to the system, and we have asked it to do a further piece of work on introducing this approach and expanding access to it.

The challenge probably highlights one of the most crucial issues facing our NHS at the moment and one of the strongest reasons for reforming how we deliver our NHS—that is, tackling the geographical inequities and unwarranted variation that we have in Scotland. The opportunity of reform gives us an opportunity to improve that.

The Deputy Presiding Officer (Katy Clark): I must ask for shorter answers from the minister to allow more back benchers to ask questions.

Finlay Carson (Galloway and West Dumfries) (Con): Around 35 per cent of adults with type 1 diabetes in Dumfries and Galloway are currently using insulin pumps, and a further 251 patients are clinically suitable for the therapy. However, some have been waiting for more than 12 months for it, because demand is outstripping available resources.

Does the cabinet secretary accept that it would be a false economy to allow access to insulin pumps and hybrid closed-loop systems to stall because of local budget pressures, when evidence shows that those

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technologies improve outcomes and reduce the risk of costly long-term complications? If so, will the Government guarantee that NHS boards have sufficient funding to meet rising demand for type 1 diabetes technology?

Maree Todd: I thank Mr Carson for the promotion. I am delighted to be addressed as the cabinet secretary.

All the work that I have outlined, and the £14.4 million baseline funding, are intended to ensure that health boards have certainty that the funding is there and will continue to be there, year after year, to support provision. Closed-loop systems are now an established part of diabetes care for people with type 1 diabetes in Scotland. Guidance from the Scottish intercollegiate guidelines network and the Scottish Health Technologies Group has set out the position that closed-loop system technology should be the standard of care for people with type 1 diabetes who wish to use it, and we are targeting our funding to ensure that it is absolutely in every part of Scotland.

Kidney Dialysis Services (Argyll and Bute)

10. Jenni Minto (Argyll and Bute) (SNP): To ask the Scottish Government what discussions it has had with the Argyll and Bute health and social care partnership and NHS Highland regarding the provision of kidney dialysis services to ensure that people are receiving treatment close to home. (S7O-00239)

The Minister for Community Care (Alison Thewliss): I appreciate Ms Minto's campaigning on that issue. We engage regularly with NHS boards and health and social care partnerships on the planning and delivery of renal services, including dialysis provision.

Decisions on the location and configuration of dialysis services are, however, for NHS boards. We recognise the importance of providing care as close to home as possible and support a range of approaches, including satellite dialysis units and home dialysis, where appropriate.

Our programme for government commits to shifting more healthcare closer to home through a community-first approach that maximises the opportunities for people to get the care that they need in their home or local community.

Jenni Minto: As a result of the dialysis unit in Campbeltown being temporarily closed due to staff recruitment issues, constituents are having to travel to Glasgow for their dialysis. There is also a campaign, which I am supportive of, to provide dialysis in Lorn and Islands hospital in Oban to avoid people having to travel to Fort William. It concerns me that, at crucial points in people's health journeys, decisions are being made that do not put people at the heart of them, as the minister indicated they should.

As the reform of the NHS in Scotland progresses, how will the Scottish Government ensure that concerns about perceived reductions in care are not ignored as we rightly move to a sustainable health service?

Alison Thewliss: I understand Jenni Minto's concerns about the people in Campbeltown who are affected by the changes to their services and about the impact that the changes are having on their lives.

We will actively engage with patients, carers, communities and staff as the reforms are developed, which will ensure that local experiences help to shape those future services. A key objective of the reforms is to strengthen community-based care and improve access to services closer to home, wherever it is safe and clinically appropriate to do so.

Hyperscale AI Data Centres

The Deputy Presiding Officer (Katy Clark): The next item of business is a debate on motion S7M-01177, in the name of Patrick Harvie, on hyperscale data centres. Members who wish to speak in the debate should press their request-to-speak button now.

15:02

Patrick Harvie (Glasgow) (Green): I want to be clear from the outset what this debate is and what it is not.

In this country, and around the world, a wide debate about the use of artificial intelligence is taking place. There are concerns about risks, there is hype about opportunity and there are proposals for regulation, kill switches and a development slowdown.

Today's debate does not assume a position that is either pro or anti the technology itself. It is also not about blanket opposition to data infrastructure. We recognise that it has a role to play in our modern society and economy, but that must be within limits and it must serve the public good rather than just developers' profits.

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Today, we ask the Parliament to recognise the scale of what is being proposed and the policy vacuum that it is happening in. In March, the Scottish Government's AI strategy made it clear that the phrase "green data centre" has not been defined; it still has not been defined. The strategy also addressed the need for guidance, but the Government is pressing ahead with data centre development zones before that guidance even exists.

Communities around the country are really concerned about the local impacts, including the sheer physical scale of these developments, noise impacts and local air pollution, but it has taken until today for the Government to require environmental impact assessments.

Our biggest concern is about energy. That includes heat that will go to waste unless heat networks are built, with serious financial contributions from the developers. Nonsense phrases such as "heat network ready" just will not cut it.

However, even before we get to that point, the scale of electricity demand that we are talking about is staggering. The first 24 proposals—

Murdo Fraser (Mid Scotland and Fife) (Con): I do not disagree with many of the points that Patrick Harvie is making. What frustrates me is that we are trying to cram all the key points that he mentioned into a very short debate in which many of us would have liked to speak, but there is simply no time. We had a full debate on this topic only two weeks ago, when members from across the chamber expressed their views. Not a single member of the Green Party turned up for that debate. Why not?

Patrick Harvie: We have brought a motion for debate and vote, which others did not.

Just the first 24 current proposals would equal one and a half times Scotland's peak electricity demand, and the Government wants to attract even more developments of that kind. That scale is clearly implausible, especially at a time when Scotland's clean energy should be used to cut people's bills and decarbonise our heating and transport. However, no strategic approach is being taken—

Craig Hoy (Dumfriesshire) (Con): Is it not the case that part of the solution to the energy consumption of AI data centres involves the use of small modular nuclear reactors, which will be used elsewhere in the world to power such developments?

Patrick Harvie: If the member wants to come back in a few decades' time, when that is remotely plausible, he is welcome to do so.

No strategic approach is being taken to determine how much of Scotland's energy can be given over to that one industry, sustainably and without harmful consequences.

Maggie Chapman (North East Scotland) (Green): Will Patrick Harvie take an intervention?

Patrick Harvie: I will take one more intervention.

Maggie Chapman: A multi-billion-pound hyperscale data centre has been proposed at Blackdog, just north of Aberdeen, in my North-East Scotland region. The proposal is for an initial capacity of 600MW, with ambitions to scale that into multigigawatts in the future.

Does Patrick Harvie agree that it is simply not possible for Aberdeenshire Council—or, indeed, any local authority—to make informed and strategic decisions on an application of this scale, especially when we still do not know what the eventual impact on the electricity grid will be?

Patrick Harvie: Absolutely. It is simply impossible for local planning decisions, made on a piecemeal basis, to take account of national strategic issues, whether around fossil fuel back-up, grid stability or prices.

It is not just we Greens who say that it is time to press pause on the roll-out of that infrastructure. Stop Climate Chaos Scotland, Friends of the Earth Scotland, Action to Protect Rural Scotland and the Environmental Rights Centre for Scotland are saying the same thing.

It is not just the environment movement, either. In Parliament this week, academic witnesses shared many of our concerns about energy prices. Councils in local authority areas such as Edinburgh and East Ayrshire want clarity as well, instead of being left to make decisions in isolation. In July, the Scottish National Party's national council backed a motion from its Kirkcaldy and Inchkeith branch, which called on the Scottish Government to introduce a moratorium. SNP MSP David Torrance described that decision as

"a very welcome and important step".

Stuart McMillan MSP wrote an article in his local paper to "welcome the decision", saying that it

"provides the Scottish Government the time to clearly define green data centres and to devise a strategy that works for Scotland."

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I ask SNP members to ask themselves today how they can justify voting against what their own party has decided and what their own communities are asking for. Let us press pause and take the time that is needed. Indeed, let us give the Government the time that it needs to do that work and put Scotland's interests ahead of those of the big tech giants.

I move,

That the Parliament agrees to the introduction of a moratorium on planning applications for new hyperscale data centres until a national strategy and updated planning guidance are produced, which takes into account the cumulative impacts on energy demand and the environment.

15:08

The Minister for Public Finance (Hannah Mary Goodlad): I welcome the opportunity to give the Scottish Government's opening remarks in this debate on data centres. As the minister with portfolio responsibility for Scotland's planning system, I fully recognise the vital role that that system will play in considering applications, harnessing economic opportunities and finding solutions that align with our climate goals.

The debate concerns challenges that many countries are now facing: the economy that we want to build, how we meet our climate objectives and, as will be vital, how we ensure that local communities share in Scotland's future prosperity.

I acknowledge the issues and questions that members have raised with me, and previously in the chamber, about the potential impact of large-scale data centres.

Those include valid questions about the implications for our energy infrastructure and for water use, the environmental impacts and, of course, the potential impacts on host communities. Those are all reasonable points and legitimate concerns, and I hear the voices of communities. That is precisely why I have taken substantive action on the matter over the summer and will take more such action.

Over the summer, I issued a planning direction requiring planning authorities to notify the Scottish ministers of new data centre applications with a power capacity beyond 50MW, which will mean that any such application will come across my table within seven days of its being submitted, so that I can ensure that the Government has strategic oversight of the matter. I also recalled a planning appeal for a ministerial decision relating to a proposed data centre in Edinburgh.

That is why, today, we have gone even further, in confirming that we will issue a new direction that will require an environmental impact assessment to be undertaken for all applications, new and existing, for new data centres with a power capacity that exceeds 50MW.

Monica Lennon (Glasgow) (Lab): I hear what the minister says about increasing strategic oversight for the Government and giving more control to ministers, but can she explain why no guidance exists for planning authorities, which have been having to deal with such applications up until now? In the absence of such guidance, there has been no comfort or certainty for communities.

Hannah Mary Goodlad: This is an opportunity to get things right from the start. Whenever there is a new industry, we always try to retrofit planning in hindsight, but we now have an opportunity to get things right at the start, to ensure that we bring communities with us, to set the definition of a green data centre and—

Mark Ruskell (Mid Scotland and Fife) (Green): Will the minister give way?

Hannah Mary Goodlad: I am still answering, and I will continue with that answer.

The Scottish Government is being asked to do two things: to take a national perspective on the issue and to ensure that our planning process and planning guidelines enable local communities to take decisions as well. Therefore, we need to strike a careful balance in the national guidelines that will be produced.

We are minded to support the Labour amendment, but we think that we can be more ambitious. We want to come back with guidance on the issue in three, rather than 12, months' time—by Christmas. We want to be more ambitious in providing guidance and direction.

Gillian Mackay (Central Scot and Lothians West) (Green): Will the minister take an intervention?

Adam Harley (Strathkelvin and Bearsden) (LD): Will the minister take an intervention?

Hannah Mary Goodlad: I will give way to Adam Harley.

Adam Harley: I am glad that the Government has finally committed to providing clear guidance. Will it publish that guidance as a matter of urgency? Does the minister agree that inappropriate sites such as

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Westerhill in my constituency—speculation is leading to applications for data centres on such sites—should be ruled out, full stop?

Hannah Mary Goodlad: It is a question of having the right site in the right location and with the right connection to grid, along with the potential for using waste heat. That is exactly why I want to have strategic oversight of the issue. Adam Harley raises an important point. I have therefore issued guidance that means that I must be notified of any application for a data centre with a capacity of more than 50MW. That will enable me and my colleagues to look at the issue in the round.

Gillian Mackay: Will the minister take an intervention?

Hannah Mary Goodlad: I would like to make some progress if the member does not mind.

Today, we are going further by confirming the issuing of a new direction that will require EIAs to be carried out across the board, which will come into effect by tomorrow.

Therefore, I assure the Parliament that the Government absolutely recognises the need for careful scrutiny of planning applications and of their likely impacts on the environment and our communities. We recognise that people expect decisions to be taken transparently and on the basis of robust evidence. It is essential that the public and the Government have confidence in the process. That is why I have taken steps to secure that and why the Government is being ambitious by saying that we will come back with guidance by Christmas.

However, I do not believe—

Craig Hoy: Will the minister give way?

Alan Brown (Kilmarnock and Irvine Valley) (SNP): Will the minister give way?

David Barratt (Cowdenbeath) (SNP): Will the minister take an intervention?

Hannah Mary Goodlad: I knew that this was going to be quite a topical debate. I will give way to Mr Barratt.

David Barratt: The Greens' motion asks for a moratorium on planning applications until the planning guidance is developed, while the minister's amendment sets out that the guidance will be in place by the end of the year. Is the practical difference between those two positions whether a handful of speculative applications are lodged in the intervening period? Is the reality not that no decisions will be made before the end of the year anyway? Is the outcome not the same?

Hannah Mary Goodlad: I have been engaging heavily with my planning officials and with local authorities on this matter. It is important to state that, in any business development, in any origination of any industry, a number of speculative applications are always put into the system. It is highly unlikely that we will see decisions taken before Christmas.

Gillian Mackay: Will the minister take an intervention on that point?

Hannah Mary Goodlad: It would be speculative to give a number that would progress to the capital expenditure and operating expenditure stages.

I will make some progress, as I am well aware of the time.

We do not agree that there should be a moratorium. That is not necessary, it is not appropriate, and it would send the wrong message to anyone looking to invest in Scotland. We cannot prevent planning applications from being lodged, nor should we. Applicants have a right to receive a timely decision. Rigorous scrutiny of a proposed development by capable planning professionals, backed up by environmental assessment, is more appropriate than a blanket suspension of all developments regardless of their merits.

It is important not to lose sight of why these developments are being proposed. The world economy is becoming ever more dependent on digital infrastructure. Data centres support cloud computing, research, advanced manufacturing, financial services and the delivery of public services themselves. Scotland's digital ambitions recognise the strategic importance of the infrastructure. For several years, Scotland has sought to position itself as a location for low-carbon digital infrastructure, building on our own renewable energy resources, connectivity and skilled workforce. The Scottish Government believes that economic growth and environmental responsibility must go hand in hand.

Patrick Harvie: Will the minister give way?

Alan Brown: Will the minister take an additional intervention?

The Deputy Presiding Officer (Katy Clark): The minister cannot take any interventions. She is already in additional time, and she must begin to wind up her speech.

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Hannah Mary Goodlad: I am very happy to continue this debate and discussion outwith the chamber, but I have already taken a substantial number of interventions, so it is fair enough that I should continue and then conclude.

Our objective is to ensure that we have in place the proper and effective planning here. The reality is that all major infrastructure presents both opportunity and challenges. I am very clear that this is an opportunity for Scotland. I was once taught the phrase that you measure twice and you cut once—and that is exactly what we are doing. We are committed to coming back before Christmas with guidelines that will give business and communities confidence.

I move amendment S7M-01177.5, to leave out from “agrees” to end and insert:

“believes new hyper-scale data centres in Scotland will only be approved where they have met robust environmental impact assessments, which will take account of any impact on the amenity of any neighbouring communities; welcomes the Scottish Government’s commitment to the swift creation of national planning and spatial guidance by the end of the year for the determination of conditions, under which data centre development should be permitted; believes that, in order to gain planning approval, any proposals for data centres should demonstrate how they would minimise emissions for their energy usage and not impact on water usage and how community wealth benefit will be built in to the business case; notes that best practice for the creation of data centres includes steps to support decarbonisation and to recycle waste heat for wider community use; recognises the increased utilisation of AI and further development of such technology, and calls for strong domestic regulation of and international collaboration on the development and use of AI systems to ensure its safe and ethical use, and to address the scale and seriousness of potential threats the use of AI may pose now and in the future.”

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