



**Official Report**  
Aithisg Oifigeil

**DRAFT**

# **Meeting of the Parliament**

## **Coinneamh na Pàrlamaid**

**Tuesday 22 September 2026**

**Session 7**



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Pàrlamaid na h-Alba

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# Scottish Parliament

Tuesday 22 September 2026

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

## Time for Reflection

### **The Presiding Officer (Kenneth Gibson):**

Good afternoon. The first item of business is time for reflection, which will be led by the Rev Anne Robertson, who is minister at Danestone Congregational Church.

**The Rev Anne Robertson (Danestone Congregational Church):** At the end of August, Danestone Congregational Church celebrated its 40th anniversary. That is 40 years of serving God in our community and beyond, and it was great to gather together and celebrate some of our achievements from the past 40 years.

Over the years, our church has run various groups for different sections of the community, and our building has been used by other groups to offer more activities. As the years have gone by, it has been important to adapt to new circumstances, such as the ever-changing demographics in the community, and to adopt new ways of doing things, reflected in new technology.

In years gone by, words and actions were all that there was. You mainly met people in person, and their memories of the meeting could be spread to others through personal reflections. Nowadays, technology has moved on and, as we all know, social media not only allows us to reach out to more people but is a permanent record of what is going on. It is not only the community that is watching; the whole world could be watching. That gives the opportunity to reach out to the whole world.

However, anniversaries such as our 40th anniversary are for more than just remembering the past. They are also about looking forward and exploring new ways to serve. They are about remembering the legacy of those who established the church and have been part of it, and about projecting forward to see what our legacy might be. It has been about thinking forward and ensuring that, when we reach the kingdom of heaven, we will be rewarded with those words, "Well done, good and faithful servant." In other words, are we doing all that we can? Have you thought about what your legacy as MSPs will be and what the legacy of the current Scottish Parliament will be?

Christians are ambassadors for God, working for him, not making a name for themselves. As MSPs, you are ambassadors for your constituents; you represent them and you work for them. What will

your legacy be? What will you be remembered for?

Psalm 133 begins with the words:

"How wonderful it is, how pleasant, for God's people to live together in harmony!"

As you serve this country that we all live in, how can you ensure that you always lead by example, working together in harmony?

Amen. Thank you.

## General Question Time

14:03

**The Presiding Officer (Kenneth Gibson):** The next item of business is general questions. To accommodate as many questions as possible, I ask for concise questions and answers.

### ASSIST Workers (Pay Discussions)

**1. Patricia Gibson (Cunninghame South) (SNP):** To ask the Scottish Government what discussions it has had with Glasgow City Council regarding the pay of ASSIST—advocacy, support, safety, information and services together—workers. (S7O-00251)

**The Cabinet Secretary for Justice (Neil Gray):** Local government pay is a matter for local authorities, but the Scottish Government is aware of the proposed changes to pay and grading in Glasgow City Council and the impact of that on staff at ASSIST. Officials continue to engage with the council to understand the implications of the changes and to ensure the sustainability of local services.

We are maintaining funding to the ASSIST service through the victim-centred approach fund and the delivering equally safe fund. As is set out in our programme for government, we are committed to providing emergency funding to organisations that are under significant pressure, including ASSIST.

**Patricia Gibson:** ASSIST workers, who support domestic abuse victims, face proposed salary cuts of around £11,500 in some cases. Such cuts threaten the stability of the workforce. Given the Scottish Government's renewed focus on violence against women, does the minister not agree that, if the Government held broader discussions with the 13 local authorities that benefit from the service to ensure that the cuts did not proceed as planned, it could mean that vulnerable women would continue to receive the support that they need as they go through distressing court processes against their abusers?

**Neil Gray:** I recognise the impact that the proposed changes will have. I appreciate the advocacy that Patricia Gibson has put on the record, and I stress the importance that we place on programmes such as ASSIST. My officials have met representatives of ASSIST to discuss the support that is available for the delivery of its vital service, and I reiterate that it is the responsibility of locally elected representatives to make the decisions that affect local service delivery and to manage the total financial resources that are available to them. Of course, however, we expect the service to deliver the outcomes that were

agreed in the conditions for grant funding as awarded by the Scottish Government. As Patricia Gibson will be aware, that includes its being subject to fair work first conditionality.

**Paul Sweeney (Glasgow) (Lab):** Trade unions in Glasgow are rightly rising up against the proposal that will go to the integration joint board tomorrow, which threatens to gut welfare rights and anti-poverty services by cutting the workforce by more than half to plug a deficit that has been driven by years of disproportionate Government underfunding of Glasgow. Asking ASSIST staff and social care workers to share the burden by delivering double the service for the same wage is an unacceptable shift of austerity on to the front line. Will the cabinet secretary intervene to alleviate the disproportionate pressure on Glasgow and guarantee the funding that is needed to secure fair pay and safe workloads?

**Neil Gray:** I have to correct Paul Sweeney: the driver of decisions such as this is the need to resolve Labour's equal pay issues, which were a legacy for the Scottish National Party to clear up in Glasgow. The funding for the programmes that I have talked about is there, and it has been subject to a 5 per cent increase for this financial year. I encourage Paul Sweeney and his colleagues to engage constructively with Glasgow City Council as the Government is certainly seeking to do.

### Police Officers (Mental Health Provision)

**2. Stephen Kerr (Mid Scotland and Fife) (Con):** To ask the Scottish Government what action it is taking to ensure that front-line police officers are not routinely used to fill any gaps in mental health provision. (S7O-00252)

**The Cabinet Secretary for Justice (Neil Gray):** I begin by thanking police officers for their vital support for people who are experiencing distress or mental ill health and for their service in incredibly challenging circumstances. As was outlined during last week's members' business debate on the issue, we continue to invest in and expand Scotland's 24/7 mental health emergency support services, including NHS 24, mental health paramedic response units and distress brief intervention.

Work continues on a whole-system approach, with Police Scotland, national health service boards and partners, to improve mental health pathways and reduce demand on officers. I recognise that more needs to be done at pace. The programme for government reinforces our prevention-first approach, through which we are investing in early intervention and community mental health support, to further reduce inappropriate demands on the police.

**Stephen Kerr:** When we debated the issue in the chamber last Thursday, we agreed that police officers should not and must not be used to respond to all mental health-related incidents. I say that we agreed, but I have to tell the cabinet secretary that the minister who responded to the debate fell well short of recognising the enormity of the problem. Does the cabinet secretary recognise the enormity of the problem that front-line police officers are facing? Will he agree to join me and other parliamentary colleagues at a forthcoming round table with Police Scotland, the Scottish Police Authority and representative bodies of police officers to discuss and address this very important issue?

**Neil Gray:** Kirsten Oswald and I absolutely understand the challenge that is before police officers in this space. We have heard about it directly from the chief constable and from representative organisations—I have met all the bodies that Mr Kerr lists and have heard directly about the challenge that they face. We are working collaboratively across Government. The other week, I met Angela Constance and other ministers to discuss how we can move forward.

Some progress has been made, albeit that we need consistency in the approach across all areas and to ensure that the capacity is there for police officers to intervene when they need to and for other services to pick up otherwise. There are circumstances that I am sure—

**The Presiding Officer:** Thanks, cabinet secretary.

**Joe Long (Mid Scotland and Fife) (Lab):** Mental health response cars were piloted in Fife in 2024-25. The service was funded by Fife Council and resulted in a significant reduction in police time spent in accident and emergency at the Victoria hospital in Kirkcaldy. Will the Scottish Government outline when we can expect those mental health triage services to be available across Fife?

**Neil Gray:** The services that Joe Long referred to are currently available in Glasgow, Dundee and Inverness, as well as in some other areas, and we are currently assessing that work. Our programme for government set out our intention to expand the scheme to every region of Scotland, and an evaluation of the current service is due this autumn. Once that is complete, we will work at pace with the Scottish Ambulance Service, national health service boards and Police Scotland to consider the findings and develop options for future expansion.

#### **Public Service Reform (Community Councils)**

**3. Katie Hagmann (Carrick, Cumnock and Doon Valley) (SNP):** To ask the Scottish Government what role community councils play in

the national dialogue around public service reform, in light of the number of democratically elected volunteers across Scotland that give up their time to serve on them. (S7O-00253)

**The Cabinet Secretary for Public Service Reform (Ivan McKee):** I acknowledge the critical work that is being carried out by community councillors across the country to support our local democracy and public service delivery. We have set out our commitment to a period of intensive engagement to design the future of local governance in Scotland. Conversations will take place with the public across the wider public sector, the third sector and community partners, and I anticipate that many community councillors will have a valuable contribution to add to those discussions.

**Katie Hagmann:** Community councillors often feel frustrated that the powers that are required to make change at a local level are not always available. At times, development trusts are formed because they are considered to have more power, including in holding assets, leading community asset transfers and developing local police plans. How can we ensure that community empowerment remains at the forefront of discussions on public sector reform and the future of local governance in Scotland?

**Ivan McKee:** I reassure the member that community empowerment is at the core of the discussions that we are having about the future of local governance in Scotland. Indeed, there will be a debate in the Parliament, in a few days, specifically on how we can ensure that citizens feel empowered as part of their communities and that those communities are empowered to deliver what is important to the members of their communities. I would be happy to engage separately with the member to discuss how we can help to make that work in her local area.

**David Green (Caithness, Sutherland and Ross) (LD):** Community councils across Sutherland suspended their annual general meetings this summer because of concerns about legal liability and insurance cover following the Ardgay judicial review. Too many community councillors are now worried about staying in post, with one describing the crisis as

“an existential threat to local grassroots democracy”.

Will the Government therefore support Highland Council in addressing the uncertainty that surrounds the enforcement of the code of conduct? Will the cabinet secretary also commit to examining the case for giving community councillors the same legal protection and financial indemnity as elected local councillors?

**Ivan McKee:** If David Green provides more information, I would be happy to look into that matter more extensively in order to ensure that community councillors are able to do the important job that they do without having the concerns that he has raised.

#### **NHS IVF Access Criteria (LGBTQ+ Families)**

**4. Holly Bruce (Glasgow Southside) (Green):** To ask the Scottish Government how it will include the experiences of LGBTQ+ families in its review of national health service in vitro fertilisation access criteria, in order to meet the review's aims of broadening eligibility, improving access to fertility preservation and reducing waiting times. (S7O-00254)

**The Minister for Mental Wellbeing, Public Health, Sport, Alcohol and Drugs (Maree Todd):** Those experiences are an important reason why we committed to doing a review. I am aware of the experiences that have been shared with me by LGBTQ+ families who have faced long waits to get treatment due to the availability of donor eggs and sperm. There is clear variation across Scotland, which is why the review will look specifically at patient experience on the issue.

We have asked the national fertility group to lead the NHS IVF access criteria review, and the group will make costed and demand-modelled recommendations to ministers on the next steps. The reduction of waiting times for those who require donor gametes will also be included. The review of NHS fertility preservation guidance will also be taken forward separately by the national fertility group.

**Holly Bruce:** My constituents Rochelle and Charlie will be fantastic parents, but the criteria for accessing IVF have put huge barriers in their way. Their chosen sperm donor, who will be present in the family member's life, is being precluded due to his diagnosis of attention deficit hyperactivity disorder, taking pre-exposure prophylaxis and his relationship status. Does the minister agree that none of those characteristics have anything to do with parent suitability, and does she share my concern that the IVF care protocols may be exposing LGBTQ+ families to discrimination?

**Maree Todd:** I recognise that there are clinical criteria for all couples who are accessing IVF. I will certainly take on board the comments that Holly Bruce has made, and I will go back and look at whether clinical criteria are being applied to people who wish to donate gametes that might be precluding them from donating. I will take that on board and will go back and discuss the matter with officials.

#### **Railway Stations**

**5. Liam Kerr (North East Scotland) (Con):** To ask the Scottish Government what criteria it uses when assessing proposals for new railway stations. (S7O-00255)

**The Minister for Business and Fair Work (Tom Arthur):** Rail proposals are considered by Transport Scotland on the basis of robust business cases that are developed in line with Scottish transport appraisal guidance and Transport Scotland's guidance on the development of business cases, as well as other Scottish Government priorities, such as our rail investment strategy, and affordability. The Scottish Government remains committed to enhancing Scotland's rail network, as demonstrated through the delivery of the Levenmouth rail link and the upcoming opening of the Balgray station in East Renfrewshire later this month. Those are both examples of where a robust case has been demonstrated.

**Liam Kerr:** The minister should know that the proposals for Cove and Newtonhill stations meet all the criteria that have been used in recent projects around Scotland. Given that they have not been signed off yet, which of the criteria that the minister has just listed do the proposals for Cove and Newtonhill stations fail to meet?

**Tom Arthur:** I know that the member is apprised of those issues, because I wrote back to him on the matter earlier in the summer. He will appreciate that the scoping of the strategic business case is ongoing, with support from officials. He will also appreciate that any future decisions on whether to proceed with proposals will be subject to the strength and robustness of the evidence that is presented through that process, as well as wider Scottish Government priorities. I will endeavour to keep the member up to date as the matter progresses.

**Laura Moodie (South Scotland) (Green):** Railfuture Scotland anticipates minimum annual usage of more than 700,000 journeys at potential new stations across South Scotland including at Beattock, Cumnock, Mauchline, Hurlford, Symington, Thornhill, Easttriggs and Dunragit. What specific criteria will be used to prioritise rail infrastructure investment in rural regions such as South Scotland, where total use might be lower but car kilometres saved would be significantly higher than in urban areas?

**Tom Arthur:** I will not repeat the points that I made in my answer to Mr Kerr. A range of measures are involved in determining the suitability of any further investment. As well as what is set out in STAG and in Transport Scotland's guidance on the development of business cases, we have to take into account

wider Government priorities and affordability. In doing so, however, we must recognise the differential impact that investment can have in rural and urban areas.

**Craig Hoy (Dumfriesshire) (Con):** Is the minister aware of the excellent work that is done by my constituents in the Beattock Station Action Group? Will he agree to come to my constituency to meet them and see at first hand how transformative a new station at Beattock could be, not just for the community but for the whole of Dumfriesshire?

**Tom Arthur:** I recognise the member's interest in that issue. I believe that we had an exchange on it previously. I am more than happy to ensure that his request for a visit from the transport secretary is passed on to him.

**Jamie Langan (South Scotland) (Reform):** Do the minister and the Scottish Government support in principle the extension of the Borders railway to Hawick and then on to Carlisle to join up with the west coast main line?

**Tom Arthur:** I am conscious of the work that is being done on rail improvements as part of the Borderlands growth deal. We recognise the significant improvements to connectivity that can be achieved. As I touched on in my answer to Mr Kerr, we have seen significant investment in the rail network during this Administration's tenure in office. We are committed to continuing to work constructively with communities, but we have to balance those priorities against the investment criteria and the Government's wider priorities.

#### **Kidney Disease (Approval of Sparsentan and Kinpeygo)**

**6. Victor Currie (Highlands and Islands) (Reform):** To ask the Scottish Government for what reason it took a year longer for sparsentan and Kinpeygo to be approved for use by NHS Scotland in the treatment of kidney disease than it did for them to be approved for use in England. (S7O-00256)

I declare an interest as an employee of the national health service.

**The Minister for Community Care (Alison Thewliss):** The Scottish Medicines Consortium and the National Institute for Health and Care Excellence are separate health technology assessment bodies that use different appraisal processes, methodologies and timetables. As a result, medicines may be assessed at different times across the United Kingdom. Furthermore, pharmaceutical companies determine when to submit medicines for assessment.

In the case of sparsentan, I understand that the company submitted evidence to NICE in

September 2024, but did not submit evidence to the SMC until June 2025. The different submission dates, alongside separate appraisal processes, contributed to the different decision timetables.

**Victor Currie:** I thank the minister for the detailed answer. She will be aware that the delay forced Scottish patients to wait significantly longer than those in England, causing needless suffering and further complications with their condition, including the potential need for a transplant. Does she agree that it is yet another example of an unnecessary duplication of services by the Scottish Medicines Consortium? Will she acknowledge that the delay demonstrates how Scottish patients are losing out on the potential union dividend of a single, efficient regulatory system?

**Alison Thewliss:** I appreciate that, for everybody who is waiting for a particular medicine to be approved, any wait can feel too long. However, if the member is arguing for the SMC to be abolished, I am afraid that I cannot agree with him.

**Stuart McMillan (Inverclyde) (SNP):** I recognise that we have a strong and efficient route in Scotland for licensed medicines to be appraised through the Scottish Medicines Consortium. Can the minister speak more about how the process works and how medication approval rates can differ throughout devolved nations as a result?

**Alison Thewliss:** The regulation for the licensing, safety and efficacy of medicines is reserved to the UK Government and is the responsibility of the UK-wide Medicines and Healthcare products Regulatory Agency. Following the UK-wide reserved medicines licensing process, health technology assessment decisions made in the UK are devolved. In Scotland, HTA decisions are made by the Scottish Medicines Consortium and, in England, they are made by NICE. NICE and the SMC are independent organisations with distinct HTA arrangements, evidence requirements, and timetables. Therefore, it is not unusual for decisions to be reached at different times across the UK, which can sometimes benefit patients in Scotland.

#### **Short-term Lets (Edinburgh Central)**

**7. Lorna Slater (Edinburgh Central) (Green):** To ask the Scottish Government whether it plans to change the legislation governing short-term lets to ensure that properties operating as short-term lets in Edinburgh Central cannot do so without planning permission. (S7O-00257)

**The Minister for Public Finance (Hannah Mary Goodlad):** Under existing planning law, planning permission is required for any material

change of use to short-term letting. Operating without planning permission, where required, is a breach of planning control. Planning authorities can already take enforcement action.

**Lorna Slater:** As I understand it, the licensing process requires the applicant to have only applied for planning permission, not to have obtained it, so they can withdraw their application for planning as soon as the licence is granted and go on to operate a STL without planning permission. Some STL landlords are using the system to try to get around the City of Edinburgh Council's efforts to regulate short-term lets and put residents first. Will the Scottish Government change the legislation to close the loophole and require that planning permission is obtained before a licence is granted, or will it allow for a licence to be revoked if planning permission is denied?

**Hannah Mary Goodlad:** Under existing licensing legislation, authorities may already refuse to consider a new licensing application if they believe that there has been a breach of planning control. Planning authorities at local authority level have powers under section 39 of the Town and Country Planning (Scotland) Act 1997 to decline to determine any repeat application where similar applications have been previously refused, in order to try to close the loophole.

**Paul McLennan (East Lothian Coast and Lammermuirs) (SNP):** I welcome the steps that the Scottish Government has taken in recent years to make the guidance on short-term lets clearer. Will the minister tell us more about how the licensing scheme provides appropriate regulation and ensures that short-term lets meet consistent safety standards?

**Hannah Mary Goodlad:** Scotland can already take pride in assuring guests that short-term let accommodation across the country meets consistent safety standards. That includes the suitability of hosts, which is very important when people stay overnight somewhere. The mandatory conditions also include requirements relating to fire, electricity, water, and gas safety and are applicable whether a person lets a spare room to a guest within their own home or whether they let a completely separate property.

#### **Public Service Reform (Plans)**

**8. James Adams (North East Scotland) (Con):** To ask the Scottish Government when it will publish further detail on its plan to reform public services. (S7O-00258)

I refer to my entry in the register of members' interests. I am a sitting councillor in Aberdeenshire.

**The Cabinet Secretary for Public Service Reform (Ivan McKee):** Public service reform is

central to delivering the Government's ambitions for Scotland.

Following the publication of Scotland's first public service reform strategy last year, the programme for government that was published earlier this month reaffirmed our commitment to reform and set out the next phase of our approach. Yesterday, we published further details on our thinking around the reorganisation of Scottish local government.

We are now taking forward an extensive programme of engagement with partners across local government, public bodies, health and social care, the third sector, trade unions and others to help to shape delivery. That includes a public service reform summit later this month. We will, of course, continue to provide further details as that engagement process progresses and proposals are developed.

**James Adams:** On Thursday, Aberdeenshire councillors will sit down to a report prepared by Scottish Government officials that calls for genuine multiyear settlements, reduced ring fencing, greater local flexibility and stronger alignment between funding and outcomes. Will the cabinet secretary explain why any of those sensible reforms could not have been delivered for the north-east and Aberdeenshire without potentially further centralising power away from our local authorities?

**Ivan McKee:** The proposals that we have put forward in draft at this stage for further development are not about centralisation. It is quite the opposite—they are about strengthening the community layer of local government through our focus on community empowerment and ensuring that citizens in those communities have a genuine say in how public services are shaped and delivered. Alongside that, we absolutely recognise the importance of a strategic layer of regional local government being able to deal with issues and challenges that are best addressed at that level.

**Julie MacDougall (Mid Scotland and Fife) (Reform):** The United Kingdom Labour Government's shambolic and politically cynical approach to local government reform should be a lesson for the Scottish Government when it attempts to take on the same challenge over the next five years. Can the minister confirm whether the Scottish Government will do the right thing and consult all stakeholders and parties in its local government consultations, and lift its petty bans against those whom it does not like or agree with?

**Ivan McKee:** It is clear that we are taking forward an extensive engagement process at the moment. We started that a few weeks ago, and it will continue, for a three-month period, to engage

with everyone who has an input to make to those discussions.

**Adam Harley (Strathkelvin and Bearsden)**

**(LD):** The Government has said that national health service reform will deliver savings. How much money does it expect to save from cutting health boards? Can the cabinet secretary confirm that those savings will be additional to the savings that are already expected from NHS boards, rather than simply a relabelling of existing savings? Crucially, will the money that is saved be reinvested directly into front-line services to improve patient outcomes and the wellbeing of staff?

**Ivan McKee:** To be clear, the primary driver for the reorganisation that we are taking forward in health, local government and elsewhere across the public body landscape is the will to improve service delivery, so that those services are more integrated, joined up and focused on the issues that matter to the citizens of Scotland. We expect that savings through delivering services more efficiently will be a consequence of that. We have been clear that the purpose of the reforms, from a fiscal perspective, is to free up resources so that the resource levels in front-line service delivery can be increased.

**Michelle Campbell (Renfrewshire North and Cardonald) (SNP):** I refer to my entry in the register of members' interests. I am a member of Renfrewshire Council.

Following the publication of the proposal for the reform of local governance, will the cabinet secretary outline how those reforms are anticipated to improve the efficiency of local governance and empower communities? Further to some of the comments that have been made in the Parliament today, can he offer assurances that the views of those who are affected will continue to be heard throughout the whole process?

**Ivan McKee:** The views of those affected are critical and central to the process. They will be heard through our engagement with the Convention of Scottish Local Authorities, with local government more widely, with the third sector and trade unions, and, importantly, with any members who want to come forward and talk about their thoughts on their local community and with members of communities who want to do likewise. Engagement with the public, communities and everyone else who has an interest in that agenda is a critical part of the process.

**Stephen Kerr (Mid Scotland and Fife) (Con):**

On a point of order, Presiding Officer. Yesterday the Government announced a proposed significant change to Scotland's local government. Under rule 13.2 of standing orders, on ministerial statements, should that announcement not have been made to

the Parliament in a ministerial statement, so that we, as members, might have had the opportunity to ask ministers the many questions that we all have about the announcement?

**The Presiding Officer:** It is for the Government and the Parliamentary Bureau to request statements. There was no requirement to do that in such a circumstance.

## First Minister's Question Time

### Back-bench Members

14:30

#### Inheritance Tax (Family Farms)

**Finlay Carson (Galloway and West Dumfries)**

**(Con):** What discussions has the Scottish Government had with the United Kingdom Government on reversing the cruel family farm tax in the upcoming autumn budget?

**The First Minister (John Swinney):** The Scottish Government has been opposed to the family farm tax, and representations have been made to the United Kingdom Government at different stages in relation to the budget proposals that have been brought forward. There was a welcome change and relaxation from the UK Government on some aspects of the family farm tax, but elements of it remain. The Government will be making representations to the UK Government. Further, although I am not sure whether this has yet been shared with the Parliamentary Bureau, I will share now that there will be a debate in Parliament on priorities for the UK budget, prior to the budget taking place.

#### Taxi Driver Licensing

**Morven-May MacCallum (Highlands and Islands) (LD):** I highlight that I am a councillor in the Highland Council.

Last week, Highland Council passed a motion of no confidence against male councillors who voted to allow a convicted rapist to keep his taxi licence. Regardless of those men's decision, the taxi driver should never have been given the opportunity to retain his taxi licence in the first place. Will the First Minister commit today to reviewing Scotland's licensing laws and bringing forward legislation to bar convicted sex offenders from holding taxi licences?

If we are to encourage women to use taxis as a safe means of transport, we need to ensure that we are doing all that we can to ensure that they are safe.

**The First Minister (John Swinney):** First, let me say that I agree unreservedly with Morven-May MacCallum on the concerns that she has expressed about the handling of that matter. I associate myself entirely with her comment that, when a licensing decision was being taken on a case of that nature, there should never have been any question about continuing the licence. I agree wholeheartedly with her on that question.

The issue that she raises gets to the heart of the division of responsibilities and the degree of

flexibility that is exercised by licensing authorities at local level. Licensing legislation, which leaves substantial discretion to local licensing authorities, is presided over by this Parliament. I am very open to the point that she raises as an issue that should be considered in terms of amendment to the licensing legislation; I simply make the point that Parliament has to determine the degree of discretion that it leaves to local licensing authorities. It is very similar to the debates that we often have about the degree of flexibility that should be exercised at local level. However, we will of course consider the point that Ms MacCallum has put to me today.

#### Secession from United Kingdom (Impact of Border)

**Senga Beresford (South Scotland) (Reform):**

Given that the First Minister wants to leave the United Kingdom and join the European Union, does he accept that there would be a hard border with England and Wales, and that industries across Scotland, and particularly in the Scottish Borders, would suffer as a result?

**The First Minister (John Swinney):** I do not think that such arrangements are necessary in a mature situation, as we can see in the arrangements between the north of Ireland and the Republic of Ireland, where there is an ability for a trading environment that involves a border between the United Kingdom and the European Union. Plenty of arrangements can be put in place to ensure smooth trade.

What concerns me is that Scottish companies have had their task in trying to access European markets made much more difficult because of the absolute folly of Brexit, which is doing incalculable damage to the Scottish economy and to the cost of living of people in our country.

#### English Whisky (Geographic Indicator)

**Laura Mitchell (Moray) (SNP):** The Scotch Whisky Association has said that it is profoundly concerned by the Labour Government's decision to give a geographic indicator for English whisky, including single malt. Unlike Scotch single malt, English single malt does not need to be produced and distilled on a single site, and the Scotch Whisky Association warns that the decision

"jeopardises the category which the Scotch whisky industry established and built the reputation of around the world."

What action will the First Minister take to ensure that the concerns of Scotland's distillers are heard loudly and clearly by the Labour Government in Westminster?

**The First Minister (John Swinney):** The issue that Laura Mitchell has raised is very significant for the Scotch whisky industry, and I discussed the possibility of the decision being made in my most

recent meeting with the Scotch Whisky Association. The point that Laura Mitchell highlights is about the fact that a significantly weaker definition of “single malt” has been arrived at to support English whisky, and that is a real and dramatic threat to the Scotch whisky industry that could potentially undermine its success, despite the fact that we had made such progress in assisting the industry by the removal of United States tariffs.

The Scottish Government has consistently supported the Scotch Whisky Association with regard to its concerns on the matter, and the Cabinet Secretary for Economy, Tourism and Transport, Stephen Flynn, has written to the United Kingdom Government asking that it reconsider its extremely short-sighted decision, amend the specification in order to remove risks to our whisky sector, and ensure that the Scottish Government and partners can, rightly, scrutinise significant changes that are made, following the consultation process, before any collective decision is reached.

### **Fuel Costs (Rural Areas)**

**Dawn Black (Angus North and Mearns) (SNP):** Under the United Kingdom Labour Party, annual average petrol costs are £230 higher and heating bills are set to be £1,000 more than it promised, yet new Prime Minister Andy Burnham still plans to hike fuel duty and has cut household heating bills by a paltry £4 a month. In rural communities such as mine, a car is not a choice but a requirement. What action will the First Minister take to support rural Scotland with sky-high fuel costs?

**The First Minister (John Swinney):** The situation that Dawn Black has put to the Parliament is a significant issue that affects all of Scotland, because of the significant issues of energy costs, including fuel costs, but it has a particular effect on rural areas.

The powers to directly influence fuel prices are reserved to the United Kingdom Government, which is why the Scottish National Party Government has consistently called on the Labour Party to remove VAT from fuel for the duration of the crisis that we are experiencing, which has been exacerbated by the conflict in Iran.

For people in rural areas, the Scottish Government has, within our limited powers, announced a Scottish emergency heating oil scheme to support low-income households that are dependent on heating oil and are struggling as a result of the conflict.

I assure Dawn Black that the Government will continue to make strong representations to the UK Government about the cost of fuel but, where we

can take action to protect consumers in Scotland, we will do so.

### **Local Government Reform**

**Joe Fagan (South Scotland) (Lab):** I refer members to my entry in the register of members' interests.

The First Minister's new proposals to reform councils go far beyond voluntary mergers and regionalisation and have no root in the local governance review or his manifesto. A host of core services—apparently, the majority—would be pulled further away from communities, not closer to them. It is important to have clarity and to get it right. For clarity, will councillors who are elected in May serve a full five-year term, and can the same be said of all Scotland's existing local authorities?

**The First Minister (John Swinney):** First, I commiserate with Joe Fagan on his weekend result. However, he looks as though he is thriving on the basis of it, which perhaps proves the point that being the leader of the Labour Party in Scotland is the worst job in Scotland. He looks relieved. I wish him well in what lies ahead for him.

I want to make sure that we have a genuine and substantial debate about the question of local governance reform. In our programme for government, the Government set out our intention to bring forward a programme of reform. We did not specify the details of that in advance of a meeting with leaders of local authorities, which took place a week past Friday. At that meeting, the local government leaders asked us to be more specific—which we were when we set out our proposals yesterday.

I stress that those are a starting point to conversations. They are about trying to establish the right balance for the exercise of powers at the national, regional and community levels in Scotland. I do not accept Mr Fagan's characterisation that the proposals will, of their nature, erode local decision making. I think that they will strengthen local decision making by strengthening the range of community authorities that will be involved.

The key point that I want to make to Mr Fagan and the Parliament is that we want to have an open discussion about the proposals. I invite colleagues to engage in that discussion with open minds, to find out how we can establish the correct balance between national, regional and local responsibilities. In that respect, the Government is committed to taking forward measures that can strengthen the ability to exercise powers at regional levels—powers that I do not think can be exercised across the 32 local authorities at present.

We made a commitment in the document—a commitment that I made in discussion with local authority leaders a week past Friday—that the councillors elected in May will serve a full five-year local government term. As for individual authorities, that will be a matter for the conclusion of the consultation process. Members will have the opportunity to engage on that point. In fact—

**The Presiding Officer (Kenneth Gibson):** Thanks, First Minister. We have had quite an extensive answer to that question, and lots of members want to come in.

**The First Minister:** It is an important issue. We are holding an open debate on that issue in Parliament next Tuesday, in which members can participate.

### **Rosyth to Dunkirk Ferry Service**

**David Barratt (Cowdenbeath) (SNP):** To ask the First Minister what discussions the Scottish Government has had with Forth Ports following its unilateral decision to abandon plans for the long-awaited Rosyth to Dunkirk ferry service.

**The First Minister (John Swinney):** The Government has had extensive discussions with Forth Ports and DFDS on the proposals. We have looked at practical ways to enhance decision making on the issue. The Deputy First Minister is meeting Forth Ports tomorrow to discuss the issue and wider issues of connectivity. Despite the recent announcement, the Government remains committed to delivering a service of that type.

### **University of Dundee (Industrial Action)**

**Heather Anderson (Dundee City West) (SNP):** Yesterday, I joined staff from the University of Dundee on the picket line as they began five weeks of strike action. Local members of the University and College Union will not deliver lectures, seminars or tutorials until late October. Their decision to strike follows the loss of almost 1,000 jobs at the university since the summer of 2024. I understand that UCU representatives will be here in Parliament next Thursday. Will the First Minister meet them to hear their concerns about those further redundancies?

**The First Minister (John Swinney):** The Cabinet Secretary for Education, Culture and Gaelic has met UCU representatives at the University of Dundee in recent weeks to listen to their concerns. I would urge the university and the UCU to continue to engage constructively to seek a resolution to the dispute.

The Government has committed financial support via the Scottish Funding Council to support the university in its recovery from the example of financial mismanagement that the university has presided over. As a consequence,

the Government's support has protected jobs and staved off the threat of insolvency. We remain committed to supporting the university and will do so with the proper amount of scrutiny.

Whether I can meet the representatives next Thursday depends on my wider commitments, but if I am unable to meet them, the education secretary will be happy to do so.

### **Universities (Purpose)**

**Angela Ross (Edinburgh and Lothians East) (Reform):** Does the First Minister believe that the primary purpose of Scotland's universities is to serve Scottish students and Scotland's economy? If so, how does he justify a system in which many Scottish students are forced to study elsewhere and may never return, while universities become increasingly dependent on recruiting overseas students—and increasingly dependent on their money—who are also likely to leave after graduation?

**The First Minister (John Swinney):** The current position—if I am incorrect, I will correct the position to Angela Ross—is that the most recent admissions to universities included a record number of Scottish students.

The foundation to Angela Ross's question is totally false. That is what is wrong with so much of what comes from members on the Reform benches. It is just ill-informed misinformation that is peddled to sow division in our society. Anyone who knows anything about the university sector anywhere in the world knows that successful university sectors are ones that embrace people from all over the world to bring learning together, learn about new perspectives and strengthen the host country of those universities. Scotland is stronger because of its international connections. *[Interruption.]* If that means that I have to shout down the people from Reform who shout me down on such issues, I will be happy to do exactly that.

### **Suicide Prevention (School Funding)**

**Monica Lennon (Glasgow) (Lab):** *The Daily Record's* save young lives campaign is calling for properly funded suicide prevention in our schools. Bereaved parents and teachers agree, and the trade union NASUWT Scotland has this week backed the campaign. Given that mandatory suicide prevention lessons are now included in England's secondary schools, when will the Scottish Government fund equivalent education to help save young lives here in Scotland?

**The First Minister (John Swinney):** I am very sympathetic to Monica Lennon's point. It is important that our support to young people in their educational setting is appropriate to the challenges that they face in society today. That can often be a controversial point, because there

are topics that have to be confronted in our schools, which I think are important to be confronted in order to support young people in meeting the challenges of living in Scotland today.

We undertake a significant amount of work in our schools to support young people on the question of suicide. The Deputy First Minister has met campaign organisations to discuss the issue in the past.

On mandatory provision, as Monica Lennon knows, the education system in Scotland does not operate on a mandatory basis. We set the curriculum, we set the expectations and we empower schools to take forward that curriculum. We will give further consideration to the points that Monica Lennon raises, given the significance of the issue involved.

### **Electoral Spending Rules (Devolved Powers)**

**Jackie Dunbar (Aberdeen Donside) (SNP):** What implication do the United Kingdom Government's failure to cap political donations and recent scandals around illegal donations have for electoral spending rules within the scope of devolved powers?

**The First Minister (John Swinney):** In June, Parliament agreed that there should be an independent review and further devolution—*[Interruption.]*

**The Presiding Officer:** Excuse me, can we hear the First Minister, please?

**The First Minister:** In June, the Scottish Parliament agreed that there should be an independent review of, and further devolution of power over, the regulation of political parties and their funding. The Scottish Government subsequently called on the Electoral Commission to undertake a review of UK party political funding. We still believe that that would be the best course of action to take. The Minister for Parliamentary Business and Veterans met the chief executive of the Electoral Commission on 17 September and renewed his call for such a review.

### **Scottish Enterprise (Human Rights Due Diligence)**

**Kate Nevens (Edinburgh and Lothians East) (Green):** Last week, Parliament voted to receive updates on Scottish Enterprise's new human rights due diligence process, given the clear public interest in ensuring that the Scottish Government is meeting all its international obligations. Will the First Minister confirm that the Government will use its full powers to ensure that Scottish Enterprise publishes in full its human rights due diligence procedures, and will he indicate the timeframe by which the disclosure of the revised procedures is expected to happen?

**The First Minister (John Swinney):** The Government will fulfil the commitments that we have given to Parliament and will take forward those provisions. Parliament will be updated on the various steps that are taken to do exactly that. It will be done timeously. I cannot give Kate Nevens a specific date by which it will be completed, but I will write to her with an outline of the timescale for the process that is being considered.

### **Commercial Sexual Exploitation**

**Carol Mochan (South Scotland) (Lab):** Last week, I held a round-table event to discuss websites advertising prostitution and their impact on large-scale sexual exploitation. Trading in prostitution is a crime in Scotland, and facilitating the transportation of a victim of sexual exploitation is human trafficking, yet websites advertising prostitution operate in plain sight in Scotland, advertising hundreds of women for prostitution every day. They make it as easy for sex buyers to order women to exploit as it is to order a takeaway. Will the First Minister join me in condemning that? Will he commit to introducing legislation in this parliamentary session that combats commercial sexual exploitation in Scotland?

**The First Minister (John Swinney):** I associate myself with the point that Carol Mochan made on the unacceptability of that activity and the exploitation that is involved. There are a number of issues involved in her question in relation to online regulation, which is an issue of great concern to the Government. We are engaging with the United Kingdom Government, where the powers lie to undertake such online regulation, to try to get to a position that Carol Mochan and I might be comfortable with, because I am distinctly uncomfortable with the lack of regulation of much of the online world at present.

In relation to legislation here, the Scottish Government has commissioned work on prostitution that is being taken forward. We have an independent commission looking at that question. The commission will consider all those issues, and I encourage Carol Mochan to ensure that she contributes to that process, which will obviously inform legislation that is passed in the Scottish Parliament.

### **Extreme Weather (Planning)**

**Ariane Burgess (Highlands and Islands) (Green):** In the light of what scientists have said could be the biggest El Niño event for a thousand years—a climate event that is likely to lead to more extreme storms—the United Kingdom Government recently called for people to stock up on food and water. Given that the Highlands and Islands is usually on the front line of bad weather, I take that as a direct call to action for my constituents. Will the First Minister reassure

people in my region that his Government has plans to support people in rural and island areas when extreme weather badly impacts the provision of food, water and other essential supplies?

**The First Minister (John Swinney):** These are important issues in relation to the resilience of the country, and a central part of the Government's obligations is to ensure that we support individuals in their communities when they might face the effects of climate change. We have had a number of significant flood events and acute wind-related events during the storms that we have wrestled with in recent years. We undertake resilience planning and we work with local resilience partnerships. The Government reviews weekly the risks that we face in relation to resilience, and I assure Ariane Burgess that the Government is actively engaged in monitoring all potential resilience issues that could affect Scotland and taking the necessary preparatory action to deal with such circumstances.

#### **Bairns' Hoose Provision**

**Amanda Bland (Central Scotland and Lothians West) (Reform):** In the light of concerns raised at the Criminal Justice Committee on 9 September regarding the lack of progress in developing bairns' hoose places for children, what specific action will be taken to accelerate the delivery of bairns' hoose services across Scotland? What funding, national co-ordination and timetable will be provided to ensure that children who are victims or witnesses of abuse have access to a bairns' hoose without further delay?

**The First Minister (John Swinney):** The Government is rolling out its programme of bairns' hooses around the country. I saw for myself the development in Stornoway during the summer. It is an excellent facility, and I commend all the partners that worked together to undertake that activity. The Government allocates funding in its budget to enable it to roll out the programme. The member will have the opportunity to support the Government's budget and the financial commitments that will be in it to take forward that agenda, and I invite her to do so when the moment arises.

#### **Learning Disabilities and Neurodivergence**

**Steven Bonnar (Uddingston and Bellshill) (SNP):** What measures in the new programme for government will strengthen the rights, protections and accountability available to people with learning disabilities and neurodivergent people, following the decision not to proceed with the proposed learning disabilities, autism and neurodivergence bill? Will the First Minister recognise the significant concerns, including those of my constituents Pamela and Orlaigh, and

reassure them that their voices will remain central to the work ahead? Crucially, will he set out what independent oversight will replace that which was proposed to be in the bill?

**The First Minister (John Swinney):** I recognise the concerns that have been raised about the Government's decision not to progress with the learning disabilities, autism and neurodivergence bill. We took that decision because we believed that we could deliver more substantive practical action to support those who would benefit from the bill's provisions. I assure Mr Bonnar that all of the lived experience evidence that was submitted during the bill consultation process informed the decision and highlighted that action is needed now, through policy reform, service improvement and targeted investment. We can press on with that at this stage, rather than awaiting the completion of the legislative process.

Our focus is on delivering practical improvements now, and the Minister for Mental Wellbeing, Public Health, Sport, Alcohol and Drugs announced earlier this month that funding of £7.6 million would be available for neurodevelopmental support for children and families. We have been clear that we will retain the option of future legislation, should evidence show that additional statutory measures are required to achieve the outcomes that people expect and deserve. I hope that that provides some reassurance to Mr Bonnar and to members, who I know are concerned about the issue.

#### **Credit Unions (Community Wealth Building)**

**Martyn Day (Falkirk East and Linlithgow) (SNP):** Credit unions and other financial co-operatives are well placed to keep wealth circulating in local communities, and the Government has committed to consulting the sector as it implements the Community Wealth Building (Scotland) Act 2026. How will the First Minister ensure that credit unions have a practical role in delivering community wealth building, rather than simply being consulted on it?

**The First Minister (John Swinney):** Credit unions are central to the Government's vision for developing community wealth in our society. The legislation that we have passed is an important part of that framework, and I want to make sure that, at all stages of the implementation of that legislation, credit unions are fully involved in the dialogue to ensure that the full purposes of the 2026 act can be realised, with credit unions playing a central role in strengthening the financial stability of individuals and organisations at local level.

### **Renewable Energy Sector (Workforce Planning)**

#### **Liam Kerr (North East Scotland) (Con):**

Scottish Government modelling forecasts a shortage of more than 31,000 renewables workers, principally in Aberdeen and the north-east, due to the Scottish National Party's lack of workforce planning and its failure to create green energy jobs or deliver a meaningful, managed transition. Meanwhile, energy modern apprenticeship starts in the north-east are plummeting.

Was the First Minister aware of those facts prior to my freedom of information request this week? In any event, what specific action will his Government take to remedy its failures?

**The First Minister (John Swinney):** If Mr Kerr were to look at the report that was published recently by the Confederation of British Industry, he would see mapped out in it a comprehensive statement about the positive economic effects of renewable energy development in Scotland, particularly in relation to the number of jobs and opportunities that are being created. The Government's focus on our skills development approach and the work that we are taking forward on consenting and on the supply chain, which was a subject of discussion that Mr Kerr and I were involved in the other week, is central to managing that transition.

As I have told Parliament before, I am concerned that some of the decisions that we depend on, such as those about the strategic spatial energy plan and some grid connection issues, are absolutely fundamental to realising our renewable energy obligations. Those decisions do not rest with my Government, which is why we must be resolute in pressing the United Kingdom Government to take the right decisions when it comes to those important strategic developments.

### **Scottish Borders Council (Nursery Provision Consultation)**

**Laura Moodie (South Scotland) (Green):** The Scottish Public Services Ombudsman found significant failings—amounting to maladministration—in a Scottish Borders Council consultation on nursery provision, including concerns about how stakeholder views were reported to elected members. What assurances can the First Minister provide, as the Scottish Government advances its programme of public service reform, that communities will be given genuine opportunities to influence decisions and that the evidence that is presented to decision makers will be accurate, transparent and subject to proper scrutiny?

**The First Minister (John Swinney):** The purpose of the engagement that we undertake is to make sure that decisions that are taken by Government are well informed. The particular case in relation to Scottish Borders Council is a matter for that council. Councils are independent bodies that must at all times ensure that they are meeting the highest standards of activity in all their responsibilities. From the Government's perspective, we take forward and follow significant measures in relation to consultation exercises to ensure that we properly hear the views of members of the public.

### **Park Homes (Housing (Scotland) Act 2006)**

**Colin Beattie (Midlothian North) (SNP):** Many of my constituents who live in park homes are unable to access necessary adaptations to their homes because of wording in the Housing (Scotland) Act 2006 that excludes park homes. That has left some living in difficult circumstances. With that in mind, what actions is the Scottish Government taking to improve the rights of park home owners?

**The First Minister (John Swinney):** During stage 3 proceedings on the recent Housing (Scotland) Bill, the Government committed to undertaking work to review some of the measures that affect park home residents, as raised by Mr Beattie in his question. An advisory group of experts and stakeholders was established earlier this year and has been meeting regularly to examine key workstreams. A report and recommendations are expected to be shared with ministers in the autumn, and that will be shared with Parliament.

### **Veterans (Funding)**

**Thomas Kerr (Glasgow) (Reform):** Veterans in Scotland who put everything on the line for our democracy receive a dedicated Scottish Government spend of around £4.6 million per year across various budgets, yet illegal migrants receive around £6.7 million per year from the Scottish Government—across the new Scots strategy, funding for refugee charities and, of course, the ridiculous trial of free bus passes for asylum seekers. Does the First Minister think that it is right that people who fought to defend our country are being given less support than strangers who are invading our country?

**The First Minister (John Swinney):** I am full of admiration and respect for veterans who have served our country with distinction and who have made many sacrifices to enable our liberty and freedom. I think that the veterans who I know would be appalled at Thomas Kerr's question. Veterans went into conflict to protect our liberty and freedom—they did not do so to make us

intolerant, hateful and divisive, like the question that Mr Kerr has just put to the Parliament.

**The Presiding Officer:** That brings us to the end of back-bench members' questions to the First Minister. I apologise to the 30 or so members whose questions I was unable to take.

## Scotland's Right to Decide

**The Presiding Officer (Kenneth Gibson):** The next item of business is a debate on motion S7M-01264, in the name of John Swinney, on Scotland's right to decide. Members who wish to speak should press their request-to-speak buttons now.

**Malcolm Offord (West Scotland) (Reform):** On a point of order, Presiding Officer. Under rule 1.1 of standing orders,

"The Scottish Parliament is established by the Scotland Act 1998".

Schedule 5(1)(b) of the Scotland Act 1998 states explicitly that the union is a reserved matter. Do you consider it to be inappropriate to allow this debate on reserved matters and, under rule 7.4.5 of standing orders, will you close this meeting of the Parliament?

**The Presiding Officer:** No.

We are ready to begin when you are ready, First Minister.

**Malcolm Offord:** On a point of order, Presiding Officer. On 23 November 2022, the Supreme Court ruled unanimously that the Scottish Parliament does not have the legislative power to hold an independence referendum without consent from Westminster. Do you agree that the Supreme Court ruling must take precedence and that, under rule 7.4.5 of standing orders, this meeting of the Parliament should be closed?

**The Presiding Officer:** Mr Offord, this is a Parliament, and Parliaments are free to debate whatever subjects they wish to, including this one.

15:02

**The First Minister (John Swinney):** I welcome the opportunity to open the debate. It is vital for us to debate the question of the right of the people of Scotland to decide the future of their country. That principle is fundamental to how we see Scotland and to what Scotland is.

The debate is ever more vital at this moment because, for the first time since 2014, we are debating it with explicit acknowledgement from the United Kingdom Prime Minister of the principle that Scotland should have a referendum when it is likely that people would vote for independence.

That matters because, regardless of members' constitutional positions—I recognise that not all members share my view—the Prime Minister finally recognises how unsustainable the recent Westminster position has been. My hope is that, instead of making cursory dismissal of the

arguments, we can begin a meaningful discussion about where power lies across these islands.

**Willie Rennie (Fife North East) (LD):** I am curious about when the First Minister changed his mind. Before the election, he said that the Scottish National Party would have to have a majority before he would demand another referendum. Now, he says that that does not matter anymore. When is he going to stick to his manifesto commitment that there would need to be an SNP majority?

**The First Minister:** The point that I made during the election campaign was that the referendum in 2014 took place because the SNP had won a majority in that Parliament. We all have to accept that, at this moment, the largest number of members of the Scottish Parliament who stood on a commitment to supporting independence and having a referendum on it have been elected. That issue is fundamental to our debate and it should be respected by the United Kingdom Government.

**Willie Rennie:** Put simply, why did the First Minister not say that before the election?

**The First Minister:** Before the election, I set out a reliable mechanism to break the logjam. The people said, "We want this Parliament to have the largest ever number of independence-supporting MSPs," and that is what they elected on 7 May.

Let me start by saying something that, I hope, we can all agree on, although this evening's vote will test that premise. Scotland is a nation, and its people have the right to decide their future. The UK is a voluntary union, which means that its nations can stay part of it or choose their independence. Those two things were once accepted across the political spectrum in Scotland. Indeed, they were recognised in the debates that led to the establishment of the Scottish Parliament by its first First Minister, Donald Dewar. That was also recognised in the Smith commission, in 2014, when it was agreed by all parties that

"nothing in this report prevents Scotland becoming an independent country in the future should the people of Scotland so choose."

If we are equal partners in this union—as was often repeated by the better together parties during the referendum campaign and, indeed, by the founding partners of the Scottish Parliament—Westminster alone cannot call the shots. The right of the people of Scotland to decide their future belongs to the people of Scotland, not to any politician or party.

In assessing the views of the people, let us remember what has happened over the years when the people of Scotland have been given the chance to choose who represents them in their national Parliament. For the fifth election in a row,

a party supporting independence has won. For the fourth election in a row, a majority of MSPs support independence. For three elections in a row since the independence referendum, and for two elections in a row since the Brexit referendum, a majority of MSPs have supported independence. In May, the people of Scotland elected the largest independence-supporting majority in the Scottish Parliament's history.

Support for independence is growing, moving from 45 per cent in 2014 to now regularly more than 50 per cent of people in Scotland. The issue of Scottish independence commands significant levels of public support. It is an issue that must be addressed. The people must have a choice about independence.

**Craig Hoy (Dumfriesshire) (Con):** I know that the First Minister does not like her name being mentioned in the chamber, but what does he say to Nicola Sturgeon, who, in 2021, said that it was possible to vote for the SNP while not voting for independence?

**The First Minister:** On Craig Hoy's point, the SNP set out our aspirations for Scotland to be an independent country and for that choice to be exercised by the people of Scotland, and I am now in this Parliament leading a debate on behalf of the Scottish Government to make Scotland deciding its own future a reality.

**Stephen Kerr (Mid Scotland and Fife) (Con):** We all understand that breaking up the United Kingdom has been John Swinney's obsession since he was a youth. [Interruption.] Well, I think that it is an obsession, because he is obsessed about it every time he stands up.

**Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con):** SNP members are not even here.

**Stephen Kerr:** Exactly. Where are they all?

I ask John Swinney to please be real and to accept that, when the people of Scotland are asked to give their priorities and greatest concerns right now, independence is not even in the top five—it might not even be in the top 10. Does he agree that that is the real picture of concern in Scotland about his obsession?

**The First Minister:** When people in Scotland are asked about the issues that affect their lives, they talk about issues such as the cost of living, the ability to secure lower energy bills, the ability to travel freely in Europe as they used to be able to do and greater investment in our public services. All those issues are affected by the question of independence, because they are about controlling the wealthy resources of our country to create a wealthier and fairer Scotland. People want independence to address the key issues that

people face in our society. That is the argument that responds to Mr Kerr's point: the issues that are of relevance and concern to people's lives are addressed by Scotland having the ability to tackle them under the powers of our Parliament.

Let us consider an example of that. My central mission in this Government is to eradicate child poverty. Mr Marra's amendment today relates to those questions. Because of the Government's decision-making ability, we have been able to reduce child poverty in Scotland through measures that we have introduced under powers that we have acquired since the Parliament was established in 1999. That illustrates that, with more power here, we can improve the lives of people in Scotland. Independence is about doing that on more issues that affect the people of our country.

People who support constitutional change in Scotland and who want to see independence look to the situation in the north of Ireland, where people have a legally enshrined right to vote on their future in certain circumstances. When voters in England want constitutional change, the dominance of their MPs in the House of Commons means that they can get it. People in Scotland and Wales have no recognised, guaranteed way to vote for change, which cannot be right. Clear support for constitutional change in Scotland and across the nations of the United Kingdom has to mean something. The refusal of the UK Government to even engage with the question of our right to decide cannot hold.

For my part, I want to do what I can to break the logjam, but I want to do so not only on behalf of those who want independence but on behalf of all the people of Scotland, including those who are not yet convinced of the case for independence and those who perhaps never will be. I recognise the concerns of those who are opposed to independence. I want to hear their views in this debate, too, and I will do so, because although we might disagree on where we ultimately want our country to go, we can all agree on the right of the people to decide on the case for democracy.

In this debate, we hear a lot about political division, but what could be a more divisive proposition than saying to half the people of the country that there is no way, no matter how they vote or how often they do it, for them to make a change—for them to even be given the opportunity to make a change? That is the fundamental democratic point that the Parliament has before it today.

It is why the Prime Minister's words in the House of Commons on 9 September were so important. There is not only agreement on the SNP benches that a mechanism should be in place that sets out the terms for having another referendum. In the

previous parliamentary session, the Constitution, Europe, External Affairs and Culture Committee conducted an inquiry that concluded:

"it is problematic that no established mechanism exists for ensuring that, in appropriate circumstances, the wishes of the people of Scotland can be expressed."

In the aftermath of the Scottish Labour leadership election at the weekend—and I take this opportunity to congratulate Michael Marra on his election and to wish him and his family well as they take forward their new roles—I welcome the recognition by Mr Marra of the right of the people of Scotland to decide their own future and for there to be a means to demonstrate that right. That is an important development in this debate.

Other members of the Labour Party have commented on the question. I have no doubt that Brian Leishman MP spoke for others in Labour ranks when he said:

"we should lay out the democratic route to having another referendum."—[*Official Report, House of Commons*, 2 September 2026; Vol 790, c94WH.]

Members will be aware that I wrote to the Prime Minister to invite him to meet so that we could turn the accepted principle into an agreed legal mechanism for a referendum. He is, for the time being, unwilling to do so, but that position cannot hold.

My party believes that it is for the people of Scotland to decide when there is an independence referendum, and we welcome the UK Prime Minister's recognition of that principle. The Prime Minister has now agreed that Scotland can have a referendum when the people of Scotland express a clear desire for independence. I take him at his word.

There are two issues that are relevant in that respect. First—I rehearsed this point with Mr Rennie in the interventions—I believe that the people of Scotland made clear their desire to address the question by electing the largest number of MSPs to this Parliament who support Scottish independence and the holding of a referendum on that question.

Secondly, during this parliamentary session, we must demonstrate increasing support for independence and for the fresh start for our nation that will get us back into the European Union and give us vital control over our energy resources, so that we can lower bills. I hope that, in the spirit of dialogue and engagement, and given the position that the Prime Minister has adopted, he will respect the fact that we are a sovereign nation with the right to decide our own future. As democratically elected politicians, we must ensure that Scotland has that choice.

I hope that the Prime Minister will co-operate in this work, not only because of what he said at the start of this month but because of what he said in 2022. Again, I quote:

“In terms of a referendum, I’m not going to say, ‘No, not ever.’ I’m not going to use that language.”

I fully intend to hold the Prime Minister to his word, and I hope that, today, there will be some indication from around the parliamentary chamber of a recognition and acceptance of the sovereign right of the people of Scotland to decide their own future.

In 2014, the people of Scotland, in an exercise of their sovereign right to decide their constitutional future, chose to stay part of the United Kingdom. However, just because a right has been exercised once, that does not mean that it can never be exercised again. If the people of Scotland themselves want the opportunity to answer the question again, who has the right to stop them? After all, by 2029, it is estimated that there will be over a million people in Scotland who, because of their age, did not have the opportunity to vote in 2014—a million citizens of Scotland. In 2030, people will start to turn 16 and become eligible to vote in a referendum who were not even born when the independence referendum was held in 2014.

That is significant demographic change, but it is not just change in Scotland’s population that matters; it is change in what we are voting for. Since the 2014 referendum, we have seen Scotland’s place in the United Kingdom and the United Kingdom’s and Scotland’s place in the world change beyond recognition. Scotland has been removed from the European Union against our will. Devolution has been undermined and overridden again and again. We have seen Westminster make choices that feed division and extremism instead of facing them down. In short, the country that people voted to stay part of in 2014 is no more. Westminster does not work for the people of Scotland—it never has, and it never will. The UK cannot and will not give either the security or prosperity that we need in this fast-changing world.

For those 1 million Scots—for all Scots—our fundamental right to decide our nation’s future remains. It is the right to choose the security and prosperity that come from being a nation state and a member state of the European Union, in control of our vast energy resources and of our own destiny. That is a winning combination. It is the fresh start that Scotland will choose, and the fresh start that Scotland needs.

**The Deputy Presiding Officer (Clare Adamson):** Mr Swinney, I am afraid that we

missed whether you moved your motion at the start.

**The First Minister:** I move,

That the Parliament agrees that Scotland is a nation that has a right to decide its own future.

**The Deputy Presiding Officer (Clare Adamson):** I call Michael Marra. In doing so, I welcome him to his position as leader of Scottish Labour.

15:18

**Michael Marra (North East Scotland) (Lab):** I thank you, Presiding Officer, and the First Minister for the kind words upon my election as Scottish Labour leader. The kind good wishes from across the chamber, including from members of different parties, are a personal reminder to me that just because we do not agree on everything does not mean that we cannot agree on anything.

As the country looks to this place for solutions to the significant issues that are impacting on every place in Scotland—the cost of living, opportunities for young people, secure work, good housing and better public services—it is incumbent on us all to find common ground and work together to address those fundamental issues in people’s lives and to deliver change now. We should all consider that amidst the heat of a constitutional debate.

The first thing that I did on my election on Saturday was to write to the First Minister to seek his support for establishing a cross-party commission on meeting the child poverty targets that the Parliament wrote into law. We are set to miss those child poverty targets by a mile, and the Parliament’s priority should be to get us back on track. We should recommit today to change the lives of children right across the country.

It is disappointing, but not surprising, that the SNP has a different priority. That priority is not really independence and, to be frank, it is not even securing another referendum. This debate—which I believe is an annual one—is about managing the First Minister’s party, not leading the country. Every single supposed step forward for the independence cause since 2014 has been a step up a hill for party supporters, who the SNP then briskly march back down again. I honestly believe that those people deserve better than that.

I know many people who voted yes in 2014; I count them among my friends and family. I believe that we can be a fairer and stronger nation without being a separate state. I do not believe that we need to risk our currency, defence, markets and budgets to deliver a more equal and just Scotland. We disagree on that, which is okay; supporting independence is a perfectly honourable political

position to hold. However, so too is believing that Scotland is better placed as part of the UK.

I feel sympathy for the people I know who support independence—not for their political choice, but for how comprehensively the SNP Government has failed them in that regard for the past 12 years. Every six months or so—normally, when an election or an SNP conference is on the horizon—people are told that independence is just around the corner and that all it requires is one more push and one more heave.

None of the reasons for the independence campaign losing in 2014 has been addressed. There are still no answers on the currency, borders, defence or public spending; instead, there are photo opportunities and fundraising drives. I believe that the people who vote for the SNP deserve better than that. If the First Minister were to read *The Herald* newspaper today, it would be entirely apparent that SNP members agree with me.

**The First Minister:** How does Mr Marra explain the choice of the public in the election in May to elect the largest-ever number of independence-supporting MSPs to the Parliament? What does he say to the people who elected a Parliament of that character and who wish to take forward the agenda on which we were elected?

**Michael Marra:** I refer the First Minister to some of what Mr Rennie has already said. You—sorry, the First Minister; I will speak through the chair—clearly set out his position prior to the election, which was that a referendum would require there to be a majority of SNP MSPs. We, as a Parliament, should not participate in the goalposts being moved again.

This leadership always wants to take that easy route rather than doing the hard yards. There has always been a route to another referendum—John Swinney knows it, and Nicola Sturgeon and Humza Yousaf knew it. That route is to build a case through honest deliberation and careful compromise to allow the prosecution of the argument, to build a coalition of those who seek change and to build an overwhelming consensus, making it the settled will of the Scottish people. That is how the case for devolution was made and won.

**Alex Kerr (Hamilton, Larkhall and Stonehouse) (SNP):** Will Michael Marra take an intervention?

**Michael Marra:** Not at the moment, sir.

No one can seriously suggest that, since 2014, that work has been done by those who are in the positions to do it. Why is that? It is because it is easier and more immediately useful to manufacture grievance than to build consensus.

SNP supporters have been repeatedly let down by this charade, but the whole country has suffered, too. I want to see a stronger Scotland in a changing UK. In the 12 years since the referendum, Scotland—including our national health service, our education system, our economy and even the Parliament itself—has got weaker under this SNP Government. The SNP leader who secured the referendum understood the value of good governance to his party's founding cause. Alex Salmond understood that the SNP was founded with the twin aims of independence and advancing Scotland's national interest.

None of that is to say that power is being wielded in the correct places in Scotland. This Parliament hoards too much power, money and control at the expense of Scotland's communities. I want there to be a new generation of devolution deals that redistribute power, wealth and opportunity out of the Scottish Parliament and into Scotland's regions. This Parliament was never meant to hold on to power. Donald Dewar said that it was "not an end" but

"a means to greater ends."

Those greater ends included social justice, which brings me back to the letter that I sent to the First Minister on Saturday.

This Parliament can choose to do what it now always seems to do—to divide itself along constitutional lines, with members pointing fingers at one other, and to get nothing done. That would further demonstrate to the people of Scotland that the Parliament is not serious about addressing their real concerns.

**Ross Greer (West Scotland) (Green):** I agree with some of what Mr Marra is saying. What he is proposing is a commission to come up with new policies that we can collectively agree to in order to tackle child poverty. However, some of us in this Parliament have been doing that every year for the past decade through the annual budget negotiations. The Liberal Democrats have done it, the Greens have done it and the SNP, as the party of Government, has done it. Labour announced that it would abstain on the budget before it was even published. Is Mr Marra confirming today that the Labour Party will take a significantly different position in the negotiations going forward? I would certainly welcome that.

**Michael Marra:** I have already had a conversation directly with the First Minister about the potential that we can see to find common ground between the Labour Party and other parties in this Parliament, be it on the budget or other issues. I am sure that the First Minister will hold me to those words in the conversations that we have in the months ahead. I say to Mr Greer,

though, that the deals that he and other members of the Parliament have struck have not worked. We are going to miss those targets by a country mile, so we have to reassert them today and commit to a process that will get us there.

**Alex Kerr:** Will the member take an intervention?

**Michael Marra:** I apologise to Mr Kerr, but I am running out of time.

We can vote together to recommit ourselves to the work to lift children out of poverty. That is the future that I want Scotland to be able to decide on. My values are for equality, for a stronger Scotland and for a good life for working people. Those are Scottish values and I believe that they are Labour values, too.

Labour's amendment seeks not to divide us for the sake of headlines but to bring us together around the common purpose of freeing Scottish children from the chains of want so that they might live a fuller life in a better country. I encourage members to support our amendment.

I move amendment S7M-01264.2, to insert at end:

“; recognises that Scotland faces pressing challenges that require urgent action to improve people's lives; believes that the Scottish Government must strengthen its efforts to build a fairer, more equal and prosperous Scotland; recognises that tackling child poverty must be an immediate national priority; believes that parties across the Parliament should work together to deliver the actions needed to reduce child poverty; recognises the positive impact of measures such as the Scottish Child Payment and the removal of the two-child limit in tackling child poverty; further recognises the importance of secure employment, education, housing and strong communities in achieving this, and reaffirms its commitment to achieving the targets set out in the Child Poverty (Scotland) Act 2017, including reducing relative child poverty to fewer than one in 10 children by 2030.”

15:27

**Malcolm Offord (West Scotland) (Reform):** I begin by congratulating Michael Marra on becoming leader of Scottish Labour. I welcome his call for an all-party summit on child poverty, and Reform will contribute positively to that key initiative. Similarly, we welcome his proposal on education statistics, and Reform will support his motion when he puts it to the Parliament.

I turn to the motion that is before us. No Scot would disagree with the statement

“Scotland is a nation that has a right to decide its own future.”

However, on the union, most Scots say that we have already decided that question, in 2014, when 2 million Scots voted to remain in the UK versus 1.6 million voting to leave it.

**The Minister for Agriculture, Marine and the Islands (Jim Fairlie):** Will the member take an intervention?

**Malcolm Offord:** That question was settled for a generation, so why are we even debating it today? Perhaps Mr Fairlie can answer that question.

**Jim Fairlie:** Malcolm Offord says that nobody in this chamber would disagree with the principle of the right of the people of Scotland to decide, yet he made two points of order before the debate started, to try to prevent us from talking about having a debate on Scottish independence.

**Malcolm Offord:** That proves the point. When it was done in 2014, it was done with consent, with Westminster and Holyrood in agreement and all parties agreeing to have that referendum. There is nothing like that in this case.

My only conclusion is that we are having this debate because the SNP has given up on Holyrood and the privilege of serving Scotland by running this country well. That is why there is no focus on our faltering economy, our failing education system or our struggling NHS. Instead, it is back to the same old tactics of distraction and division. Is it a coincidence that independence is back on the agenda just as support for John Swinney's SNP falls to an all-time low? In May, the SNP recorded its lowest vote total, lowest vote share and lowest MSP tally since 2007.

The debate is not just a farce; it is an insult to the Scottish electorate who expect their politicians to deal with serious issues in their communities.

**Alan Brown (Kilmarnock and Irvine Valley) (SNP):** On the SNP's vote share in May, does the member accept that we live in a parliamentary democracy, that the SNP is far and away the biggest party in the Parliament, and that there is the biggest gap between the SNP and the second-largest party? I do not ever remember the member complaining about parliamentary democracy was when he was in the House of Lords, swanning about Scotland as a Scottish Office minister with not a single vote behind him, because he was a Lord.

**Malcolm Offord:** That proves how pointless the debate is. *[Laughter.]*

Members can laugh, but the reality is that 2 million Scots did not vote in the Holyrood election. That is what they think of this place. Fewer than 1 million people voted for the SNP. The Scottish electorate require Holyrood politicians to deal with serious issues in their communities, such as the shocking homelessness stats that are out today and the record drugs deaths that, no doubt, will be announced tomorrow. That is not to mention the £5 million black hole in our public finances. Those

are serious matters of government. In contrast, the debate is ill judged, self serving and wholly inappropriate. It is no wonder that 2 million Scots did not vote in the recent Holyrood election.

Under standing orders, I asked for the debate to be ruled ultra vires. As that did not happen, Reform will not engage further in these pointless proceedings. We did not come into the Parliament to waste our time on vanity projects. Therefore, I withdraw my amendment and we will exit the chamber. *[Interruption.]*

**The Deputy Presiding Officer (Clare Adamson):** Members! Thank you.

I call Ross Greer to speak to and move amendment S7M-01264.5. *[Interruption.]*

Members, we need to move on with the debate.

**Rachael Hamilton:** On a point of order, Presiding Officer. That stunt was a waste of parliamentary time. Would you be minded to give speakers the time back?

**The Deputy Presiding Officer (Clare Adamson):** We will manage the debate in the usual way that we do when we have time in hand.

15:33

**Ross Greer (West Scotland) (Green):** I hope that the Parliament Arms, across the road, has extra staff on this afternoon. I get the impression that it might be busy. *[Laughter.]*

Gillian Mackay sends her apologies, as she is not able to be here this afternoon.

The debate is not only about the question of Scottish independence. I am proud of the Scottish Greens' position in favour of putting our country's future in our own hands, which I will talk about in a minute. However, the debate is about a more important principle than that, which those of us who are left in the chamber should be able to unite around. The motion for debate states:

"Scotland is a nation that has a right to decide its own future."

It is concise, to the point and a principle that all democrats should surely agree to. All parties agreed to that principle in 2011, which is what led to the referendum in 2014. It is a position that parties have agreed to for much longer than that.

I will read the first line of the 1989 claim of right for Scotland:

"We, gathered as the Scottish Constitutional Convention, do hereby acknowledge the sovereign right of the Scottish people to determine the form of Government best suited to their needs, and do hereby declare and pledge that in all our actions and deliberations their interests shall be paramount."

Our journey of self-determination and national democracy did not end in 2014. Democracy is not a one-off event and it has no fixed end point. Whether we become an independent nation or not is not the end point of Scotland's expression of democratic will. I absolutely respect unionism as a political position, much as Mr Marra outlined his respect for those of us who believe in Scotland's independence. I am committed to achieving Scotland's independence, but I recognise the arguments against that. However, the question today is whether we are democrats—it is as simple as that.

The public are not bound by a decision that was made in 2014 any more than this Parliament is bound by its predecessors. We are told that the UK was a voluntary union. Surely it is still a voluntary union now, post-2014. If the position of political unionists is that the voluntary union ended in 2014 and it is something quite different now, that is a position that they should be honest about. It is no wonder that people become angry and cynical if, when they do not get what they voted for, they are told that, no matter how many times they vote for an option, it is not available to them.

Therefore, I welcome the shift in tone from Labour. It is a shift back to a position that it took more consistently before 2014. I offer my congratulations to Michael Marra on his election as leader, and I hope that it will lead to a more constructive approach.

The last time I checked, the Scottish Parliament is the most left-of-centre Parliament in Europe. I hope that we can use that supermajority for the things that we agree on while we celebrate the issues that we disagree on. Democracy thrives on disagreement, but there is so much that at least most of us agree on, and we could use those points of agreement to take this country forward.

I gently suggest to Labour colleagues that, if the election of a majority of MSPs in favour of a referendum and of independence is not a mandate that they recognise, they need to set out what their position is. It was painful to watch Michael Marra and Joe Fagan dance around that issue during one of their hustings—the one with Bernard Ponsonby—ahead of the Labour leadership election. I have heard Michael Marra assert in this Parliament that the Labour Party's mandate derives from the 2024 general election, but Labour consistently rejected the idea that the SNP had a mandate every time it won a sweeping majority of Scottish Westminster seats.

**Rachael Hamilton:** Does the member accept that there was a bigger vote share for pro-union parties in this Parliament than there was for pro-indy parties?

**Ross Greer:** It is funny that Rachael Hamilton brings that up, because in 2021, when more votes were cast for the SNP and the Greens than for the Conservatives, Labour and the Liberal Democrats, the Conservatives did not recognise that as a mandate. If someone has shifted the goalposts, it is the Conservatives who have shifted the goalposts on that. A majority of members of the Scottish Parliament were elected on pro-independence manifestos. It is a very simple principle of parliamentary democracy that, if you can secure a mandate in Parliament, you can deliver on your agenda.

**Craig Hoy:** [*Made a request to intervene.*]

**Ross Greer:** I will not take an intervention from Mr Hoy at this point.

I am not entirely surprised by the illiberal and undemocratic position that the Liberal Democrats have taken in the debate. I suggest to Liberal Democrat colleagues that, if they define their party around simply being a place for anti-SNP tactical voters, surely to God they have lost the reason that they, as individuals, joined it in the first place. What is liberal or democratic about the position they are adopting in this debate?

I will say again that I respect the arguments for the union and against independence, but I cannot respect the increasingly desperate ways that some people are trying to deny this country a choice over its future. I am glad that some parties on both sides of the independence debate will agree on a point of principle today—that it is for the people of this country to decide. As the First Minister said earlier, it is not good enough for the hundreds of thousands of younger Scots—1 million younger Scots by the time we get to the end of this decade—who were not old enough to vote in the last referendum to suggest that Scotland has already had its say and they will never have theirs. They deserve the right to decide the future of this country.

The Scottish Greens have always believed that independence is the best choice for Scotland—not as an end in and of itself, but as a means to a greater end. We believe that it is the route back into the European Union—to undo the incredible damage of Brexit and to regain our European citizenship. With independence, we would have the power to tackle poverty through minimum wage laws and end the scandal of poverty pay, whereby taxpayers' money is used to subsidise companies that are unwilling to pay their staff enough to live on. We would have the full fiscal powers that we need to invest in the infrastructure that we need for thriving communities and a successful economy. We would have power over our energy systems, so we could switch to a system that provides affordable energy to all, in a

sustainable manner, rather than prioritising the profits of a handful of companies.

The independence movement of 2014 grew support for our cause by focusing on that vision of what we could achieve with the powers of a normal nation. In the 12 years since—I will be honest—the yes movement has spent too much time talking about process. I know that much of that is in Westminster's hands, and that is profoundly wrong; it has been anti-democratic, but that is the reality. I want the independence movement to focus on what we can change, which, first and foremost, is public opinion. I am, therefore, somewhat frustrated by the periods when the Government has spent so much time focusing on process rather than on independence itself.

Currently, yes is marginally in the lead. It is basically 50/50. Today's poll has yes ahead, at 52 to 48 per cent. However, the best way to grow support for self-government is to do self-government well. The powers of this Parliament are limited, but they are not exhausted. In 2014, growth in support for independence was tied to a sense of hope and optimism, but not a lot of people have that right now. There is deep frustration with our public services. That is true across the UK and beyond.

Yes, there is lots to be proud of in Scotland. We are the only nation in the UK where child poverty has fallen, but we are not going to hit the child poverty targets that we set in law. The Scottish Greens agree with the Labour amendment. However, if we are to achieve the kind of cross-party consensus that we need to make progress, it will require a very different approach from the Labour Party, particularly with regard to the budget negotiations, which I mentioned.

We also need to ask ourselves what is possible under devolution. This Parliament has a habit of setting very lofty targets. I do not believe that we have exhausted its powers, but we need to ask ourselves the following question: even if we exhaust those powers, will we be capable of hitting the targets that we have set for ourselves? I do not honestly believe that we can, which is why I believe that we should achieve the full powers of a normal, sovereign nation.

There is a majority for independence in this Parliament. I hope that, today, there is a supermajority for Scotland's right to decide its own future. Our unionist democrat colleagues need to put something forward. A strategy of denial is not credible. The Government also needs to be bold with its domestic agenda. We need to make people believe not only that Scotland could be an independent nation and that we could govern ourselves, but that we should. We can do that with an inspiring vision and by governing boldly and

tackling the problems that people face in their day-to-day lives right now. We can govern for people and the planet with the powers that we already have, as proof of concept that self-determination is the best possible future for the people of Scotland.

I move amendment S7M-01264.5, to insert at end:

“, and recognises that in the 2026 Scottish Parliament election, the people of Scotland returned the biggest ever majority of pro-independence MSPs.”

**The Deputy Presiding Officer (Clare Adamson):** I call Russell Findlay for a generous two minutes.

15:42

**Russell Findlay (West Scotland) (Con):** I offer my congratulations to Michael Marra on his election as leader of Scottish Labour.

Some people might mock this Government debate and say that they are conning their supporters. Some people might engage in silly stunts. However, we know that the SNP is deadly serious, because John Swinney and the SNP truly only care about one thing, and that is breaking up Britain. Of course, John Swinney does not like anything that is British apart from his British Airways business class flights.

As a proud Scot, I despair at what they are doing, and what they would like to do, to our country. Mired in scandal, they are masters of misinformation who are sowing petty grievance and division, running public services into the ground and hammering taxpayers to bankroll state benefits—and they would knowingly make Scotland poorer and weaker by dismantling the United Kingdom. In today's volatile world, that is no longer just a bad idea; it is deeply dangerous and irresponsible. John Swinney is even in cahoots with Sinn Féin, ignoring its justification of Irish Republican Army mass murder.

The SNP says that Scotland should decide. We did decide. More than 2 million Scots said no—and thank goodness for that. You cannot agree to a once-in-a-generation referendum and then have a never-ending hissy fit over the result. Get over it. Move on.

**Lloyd Melville (Angus South) (SNP):** Will Russell Findlay define a generation for us?

**Russell Findlay:** It is certainly not 12 years.

Scotland has a Government that is more interested in grievance than in governing. Today, we should be talking about so many of the critical issues that the people of Scotland face: high taxes and benefits, NHS waiting lists, rising crime, drug deaths, transport chaos and declining school

standards. My colleagues will have much more to say on all of that.

I move amendment S7M-01264.4, to leave out from “is” to end and insert:

“voted decisively to remain within the UK; believes that Scotland's future is best served by a government focused on the priorities of the people of Scotland, including reducing taxes, bolstering economic growth and delivering value for money in public services.”

15:44

**David Green (Caithness, Sutherland and Ross) (LD):** I will start by welcoming Michael Marra to his role. He is a very able campaigner and a consensus builder, and I wish him and his family well.

I will also start by being honest with the First Minister. He has upset me this afternoon—albeit perhaps not as much as he has upset Malcolm Offord. I am sure that he is a decent man and would not want to do that, but I will tell you why he has. By bringing the debate to the chamber this afternoon, he has dragged me away from one of my favourite events of the year—the big political moment of the week. I am, of course, talking about the Liberal Democrat conference in Brighton. Just moments ago, my friend and party leader Ed Davey took to the stage to deliver his keynote speech, yet I am stuck here. Who knows what stunts I might have missed? It could have involved a bungee jump or an arrival on a jet ski. However, I am afraid to say, I am here.

**Jim Fairlie rose—**

**David Green:** Let me finish my point. It gets worse than that. I have missed not only Ed Davey but Alex Cole-Hamilton.

Deputy Presiding Officer, let me put on record how much I love an Alex Cole-Hamilton speech. I really do. I absolutely love an Alex Cole-Hamilton speech. In fact, I would go as far as to say that the only person who loves an Alex Cole-Hamilton speech more than me is probably Alex Cole-Hamilton.

Before I upset the press office any further, I will come back to this groundhog day of a debate. It is a groundhog day because poor Willie Rennie has sat through it thousands of times.

The issue is not new. It is no revelation that the nationalists in the chamber want to talk about separation. It is a habit that the Government cannot seem to shake. However, I remind the First Minister, as others have done, that he went to the country in May seeking a majority, in his own words, to pursue a second divisive referendum. He does not have it. I did not quite hear it from Ross Greer, but I thought that we might get a bit of an “I told you so”. It will be no surprise to members that

he will not convince Liberal Democrats of his case today.

I am clear about the mandate that my constituents gave me and my Liberal Democrat colleagues. We were sent here with instructions to not only oppose a second referendum—which we do—but ensure that the Parliament focuses on the day job.

**Jim Fairlie:** At the risk of offending over David Green's attempt at humour right at the start, does the fact that he would rather be at his conference in England not highlight the fact that the people of Scotland say, "You think more about England than you do about this place?" That is the first thing.

The second point is that his party is the Liberal Democrat party. The issue is entirely about democracy and the people's right to decide their future, regardless of whether he agrees. Surely it is up to the people, not a Westminster Government, to make that decision.

**David Green:** I am afraid that that intervention was as good as my attempt at humour. I will come to the point about people's right to decide. Incidentally, I was there in 2014, and they had that right. I will set out our view on the motion.

Ross Greer asked what the Liberal Democrats are for. We are here to serve the people who sent us here. I was sent here by people who could not get a general practitioner appointment at the first time of asking; by families whose elderly parents are stranded in hospital because there is not a care package to receive them at home; by families who are worried about the cost of their weekly shop getting ever more out of hand; and by parents whose children are no longer getting the best start in life, because there are not the pupil support teachers that our classrooms need. Those issues are the debates that are worthy of the chamber's time this afternoon. I am tired—as, I think, the country is—of reminding the SNP that there are more pressing issues on its desk. People deserve to have sewage cleaned from their rivers, roads that are no longer cursed by potholes, a bus that turns up and a better chance of seeing a dentist than meeting the tooth fairy.

I say gently to the First Minister that there is a genuine conversation to be had about who decides our future, but that it is not the motion that he has brought today.

**Ross Greer:** Will the member take an intervention?

**David Green:** Yes, as I have time.

**Ross Greer:** I am listening to what Mr Green is saying about this debate being a waste of the Parliament's time. I almost agree, because surely we should not have to debate the most

fundamental principle of parliamentary and Scottish democracy—that the people of this country have the right to decide their future. Every Liberal Democrat parliamentarian signed the claim of right in 1989. Do they still support the people of Scotland's right to decide their future or did that support end in 2014?

**David Green:** I stood on a platform to oppose a second referendum on independence. I do not believe that independence is the best future for our country, so I am not going to spend any time trying to help the nationalists on those benches to try and deliver it.

**The First Minister:** There is a contradiction in Mr Green's argument in his response to Mr Greer. He just told Mr Greer that he—Mr Green—was elected on a commitment to oppose a referendum. Mr Greer was elected on directly the opposite proposition, and 73 of us who were elected to this Parliament support the position that Mr Greer and I take. Where is the democracy in Mr Green's point? Where is the substance of Mr Green's position?

**David Green:** I hope that I will get my time back, but I take the First Minister's point. We have all come here on different, competing mandates, but the First Minister went into the election saying that he was going to secure a majority for the SNP. That was the course to take. In fact, the Greens disagreed with him on that, so he needs to be clear about that, too.

On a point made by Michael Marra, this Parliament has failed genuinely to push power out of this building and into the rural communities that I serve. We have had a Government time and again that demands the right for Scotland to decide its future but refuses to trust the communities that I represent to shape their own. When we are talking about consensus, I genuinely fear that all the oxygen in the room will be taken up by constitutional wrangling. We all know that we disagree about that, and such wrangling will not create the space for us to find the consensus that we need on issues such as local government reform.

Let me be clear that we will not support the Government's motion this evening. We defend people's right to shape their own lives and future, but the motion is silent on the issues that I have raised. It fails to acknowledge that, in 2014, people made their decision and did so clearly. Instead, I move the amendment in my name, which puts the day job first. I urge the Parliament to support it.

I move amendment S7M-01264.1, to insert at end:

"and recalls that in the 2014 independence referendum people voted firmly to remain part of the UK, representing the will of the Scottish people; notes that the Scottish

National Party's stated objective prior to 7 May 2026 was to secure an overall majority in the Scottish Parliament elections in order to pursue independence, but that the party achieved fewer votes and seats than in the previous elections, and believes that the Scottish Government must now focus on fixing the NHS and care, helping people with the cost of living crisis, ensuring that communities have the power and resources to shape where they live through more decentralised decision-making, fixing the roads and the ferries and getting Scottish education back to its best, in order to deliver the change that Scotland deserves."

**The Deputy Presiding Officer (Clare Adamson):** We move to the open debate.

15:52

**Michelle Campbell (Renfrewshire North and Cardonald) (SNP):** At the heart of Scotland's constitutional debate is a simple democratic principle: the people who live here should have the right to decide the future of the country we call home. That is not a demand that every person must support independence. It is a call for something more fundamental—that Scotland's people must never be denied the democratic autonomy to choose our own path. The demand from the people has been demonstrated not only by trusting the SNP in government for 19 years but by voting for majority pro-independence representation in the Parliament.

Those who support the union must confront the constitutional question at the centre of the debate. If the union is voluntary, it cannot depend on denying one of its nations the means to leave. A union that can be maintained only by refusing democratic choice is not strengthened—it is weakened. Supporters of the union are entitled to make their case with confidence, but they should do so by persuasion, not by the dismissal of our democratic right. They must entrust the people of Scotland enough to let them decide. When we meet those who would deny us that right, we should not answer simply with anger. We should recognise that, often, denial is born from fear. It could be fear of a weak union, fear of the unknown, fear that Scotland may choose a different future or, in some cases, perhaps, fear of imagining the real possibility of a progressive Scotland—outward looking, confident, compassionate and fully responsible for the decisions that shape our lives—taking its place on the world stage. Here in Parliament, we all debate such decisions and discuss their limits. Perhaps the fear is of indecision, or of such decisions being made here instead of our relying on a Parliament that does not understand our people to make the final decisions.

Fear cannot be the foundation of a modern democracy. We must face fear with forgiveness, and we must meet denial with hope. Forgiveness does not mean accepting democratic obstruction. It means refusing to let our politics be defined by

bitterness. It means understanding why some cling tightly to the status quo while still insisting that that status quo cannot override the sovereign will of the people of Scotland.

Our task is to keep our focus on hope: hope for a Scotland that does not have to work around the limits of devolution, but can act with the full powers of independence to invest in our people, grow our economy, eradicate poverty, support families, strengthen public services and build opportunity in every community; hope for a country that is able to shape its own domestic agenda in line with our values; hope for progressive international relationships pursued with dignity and purpose; and hope for a modern approach to national security that is rooted in peace, co-operation, resilience and the culture of a nation that wants to contribute positively to the world. How about we actually think about the hope to reach our full potential?

This debate is not about grievance; it is about democratic respect. It is about whether we believe that the people of Scotland are capable of choosing our own future, and whether those who disagree with independence are willing to make that argument honestly, openly and democratically.

Let us make the case with generosity. Let us forgive fear but never surrender democracy. Let us invite those who support the union to put their faith in the people, not in a Westminster veto. Let us keep our eyes fixed on the hope of what Scotland can become—a country with the confidence, compassion and democratic power to build a fairer future for all who live here—with Scottish independence.

15:57

**Craig Hoy (Dumfriesshire) (Con):** In bringing this debate to Parliament today, John Swinney thinks that he can treat Scots as fools, but the real fools are those who sit behind him, cheering on today's distraction from his day job.

Independence would never tackle the SNP Government's £5 billion budget black hole. It would blow apart the union dividend, which is worth £2,720 for each and every Scot, and it would make Scotland more exposed to mounting economic and defence insecurity.

Independence would destroy jobs—it would be a fresh assault on the key industries of oil and gas and defence that John Swinney so woefully despises. It would never reverse the SNP Government's cynical but reckless bid to use the benefits system to create economic inactivity and a culture of state dependence for political purposes.

Each and every day that John Swinney undermines Scotland's financial future with his independence obsession is another day that he proves why he is unfit to be Scotland's First Minister.

15:58

**Alex Kerr (Hamilton, Larkhall and Stonehouse) (SNP):** The intervention that I was going to make on Craig Hoy was that, if we are talking about the financial security of Scotland and our economic base, perhaps he should reflect on his party dragging us out of the European Union, as that is one of the key drivers of why people are in favour of independence now.

This should be a fairly straightforward debate. At its heart lie two straightforward questions, the first of which is this: do you believe that Scotland is a nation? The Tory amendment deletes "Scotland is a nation", which is shameful. The second is this: do you believe in democracy? Those are the two key questions.

I believe that Scotland is a nation and that its people have the right to choose their own future, and it is clear to me that the people of Scotland believe that Scotland is a nation. An article in today's *The National* highlights that a poll carried out by Norstat shows that 68.2 per cent of Scots believe that a second independence referendum should take place in the future. *[Interruption.]* That finding confirms the result of an Ipsos poll, published in June, which found that 66 per cent of Scots believe that a referendum should be held in the future that and that 48 per cent believe that that should be within this parliamentary session.

It is now quieter on the benches over there. That is good—take in the numbers. *[Interruption.]* The second question of whether you believe in democracy is, in many ways, far more important than the first. *[Interruption.]* If members want to make an intervention, they should fire in, but all I am hearing is shouting. To be a democrat, you can disagree on the merits of Scottish independence—the ability to disagree, as Ross Greer pointed out, is the beauty of democracy—but, if you want to remain a democrat, you cannot deny the people of a nation the right to decide their own future.

**Jenni Minto (Argyll and Bute) (SNP):** On the Norstat poll, it is also important to note—this is perhaps worrying for the unionist parties—that some of their voters actually support independence. Some 33 per cent of Labour supporters, 30 per cent of Reform supporters, 21 per cent of Liberal Democrat supporters and 17 per cent of Conservative supporters support independence, so does Mr Kerr agree that there are clearly more people who believe in Scotland's right to choose independence?

**Alex Kerr:** Yes. Jenni Minto has dug into the details. That information does not surprise me, given that some traditional Conservatives—not the ones we have now—are focused on economic growth and financial sustainability, and independence would get us back into the European Union and help to grow our economy. It does not surprise me that there is a small core of such supporters.

This year, Scotland chose to elect the most independence-supporting MSPs to the Scottish Parliament ever. No matter how you want to spin it, that is a fact. The Norstat poll shows that 52 per cent of Scots would vote yes if a referendum were held today, so independence is clearly not off the table for the Scottish people. If we are here to represent them, why would we reject a motion that simply asks for Scotland's right to decide its own future to be respected? Why be elected to a Parliament like this if you do not want to see that Parliament grow, develop and gain greater powers to represent and support its people? How many more years are we going to have to deal with this broken Brexit Britain before we finally address the question of whether the people of Scotland should have the right to decide their own future?

A cynic might think that the reason why unionist politicians are increasingly flirting with casting aside any notion that the UK remains a voluntary union by blocking democracy is that they are terrified of the result of a referendum. I am confident that, if there was a referendum tomorrow, independence would win the day. However, that is not my point. Only around 20 per cent of people in both of the earlier-mentioned polls believe that there should never be a referendum. Those who would seek to deny democracy have no public support for their position. That helps to explain their disastrous results in the Holyrood election. Again, do members hear it? I cannot hear a thing—there are no interventions. The members on those benches have gone very quiet because they are out of sync with the public. As we have this discussion—*[Interruption.]* I will take the intervention, now that one is finally being made.

**Rachael Hamilton:** Does the member agree that it was my colleagues, the Scottish Conservatives—the strong blue wall in the south—that stopped the SNP majority, which was a test for another referendum that was set by John Swinney as an election pledge?

**Alex Kerr:** It was Rachael Hamilton's party, which, in 2015, on 36.9 per cent of the vote, dragged Scotland out of the European Union, against its will, despite every single council area voting to remain in the European Union.

As we have this discussion, it is important to remember that Scotland's right to decide is bigger than any one political party. It is a movement that brings together people from across civic Scotland—organisations such as the Scottish Trades Union Congress, which is in favour of the right to decide but has no position on independence, and people with different backgrounds, different political beliefs and different visions for our country

**Paul Sweeney (Glasgow) (Lab):** Mr Kerr made an interesting point about minorities pushing this agenda. Brexit is an interesting example, because it was achieved by the Conservatives with 36 per cent of the vote, as he observed. My understanding is that the Scottish National Party got 38 per cent of the vote at the recent election. If you combine the vote share for the Greens and the SNP, that is around 41 per cent. Surely, if there were a settled majority of more than 50 per cent—around 60 per cent—then the conversation would change. Is that not something that he would agree with?

**Alex Kerr:** Part of the reason why we are having this debate is that consecutive Westminster Governments, despite multiple mandates in favour of our having a say on our future, not just on independence, have been unable to chart a route by which Scotland's voice can find answer. Those were Tory Governments and now a Labour Government. If Andy Burnham is serious about this, there has to be a route for Scotland's democracy to be respected.

**Stephen Kerr:** Alex Kerr, my namesake, seems to love some numbers from the comic *The National*. Seventeen per cent of Tories are secret separatists—what a load of nonsense that is. Why does he not accept the basic point that Paul Sweeney just made? At the election that we have just had, of the Scots who voted, the vast majority voted for parties that support Scotland's place in the United Kingdom.

**The Deputy Presiding Officer (Clare Adamson):** Alex Kerr, you must come to a conclusion.

**Alex Kerr:** I will come to a conclusion. It would be interesting to work out which of the members behind Stephen Kerr are among the 17 per cent in favour of independence. We have a majority of pro-independence MSPs. *[Interruption.]* I really must bring my remarks to a close.

Last week marked 12 years since Scotland's independence referendum. In those 12 years, we have experienced the cost of living crisis, soaring energy prices, political turmoil, five Conservative Prime Ministers and two Labour Prime Ministers, and being dragged out of the European Union against our will. The majority of Scots voted to

remain, and we see the consequences constantly. For 12 years, people across Scotland have had to live through constant political division and uncertainty.

However, there is a generation of young people across Scotland who were too young to vote in the 2014 referendum. For many, that referendum sparked their introduction to politics and an interest in how our country is governed, and gave them a greater awareness of the political choices that affect their lives. That is something that is personal to a friend of mine, who was 12 at the time of the independence vote—a young person in primary 7 with no experience or knowledge of politics. A classroom task introduced her to the ongoing independence referendum debate, and she became an activist in support of independence. She is now 24, and although she did not vote that day, she lives with the consequences of the result. Her story is just one example in relation to a referendum that shaped a generation of young people who are now living with the consequences of the result. They deserve a chance to vote for their future and to have their voice heard. That is why I will support this motion today.

16:07

**Finlay Carson (Galloway and West Dumfries) (Con):** If the SNP were half as committed to fixing rural Scotland as it is to pursuing independence, our communities would be in a far stronger position today. After nearly 20 years of the SNP in government, rural Scotland has every reason to be disappointed. Farmers face rising costs, reduced support and constant uncertainty; fishermen continue to grapple with policies that ignore the realities of the industry; health services are under pressure; schools struggle to recruit staff; and too many young people are forced to leave in search of opportunities elsewhere.

The greatest threat to many rural communities is depopulation, yet this Government has failed, by accelerating rather than reversing the trend. The people I represent are not lying awake worrying about independence. They are worried about seeing a doctor, keeping local schools open, finding good jobs, running farms and fishing businesses, and whether their children can build a future in the rural communities that they call home.

The SNP once claimed to be the voice of rural Scotland. The reality is that, after two decades in government, its support in rural Scotland is dwindling, because too many rural people feel that they are being taken for granted. Rural Scotland's verdict is clear—the Government should stop obsessing about independence and start delivering on the responsibilities that it already has.

**The Deputy Presiding Officer (Clare Adamson):** I remind members who wish to speak in the debate to press their request-to-speak buttons. We have time for interventions, but we are making up time quite quickly.

16:09

**Kate Campbell (Edinburgh Eastern, Musselburgh and Tranent) (SNP):** We have before us a simple proposition: that the Parliament agrees that Scotland is a nation with a right to decide its own future. Who could disagree with that basic concept? Well, apparently, Michael Marra, the new Scottish Labour leader—congratulations to him, by the way—was asked twice on Sunday but could not say whether he agrees that Scotland is a nation and that it has the right to decide its own future. Also, Russell Findlay in his amendment and Malcolm Offord in his point of order have been clear that they do not believe that Scotland is a country and that we have the right to decide our own future.

I am glad that it now looks as though Michael Marra recognises that Scotland is a nation and that we have the right to decide our future—yet the amendments to the motion are full of caveats and avoid the question.

**Michael Marra:** I assure Kate Campbell that I did not make my mind up about the issue since Sunday. It has been my long-term position that Scotland is—clearly—a nation and that we made a decision on that in 2014, 1997 and 1979.

**Kate Campbell:** On Sunday, when Michael Marra was asked, he was unable to say whether he would support this motion. However, I am glad that he does now support it.

I wonder whether the reason that the amendments are so full of caveats to avoid the question is the discomfort with that simple proposition.

**Craig Hoy:** [*Made a request to intervene.*]

**Kate Campbell:** I will make progress.

The logic flows that, if Scotland is a nation that can decide its own future, there must be an agreed route, process or mechanism by which we can decide, ourselves, whether that vote should be held, without the need to ask permission from Westminster. Currently, the legal situation is one in which literally every adult in Scotland could vote for a referendum and that referendum could, in law, be denied by the British Prime Minister—a British Prime Minister who, in his heart of hearts, knows that a fair approach would be for Scotland to have a mechanism, just like the one in Northern Ireland, whereby if

“it appears likely ... that a majority of those voting would

express a wish that Northern Ireland should cease to be part of the United Kingdom”,

the secretary of state shall make an order to enable a border poll. In the House of Commons, Andy Burnham said:

“I would say that it is exactly the same situation in Scotland.”—[*Official Report, House of Commons*, 9 September 2026; Vol 790, c 1044.]

Of course, he has attempted to backtrack, but that is not credible. He knows—and his instinctive answer at Prime Minister’s questions shows that he knows—that, if he wants to continue to call it a voluntary union, there simply must be a mechanism by which the people of Scotland can say that they want to leave the United Kingdom.

**Michael Marra:** I appreciate Kate Campbell giving way again. She has not given the entirety of the Prime Minister’s quotation. He said that it was clear that people in Northern Ireland and in Scotland did not want a referendum. That is what he said.

**Kate Campbell:** I will get to that point.

The Prime Minister conceded that there must be a mechanism by which the people of Scotland can express their views. The logical mechanism is the one that he set out in PMQs: it is “exactly the same” as the one in Northern Ireland. What is good for the goose is good for the gander.

Meanwhile, when Michael Marra—who is featuring heavily in this speech—was quizzed on Sunday about what would trigger Scotland’s right to decide, he said:

“It will become clear”.

Scotland’s modern-day mystic Meg then followed up with:

“Friends of mine .. are not asking for a referendum.”

Here is the reality: this year, a majority of polls have shown a small but consistent majority of support for independence. An average of the published polls put support this year at 51 per cent. It is a small majority, but a majority nonetheless. Could one argue that, in a referendum, independence would definitely be supported? No. Could you argue that it appears likely that a majority would express a wish that Scotland should become independent? Absolutely.

Burnham accepted the need for Scotland to have a mechanism parallel to the one in place for Northern Ireland. He may not have realised quite how close we are to meeting the criteria, but nevertheless he accepted the principle.

In his first vote as leader of Scottish Labour, will Michael Marra do the same? A million young people will become eligible to vote by 2029. That is a generational shift—a quarter of the electorate

who will not have had their say. Since the referendum, we have had three Scottish Parliament elections, which have returned a majority of MSPs who support independence. That is a clear mandate. Last week, there was the historic meeting of the First Ministers from across these isles, all of whom want independence from the British state. There is sustained support in opinion poll after opinion poll. So, will Michael Marra demonstrate that Scottish Labour has changed and that it recognises that the will of the people must be able to be enacted through a legal mechanism?

What I hope flows from the debate and the broad consensus that is forming—well, there has mainly been a broad consensus—is a clearly defined route for a referendum set out in law, just as there is in Northern Ireland. To borrow a phrase, it should be exactly the same situation. Whatever their view on independence, no one in the chamber should deny that the people of Scotland have the right to decide their own future and, instead, believe that the final say should rest with a Prime Minister in another Parliament, not the people MSPs are elected to represent.

Scotland is a nation. Let us make sure that we have the right to decide our own future set out in law.

16:15

**Miles Briggs (Edinburgh and Lothians East) (Con):** In 1999, when the Parliament was reconvened, I remember sitting in school and hoping, like so many others, that the new MSPs who had been elected would deliver what had been promised: Scottish solutions for Scottish problems. When I was growing up, all studies of health data and the prevalence of health inequalities labelled Scotland as the sick man of Europe.

Fast forward to today and the story is still the same, if not worse, from record numbers of drug deaths to record male suicide rates. For 20 years, SNP ministers have had all the powers that they have needed to improve health, but they have failed to make any lasting progress. Today, demoralised NHS staff face top-down reforms from SNP ministers that they have not been able to shape. Twenty years of the SNP being in power, focused only on independence, has left our nation worse off and with poorer health.

There will not be a referendum during this parliamentary session—let us be honest—so my plea is that we make the next five years about fixing our NHS. Let us deliver better community care, not divide our communities.

16:17

**Stuart McMillan (Inverclyde) (SNP):** I fully support the motion in the name of the First Minister, because our right to decide our future cannot be restricted to one referendum on 18 September 2014. Scotland's right to decide exists today, as it did 12 years ago, and the opinion poll that Alex Kerr referenced shows that 68.2 per cent of the population want to have another independence referendum at some point in the future.

As an English-born Scottish nationalist with an internationalist outlook in life, my desire for independence is just as strong today as it was when I cast my first vote, in 1992. I fully welcome additional powers coming to the Scottish Parliament, but devolution is very much a stepping stone towards independence.

In relation to the motion and the amendments, the SNP manifesto, on page 13, was clear:

“A vote for the SNP is a vote for a referendum on independence.”

That is the line before the quote that is referenced in the Reform amendment, which was not moved.

**Stephen Kerr:** Your vote went down.

**Stuart McMillan:** Mr Kerr, can you please listen?

Page 12 of the SNP manifesto stated:

“A vote for the SNP on May 7th is a vote to put Scotland's future in Scotland's hands. And let Scotland decide.”

**Finlay Carson:** Will Stuart McMillan remind us whether the SNP's vote went up or down based on that pledge?

**Stephen Kerr:** It went down. *[Interruption.]*

**Stuart McMillan:** Do not worry—I am coming to some numbers.

Unionist parties decry that the people of Scotland do not want to have another vote. They say that we had our chance in 2014. However, anyone who claims to uphold democracy surely recognises that people's minds can change. That is why we hold regular elections, rather than believing that a person's vote in one election or referendum will forever reflect their position.

**Stephen Kerr:** I made this point previously, but members, to generalise, are not listening. The number of votes for separatist parties went down, and the number of votes for parties that believe in Scotland staying in the United Kingdom went up. The vast majority of Scots voted for parties that want Scotland to stay in the United Kingdom.

**Stuart McMillan:** Shall I deal with the numbers point now, then? Andy Burnham, the new Prime Minister, got 24,927 votes in a by-election and is

now Prime Minister for some reason. Is there a mandate for him to be Prime Minister? Keir Starmer got 411 Labour MPs on 33.7 per cent of the vote. In 2019, Boris Johnson got 365 MPs on 43.6 per cent of the vote. In 2015, it was 36.8 per cent for the Tories and 36.1 per cent for them in 2010. Are the Tories genuinely attempting to say that those leaders did not have a mandate to actually become the Prime Minister in the relevant parliamentary sessions?

**Stephen Kerr:** Will the member give way?

**Stuart McMillan:** I already took your intervention, and I am answering your question.

**Stephen Kerr:** Oh, come on!

**The Deputy Presiding Officer (Katy Clark):** Mr Kerr, please sit down.

**Stuart McMillan:** The point that I will highlight to Mr Kerr and to everyone else in the chamber is that every single party, when they put their candidates forward in an election, does so under that particular process. That is what happens at Westminster. The process for this Scottish Parliament led to 73 MSPs who are pro-independence being elected. The percentage of the vote does not matter, Mr Kerr.

**Stephen Kerr:** Ha!

**Stuart McMillan:** It does not! There are 73 of us in here, and there are fewer of you over there. There are now only 12 Tories in the Parliament. I say to Mr Kerr and his colleagues that the majority in this Parliament must be respected, the mandate must be respected and anything less denies democracy.

The issues of a referendum and independence are still here. We are discussing independence today. It has not gone away. Given the state of UK politics now, I cannot foresee it ever going away.

It is estimated that, in 2029, more than 1 million young people will be eligible to vote who were not old enough to participate in the 2014 referendum. When I vote tonight, I will be interested to see which politician or politicians support them and which choose to reject their right to decide.

16:22

**Meghan Gallacher (Central Scotland and Lothians West) (Con):** I bet that the words

“Judge me on my record in education”

haunt the SNP, because after nearly two decades of this Government, Scotland’s education system is going backwards.

The SNP likes to point out that the attainment gap is narrowing, but that is because the top is falling, not because the bottom is rising. The SNP

is failing our young people, no matter their background.

Yet, what is this Government’s priority? Another referendum. While other countries are focused on raising standards, the SNP is still fighting yesterday’s battles. Scotland is in a never-ending situation, because this Government simply cannot move on.

When it comes to tackling child poverty, children get free laptops, free bikes—never delivered—and now, apparently, the free school bag. If the school bag is the SNP’s answer to child poverty, we are in trouble. Our young people deserve higher standards, better opportunities and a Government that is focused on their future, not one that is stuck in the past.

16:23

**Emma Roddick (Inverness and Nairn) (SNP):**

I will start with what would have been my intervention on Meghan Gallacher about child poverty. There is some agreement between the Tories and my position: it is a real shame that we do not have all the levers open to us to tackle child poverty. The Conservatives, when they were in power, and now Labour will not work with us on matters such as income-related benefits and on tackling issues that are pushing children into poverty and keeping them there, and we are limited to using devolved powers that, to be fair to the Scottish Government, are having an actual impact on child poverty in this country that we are not seeing in the rest of the UK.

It bears repeating that the motion in front of us today is one line:

“That the Parliament agrees that Scotland is a nation that has a right to decide its own future.”

It does not say that Scotland should be independent or that we demand independence, but that we should get to make that decision.

Do not get me wrong—I would have been well up for taking part in the debate if the motion had had those things in it as well. I am happy to make those arguments any day. However, I would have thought that what we are actually looking at this afternoon could garner support from those who would be less interested in that debate or who are on the other side of it. It turns out that they would rather play linguistic limbo than say that Scotland is a real place that can make decisions—a fact that is as fascinating to me as it is miserable.

In fact, apart from the Greens, whose amendment would stick a wee bit on the end recognising that we have a majority of pro-independence MSPs in the chamber, all the other parties have lodged the most convoluted amendments to avoid agreeing that basic principle

on its own, which makes me wonder why. Is it because they are anti-democratic? I do not think that that is true of most of my colleagues. Is it because they think that Scotland is not a nation? Again, some of them might, but I do not think that that is the case for most of them. Is it because they think that agreeing that Scotland should be allowed to decide on independence is tantamount to agreeing that Scotland should become independent? Maybe, which should be encouraging to those of us on this side of the debate and leads us to the most likely explanation, which is that they believe that people would look at what the UK has done to Scotland on energy, trade, agriculture and more and choose differently this time. That is understandable, and I for one hope that they are right, but it is no excuse for keeping the decision away from their constituents.

Before Reform did us a favour and walked out, Malcolm Offord asked why we are even thinking about this question, given that it was settled in 2014 for a generation. Those are familiar words, and people listening to such debates would be forgiven for thinking that the word “generation” actually features in the Scotland Act 1998. I hope that colleagues across the chamber can attest to the fact that I like to be quite helpful. Ahead of the debate, I checked the Scotland Act 1998, and found that the only mentions of the word are in provisions limiting us on what we can do on energy.

Putting that to one side, politics does not pay attention to generations. Events happen and things change, and I do not believe that there should be restrictions on what we can discuss and when. However, I am continually baffled by the unionist definition of “generation”. It bears as much resemblance to any definition of “generation” that I know as Taylor Swift, much as I love her, and her gaps between album releases bear a resemblance to the definition of “era”.

**David Linden (Glasgow Baillieston and Shettleston) (SNP):** On the point about generations and how often people can have a vote, would the member point out to Stephen Kerr, who served in the UK Parliament alongside me, that, in the course of 55 days, he voted four times to hold a general election, on the same question? If he can change his mind four times in 55 days, perhaps after 12 years people in Scotland should be able to change their mind also.

**Emma Roddick:** That is a fair point, well made. I do not think that I have anything to add.

I was one of those who were given the vote unexpectedly in 2014, which I reflected on and maybe had a bit of an existential crisis about on Friday last week, 12 years on from the vote, as I am now pushing 30, with, as my chief whip put it

the other day, the cynicism of a much older woman. My badge at the count in Dingwall in 2014 stated “Generation Yes”. I remember some of the party figures who I was campaigning with at the time. They included local SNP councillors, the youngest of whom was the age that I am today. Nobody then would have described us as being in the same generation, and nobody would do so now. Even now, I get wee messages from him asking me to explain gen Z jargon or pop culture references.

Many people who will vote in the next Scottish Parliament election—in which, by the way, everybody will be free to vote to elect a completely different Government from the one that they elected in May this year, should they wish, although not that they tend to—were not even born when the referendum happened. I am not their generation. As I was reminded by a guess-the-year segment on BBC Radio Scotland recently, devolution referendums were held in 1979 and 1997. Following that precedent, we are arguably due to revisit the question anyway, in a few years’ time. As somebody born in 1997 on the cusp of devolution, I want those who were born in 2014 to be able to have their voices heard.

Devolution is all that I have known, and I cannot wait to meet those bairns for whom independence is all that they know, because I cannot imagine that, once we get there, and once they see the benefits, anybody is going to look at this so-called union and beg to be let back in.

16:29

**Liam Kerr (North East Scotland) (Con):** A referendum is not an election, nor is it an opinion poll; it is a mechanism for making a decision on a particular proposition. Democracy requires that the people’s decision in a properly constituted referendum, such as the one in 2014, must be accepted and respected. Instead, the First Minister advances a fundamentally incoherent position: he invokes the sovereignty of the people while refusing to accept what the people decided.

He knows that his position is incoherent, and he also knows that calling this debate, agitating for a neverendum and prosecuting such a weak case is nothing more than a shoddy political distraction from the shocking failures by this Government that we have heard about all afternoon. In the energy portfolio, that includes the failure to publish a coherent, evidence-based energy strategy, alongside its presumption against oil and gas, which is decimating jobs and damaging our energy security and the environment. It also includes an ideological opposition to new nuclear power, which comes at the cost of jobs and firm dispatchable power, and the abject failure to deliver a managed transition to renewables.

The people's vote must be respected. We voted no. Now, get on with the day job.

16:31

**Steven Bonnar (Uddingston and Bellshill) (SNP):** At the core of this debate is a simple question: who gets to decide Scotland's future? The answer should be equally simple: it is the people of Scotland, not any political party, not any individual politician, not Westminster and not even this Parliament alone. We are repeatedly told that the United Kingdom is a voluntary union, but words have consequences. If this genuinely is a voluntary union, Scotland cannot simultaneously be told that there is no democratic route by which its people can choose a different future. A union that we are free to support but not free to reconsider is a strange definition of "voluntary".

The Government's "Your Right to Decide" paper matters, because it gets right to the heart of the issue. A democratic right must be capable of being exercised; otherwise, what kind of right is it? Scotland cannot possess some theoretical right to choose its future while somebody else possesses a permanent right to tell us when, whether or how we are allowed to exercise that right. That is not Scotland deciding; that is Scotland being told.

Scotland is not a region; Scotland is a country, with our own legal system, education system, institutions, national identity, Parliament and, most importantly of all, democratic voice. That democratic voice cannot simply be frozen in time, because countries, circumstances and people change.

The United Kingdom itself has changed, which is perhaps nowhere more clear than in our relationship with Europe. In 2014, 55 per cent of people voted for Scotland to remain in the United Kingdom. Just two years later, 62 per cent of people in Scotland voted to remain in the European Union. Scotland voted more decisively to remain in the European Union than it did to remain in the United Kingdom, yet Scotland was taken out of the European Union anyway.

People who voted in 2014 did so in a United Kingdom that was a member of the European Union. That is no longer the constitutional reality. The union that people voted to remain in has fundamentally changed, and it is not only the union that has changed—

**Craig Hoy:** Will the member take an intervention?

**Steven Bonnar:** We had better hear what Mr Hoy has to say.

**Craig Hoy:** Mr Bonnar is talking about Scotland leaving a union in which we are a net beneficiary

to go back into a union in which we would be expected to be a net contributor. Just for clarity, if Scotland were ever to become independent, how would its Government—of whichever political persuasion—seek a mandate from the Scottish people to take Scotland back into the EU?

**Steven Bonnar:** At the ballot box, Mr Hoy, but we are not discussing that—we are discussing Scotland's right to decide. Does Mr Hoy agree with Scotland's right to decide? Does he agree that Scotland is a nation? Aye, I thought so.

Today, there are nearly 1 million people of voting age in Scotland who were too young to vote in 2014. Hundreds of thousands of people have grown up here, entered work, gone to college or university, started families, paid taxes and contributed to this country, but they have never had their say. What are we to say to them? Are we to say that somebody else made the decision for them when they were children and that their opportunity to decide will never come?

Democracy cannot work like that. Democracy is not something that happens once and then expires. Democracy lives. It changes and it responds. I simply do not accept that the people can be trusted to elect Governments and Parliaments and to make decisions on every political question affecting their lives but they cannot be trusted to decide on the constitutional future of their own country. They do not need to be protected from democracy. They need their democracy to be protected and respected.

Those who believe passionately in the union are perfectly entitled to make the case for it. Those of us who believe in independence will passionately make our case. That is democracy—argument against argument, vision against vision and, ultimately, vote against vote.

I believe in independence. I believe that decisions about Scotland are best taken here in Scotland by the people who live here and work here. I believe that we should possess the powers to determine the kind of country we want, the kind of economy we want to build, the society we wish to create, and the place we wish to take in the world. *[Interruption.]* Others in this chamber profoundly disagree with me. *[Interruption.]* We can hear them chuntering from a sedentary position.

Let us put our competing visions for Scotland's future to the people. What are members scared of? Let us trust the people to listen, to question us, to challenge us and, ultimately, to decide. This is bigger than any Government, any Parliament or any political party. It comes down to one fundamental question: where does the sovereignty ultimately lie? For me, it lies with the people of Scotland. If the people of Scotland, through their

democratic institutions, say that they want the opportunity to determine their future, no Government, no parliamentarian and no Prime Minister should simply be able to say no.

Neither side of this debate should fear putting that choice into the hands of the people of Scotland, because this country does not belong to Governments, to Parliaments or to Prime Ministers. It belongs to the people of Scotland, and the future of this country must belong to them, too. It is their right, and Scotland's right, to decide, and the future of this country must belong to them.

16:37

**Tim Eagle (Highlands and Islands) (Con):**

This debate has been interesting. If only the SNP put this much energy and time into running Scotland's public services, we might actually have functional systems.

I do not think that Scotland needs another independence argument. In my area, despite years of promises, the A9 and the A96 have still not been dualled. A spade has not hit the ground at the A83 Rest and Be Thankful, and communities in the south-west are still waiting for action on the A75. The SNP has made a diabolical mess of our ferry network, with services that break down far too often. Regional air links remain under pressure, and the state-owned ScotRail is worse under SNP management, not to mention having a new app that does not even work. Across Scotland, people are driving on pothole-ridden, crumbling roads while businesses are paying the price, all because the SNP cares more about what the Greens think.

People do not need more constitutional bickering. They need roads that work, ferries that they can rely on, trains that turn up on time and transport that connects our communities. That is what the SNP should truly be spending its time on.

16:39

**Keith Brown (Clackmannanshire and Dunblane) (SNP):** Of all the absurd arguments that have been made to try to find a way not to support Scotland's right to decide, the best is perhaps the one about the union dividend. That is the union dividend that has given us the highest tax burden since the second world war and the highest debt—which the Tories racked up—of more than £3 trillion. It has given us record levels of inequality, it has put UK public services on their knees and it has given us 16 years of austerity budgets. It also gave us Brexit against our will. During the referendum campaign we were told that the only way that we could save Scotland's place in the EU was to vote no, which was a lie. We were later told that there was no way that Boris Johnson

would become Prime Minister—look what happened with that.

The debate is based on a simple proposition and a simple democratic principle: as others have said, Scotland's future must be decided by the people who live here. That should not be a controversial proposition.

Afs the First Minister has said, after the 2014 referendum, the Smith commission, which involved all five political parties that were represented in the Parliament stated that

"nothing in this report prevents Scotland from becoming an independent country in the future, should the people of Scotland so choose."

That is what the Tories are now running away from. They do not agree with that any more and have changed their position. It goes to the point that was made earlier by somebody who said—*[Interruption.]*

To be honest, Presiding Officer, the Conservatives have done that right through the debate. People cannot hear anything because of the shouting from Stephen Kerr and others. They are shouting because they are rigid with fear, because they know what is coming. *[Interruption.]* We can hear the shouting now. The Tories in the Parliament are a special breed of Tory. In fact, they are an endangered species of Tory. You would never believe it from their talk, but they went from 31 seats down to 12 seats. They were demolished in the election, yet they cannot seem to recognise that they have descended into further irrelevance as time has gone on.

The 2014 decision was made by the people of Scotland at that time. It was not, and could not have been, a decision to remove the democratic rights of future generations. The evidence subsequently taken by the Parliament's Constitution, Europe, External Affairs and Culture Committee reinforces that principle. I will quote another Tory, Professor Adam Tomkins, who is a former Conservative MSP. He was hardly approaching the question from an SNP perspective, but he told the committee that

"those on all sides of the argument agree that the decision maker is the Scottish people".—*[Official Report, Constitution, Europe, External Affairs and Culture Committee, 13 November 2025; c 22.]*

In his submission to the committee, Professor Alan Renwick was equally clear that there is widespread agreement that the union

"is voluntary, and that Scotland is entitled to independence if the people of Scotland wish it."

Professor Renwick also identified the contradiction that is at the heart of the present arrangements. The Scottish electorate's wishes are supposed to be respected, yet the power to determine whether

Scotland can even be asked the question rests with the UK Government, which is elected by voters across the United Kingdom. The simple fact is that, if we agree with everyone but the Tories that Scotland has the right to self-determination, that means that nobody else can tell us when we can exercise that right. We either have the right or not, and we decide when we want to exercise it, not somebody else.

Professor Nicola McEwen also made the important point that

“a referendum ought to be facilitated in the context of the union being a voluntary one.”—[*Official Report, Constitution, Europe, External Affairs and Culture Committee*, 27 November 2025; c 4.]

That brings us directly to the significance of the Prime Minister’s recent comments. I do not agree with Michael Marra’s interpretation of what he said. When speaking about Northern Ireland, the Prime Minister said that a referendum must be considered

“when public opinion has changed to the point at which the call has to be considered”

and he added:

“I would say exactly the same situation in Scotland.”

Those are significant words. If the Prime Minister accepts that a change in public opinion can reach a point at which the question of another referendum must be considered—I am talking about a referendum, not about independence; it is about the Scottish people getting the right to decide—and that the same principle applies to Scotland, the obvious question is: what is the democratic test? That is what a Labour Party member who was in the chamber—she is not here just now—said previously. She said that she is not in favour of independence but is in favour of democracy and, therefore, a referendum. Let us hear more voices such as that one from the Labour Party.

How do the people of Scotland demonstrate that their views have changed? Is it through an election, a majority in the Parliament, or a sustained majority in public support for another referendum? There must be a clear and democratic route, because otherwise we are left with an extraordinary contradiction.

**Craig Hoy:** [*Made a request to intervene.*]

**Keith Brown:** No, the Tories would not take any interventions from me.

Scotland can be told that it is part of a voluntary union, that it can become independent if its people so choose, and that changing public opinion can justify another referendum. Nevertheless, Westminster reserves to itself the power to decide whether the people of Scotland are ever to be

permitted to make that choice. Those propositions cannot sit comfortably together. There is growing recognition across these islands that constitutional change must rest on democratic consent. Each of our nations has a right to determine its own future through democratic means and in accordance with the wishes of its people.

Scotland, Wales and Ireland are each on different constitutional journeys, but the principle that joins us is straightforward: the future of each nation belongs to its people. The challenge now is to turn the principle of Scotland’s right to decide—if that is what we agree to in the debate—into a clear democratic route through which that right can be exercised. A voluntary union cannot mean that we are free to leave only when the other party gives us permission to ask. A democratic right that can never be exercised is not much of a democratic right at all.

Those of us who are in the SNP believe passionately in independence. We believe that decisions about Scotland are best taken here in Scotland and that independence offers the opportunity to build the fairer and more prosperous country that we want to see. However, that is an argument that we must make and win among the people of Scotland. Those who support the union are perfectly entitled to make the opposite case.

David Green is not in the chamber just now, but I would say to him that I respect the fact that he came to the Parliament with a mandate to oppose an independence referendum. However, I came here with a mandate to secure an independence referendum, and my view is equally valid to David Green’s. That is what a democrat would say. [*Interruption.*]

We hear about the share of the vote. That has never been a problem for UK Governments in the past. They can take us out of the EU, they can vote against Scotland and they can change everything, but it is never a question for the Scottish Government; the UK Government is the only Government that the Tories are ever going to belong to.

We need to be entitled to exercise our own right to self-determination—that is the principle at stake. It is not about whether Scotland chooses independence today, but about whether Scotland retains the democratic right to choose its own future tomorrow. [*Interruption.*] Conservative members are still shouting. They are absolutely rigid with fear—you can smell it coming off them. [*Interruption.*] That right belongs to the people of Scotland.

16:45

**James Adams (North East Scotland) (Con):**  
We sit here in the chamber for yet another

independence debate, when today it was revealed that more than 10,000 children are trapped in temporary accommodation, rough sleeping is rising and a record 19,000 households are stuck waiting for proper homes. Instead of focusing on delivering the homes that Scottish people desperately need, John Swinney and his Government are too busy obsessing over independence and his latest push to break up the United Kingdom. This debate will not help or comfort a single person in Scotland who is sleeping rough or is without somewhere to call a permanent home.

**The Minister for Public Finance (Hannah Mary Goodlad):** Will the member take an intervention?

**James Adams:** No, thank you.

The Government must drop its relentless push to break up the United Kingdom and finally—

**Hannah Mary Goodlad:** Will the member give way?

**The Deputy Presiding Officer (Katy Clark):** The member has indicated that he is not going to take an intervention, so the minister should sit down.

**James Adams:** I am on my final sentence. The Government must drop its relentless push to break up the United Kingdom and finally outline a proper plan to meet Scotland's housing needs. Otherwise, that emergency situation will only continue to spiral.

16:47

**Stephen Kerr (Mid Scotland and Fife) (Con):** I do not think that any of us on the Conservative benches need lessons in loving Scotland from anyone on the SNP benches. The reality for many of us is that it is heartbreaking to see what nearly 20 years of SNP Government have done for our country—*[Interruption.]* That is true of one area in particular: crime, which has gone up 7 per cent in the past year. Violent crime is at a four-year high. Sexual crime is rising again.

What is John Swinney's priority? Dragging Scotland out of the United Kingdom and having this pointless debate on separatism, which the people of Scotland rejected as lately as May. *[Interruption.]* What is John Swinney saying to victims who are waiting for justice, to people who are frightened in their own neighbourhoods and to police officers who are expected to do more with less? That is the day job that John Swinney should be doing. He should be focusing on building Scotland into a better place, but instead he is obsessed about destroying Scotland's place in Britain.

We are wasting parliamentary time today. We should be holding ministers responsible for issues such as the ones that I and my colleagues are mentioning, not indulging John Swinney and the SNP in their fantasies. *[Interruption.]* What is the message of the SNP to the doctors, the nurses, the policemen and the victims? It is "Wait your turn. We have a referendum to pursue. We have a referendum to debate." The record of the SNP for its time in government is a story of SNP incompetence. Ministers are failing in the most basic responsibility of government—keeping people safe. My message is that we should be talking about how we back the police, how we put criminals behind bars and how we give victims the protection that they are entitled to expect.

**The Deputy Presiding Officer (Katy Clark):** We move to closing speeches. We have time in hand, so the front bench can take interventions.

16:49

**Duncan Dunlop (South Scotland) (LD):** I want to talk about an issue that is uncomfortable to raise: the risk of conflict that is associated with nationalism. Let me be clear at the outset that I do not think that anyone in this chamber is going to take up arms. However, although today's display by Reform members might be mocked, it worries me.

When Parliament divides and stops listening and debating, it is a dangerous signifier of what could come if we look only at what makes us different. Just look at history. The reason I say that is because I lived and worked across the former Yugoslavia for four years, in peace building. I count as friends people of every nationality, whether Croat, Bosniak, Kosovan, Albanian, Montenegrin, Macedonian, Jewish or Serb—civilised, educated and generous people who are similar to many of us in the chamber today. They lived through their country spiralling into ethnic violence. The collapse of Yugoslavia began in 1980, when Josip Tito died. He had been the leader for 35 years. In his place, nationalist leaders in Milosevic and Tuđman came into power in Serbia and Croatia. Their muscles were increasingly flexed, they blamed others for their plight, and it ended with the ravaging and splintering of a European nation.

On 1 May 1991, my friends were Yugoslavs who believed in brotherhood and unity. By mid-June the same year, it was their surname and ethnic identity that mattered. In simple terms, Catholics were branded Croat, orthodox Christians as Serbs, and Bosniaks as Muslim. With wicked speed, by July, war had arrived, turning previously mixed and trusted neighbourhoods into places where fear was cultivated and living together

became dangerous. I will give one horrific example, of which I have many.

**Hannah Mary Goodlad:** Will the member give way?

**Duncan Dunlop:** I will, after I finish my example—*[Interruption.]* Oh, God—I have dropped my speech notes. I am falling to bits.

I will take the member's intervention.

**Hannah Mary Goodlad:** I, too, have visited Bosnia and have sat and broken bread with the mothers of Srebrenica. I have had conversations about their grief and about their compassion and forgiveness in the face of scenes of utter devastation. I take great umbrage at that conflict being used as a comparison to the outward-looking civic nationalism that we are trying to create here, with a Scotland that is outward-looking to the world.

I also ask the member: where has the ghost of Jo Grimond gone? He was a great democrat within the Liberal ranks. Does his ghost still exist somewhere?

**Duncan Dunlop:** My point is not where Scotland is today, but where it could go. We must be really cognisant of the debate that we are having.

In Sanski Most, a town in north-west Bosnia—*[Interruption.]* Members need to hear this, because we never hear it in the debates about Scottish independence.

In Sanski Most, a town in north-west Bosnia, a young woman, Jelena, from a Serbian orthodox family fell in love with Emir, a Bosniak Muslim. Their parents did not oppose their marriage out of hatred, but they warned them that a mixed marriage would be hard and that raising children in it would be harder. Jelena and Emir listened, but they decided to marry in 1992, just before the war broke out. Six months later, Jelena's own brother came to their home and murdered them both in the name of nationalism. No army did that, and no stranger. Across Yugoslavia, atrocities were repeatedly committed by people who had formerly been friends, neighbours and colleagues. I know that many of us have been to Bosnia and Srebrenica. I lived there for four years, and those experiences scare me. They are in my heart whenever we roll the dice for nationalism and independence in Scotland.

For the record, I reiterate that I do not doubt the provenance of the SNP and Green members who sit in this chamber, or the integrity or intent of John Swinney as a peaceable leader. However, I reflect on Yugoslavia because, having listened to many debates about how socially progressive independence will be, I rarely hear about the small

but ever-present risk of what we are gambling with, which is the peace of our nation.

**Patrick Harvie (Glasgow) (Green):** I am willing to accept that Duncan Dunlop is making in good faith his points about that context, which is not our context. However, I ask him whether he agrees with two points. First, does he agree that the points that he is making reinforce the need for there to be a democratic route for a country like Scotland? Secondly, does he agree that we should strongly criticise those who have challenged the Scottish First Minister for working with leaders in other places, including Northern Ireland, where a long-fought-for, hard-won peace process has meant that Sinn Féin is now a legitimate political party that is able to occupy the post of First Minister?

**Duncan Dunlop:** The one point that I take from that intervention is that we have had civil war in our nation—in Northern Ireland. This is not distant from us. I say to members: do not believe in Scottish exceptionalism. We are naive if we believe that instability and violence should not be in the risk assessment of any independence movement. It is not you but what your movement can be warped to represent that concerns me.

After the independence referendum, I drove down the A1 to cross the border near Berwick. The flags on either side of that road did not feel welcoming to me. Instead, they were more like Northern Ireland in the 1990s.

**Alex Kerr:** Will the member take an intervention?

**Duncan Dunlop:** I am nearing an end, so I will not take another intervention.

I have knocked on enough doors in Scotland to know that there are extreme fringes to nationalism here, too.

**Ross Greer:** And unionism.

**Duncan Dunlop:** Yes.

I am worried about what is going on—really worried about our narrative and our politics. My appeal in these times, when politics is getting more and more extreme and volatile in Europe and the UK, is that we stop giving it oxygen in Scotland. Let us stop inviting the tiger in for tea. Instead, I ask members to focus their energies on unleashing the positivity that can come from trusting communities by giving them real power via the devolution agenda. If they want to claim more powers from Westminster, our door has always been open to pursuing federalism and they will have allies here.

My most basic purpose in life is to make sure that my family never has to choose between the Scottish dad and the English mum, as so many of my Bosnian friends had to do. I say, please stop

continuously gambling with our safety and security, and park the motion.

16:56

**Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con):** We cannot deny that the debate has been passionate, but I will be clear: the Scottish Conservatives oppose a second independence referendum.

We are the party that denied the SNP a majority in May.

**Alex Kerr:** Will the member take an intervention?

**Rachael Hamilton:** I will make progress.

I believe that the SNP is frozen in time. It has a confused approach about its next move.

We unionists have been accused of being antidemocratic. That is absolute nonsense. Voters had a historic opportunity to make one of the biggest choices of their lives in 2014—a democratic vote, in which the SNP lost its bid to break up Britain.

**Alex Kerr:** The Scottish Conservative amendment would delete “Scotland is a nation”. I have two questions and it would be helpful to have them answered. Why would the Conservative amendment delete those words, and do the Conservatives believe that Scotland is not a nation?

**Rachael Hamilton:** Alex Kerr debates about words. Those of us who have sat through exactly this SNP debate on a doom loop, time and again, every year, will deny his party a second independence referendum. SNP members know that the debate, and trying to make “gotcha” interventions about words, is meaningless. They have spent years trying to take Scotland out of the UK, and First Minister after First Minister has failed to persuade the nation—the public—of their arguments. Every wheeze and every whim has been a gimmick.

John Swinney has failed to deliver on his election promise. The Government took a case to the Supreme Court to try to convince the court that the Government had the constitutional right to bring forward an independence referendum. That cost taxpayers £250,000. Governments have had white paper after white paper in the Parliament—nine, I think, in the time during which I have represented Ettrick, Roxburgh and Berwickshire. The money for those might have been used to improve numeracy and literacy attainment among young people.

They are desperate. However, the elephant in the room is the independence fundraising

campaign—money that was swiped from SNP members by the former First Minister’s husband, who was the top man in the SNP. That is hardly a convincing pitch for how the SNP people in Government should manage the finances of the country.

**David Linden:** Ms Hamilton talks about wasting taxpayers’ money. When her party was in government, until 2024, it was spending hundreds of thousands of pounds on polling the Scottish people on the question of Scottish independence. How does she reconcile that with the argument that she has just made?

**Rachael Hamilton:** I do not need to take any lectures from an SNP member about wasting money. The Scottish public can see how much money the SNP has wasted. It has wasted money on so many gimmick projects. It has had a disastrous tenure in government. Let me remind members on those benches that the Scottish economy is stuck in a doom loop. Scotland’s numeracy and literacy attainment is tanking, which is putting our young people at a competitive disadvantage.

**Lloyd Melville rose—**

**Rachael Hamilton:** If Lloyd Melville can tell me anything about the SNP that has been successful, he should feel free.

**Lloyd Melville:** I will break this rather gently to Rachael Hamilton. If the public considered the SNP to be a failure in government, her party would not have been occupying the same Opposition benches in this place for the past 20 years. This party in government is delivering success for Scotland, and we want to go even further with independence. Why does she not recognise that the people have a right to decide?

**The Deputy Presiding Officer (Katy Clark):** Rachael Hamilton has been generous in taking interventions. She can respond to Lloyd Melville, but she must then bring her remarks to a close.

**Rachael Hamilton:** Lloyd Melville is on another planet. We have the highest number of drug deaths in Scotland. We have ferries that do not sail. We have opposition to oil and gas exploration in the north-east. The north-east is on its knees—it is losing jobs. It is incredible that SNP back benchers have been so blind to what is really happening out there. The only people holding Scotland back are the SNP.

17:01

**Patrick Harvie (Glasgow) (Green):** I hesitate to follow such oratory, but, in any rational world, support for the motion ought to be unanimous. Even from those who would choose not to prioritise

this issue, there ought to be a continuation of the long-standing principle, on both sides of the independence debate, behind the point that is made in the motion. As Ross Greer said, this goes back a long way—not just to the claim of right, but to the devolution referendum, the independence referendum and the Sewel convention. As Ross Greer reminded us, the past cannot bind the future; so, in any rational world, we would all agree with the terms of the Government's motion and move on.

I will say something about the various amendments to the motion. First, though, I add to the welcome and congratulations for Michael Marra on his result. Not many people remember this, but, before I took on a leadership role in my party, I was 6 feet 2 and had a full head of hair—look what it has done to me. I hope that Michael Marra understands what has got himself into. I hear that Ross Greer has a full head of hair, but Ross is floating on the enthusiasm generated by a successful election result, which is perhaps not the case on the other benches.

I cannot see anything to disagree with in the Labour amendment, and I will vote for it. I cannot help reflecting, though, that it does not address the very real fact that UK decisions also impact hugely on poverty, employment, social security and so much more. I entirely recognise that opposition to independence is a legitimate position, but I also hope that Labour can acknowledge that, for many of us, the purpose of independence is to be able to do more than we already have done on the issues that Labour raises and on more besides.

On the Reform amendment—so much for the far right attempting to pose as the defenders of free speech. According to Reform's amendment, we need its agreement to a mandate even to discuss the issue of independence. To be absolutely clear, even in Reform members' absence, we need no such thing.

As for the Liberal Democrat amendment, I strongly share David Green's enthusiasm for Brighton. I share that much with him, although Brighton has different attractions for me than it does for him. Perhaps an Alex Cole-Hamilton speech is the one thing that might be guaranteed to keep me away. Few people could object to the part of the Liberal Democrat amendment that covers the cost of living and public services, but it all comes with the very heavy implication that we cannot care about those issues and act on them while also making the case for Scotland's right to decide its own future and setting out why independence would help us to take such action.

As for the Conservative amendment—perhaps the less I say about it, the better. I doubt that the Conservatives care very much whether I can find

any saving grace in their amendment, so I will not try. I will just reflect that a Conservative adoption of micro speeches and a Reform boycott of the chamber are innovations that I warmly welcome.

Let me address some of the themes that have been brought out in the debate, at least by the serious contributions. There is a long-standing refusal of anti-independence parties to say what constitutes a mandate. Even if they agree that Scotland's right to decide exists in principle, they will never say how Scotland can exercise that right in practice.

During the election, the SNP did not ask voters just to elect a pro-independence majority; it asked voters to give its party a majority on its own, and the voters, in their wisdom, decided to do otherwise. They left the SNP with fewer seats but left the pro-independence bloc bigger than ever, and I very much welcome their judgment in making that decision. However, an election is not a referendum, and the basic principles of parliamentary democracy apply. A parliamentary majority should enable the Government to pursue a programme.

There is a paradox at the heart of the debate. It seems that those who are most keen to remind the SNP that it did not win that one-party majority are the same people who hold desperately to the idea that we had to accept John Swinney's definition of what a mandate was from before the election, even though, at that very time, senior figures in most anti-independence parties were quite clear that they would not accept it as a mandate anyway. They would not have accepted anything as a mandate. What we have is Schrödinger's mandate. Whatever threshold those who support independence propose, it both is and is not a mandate at the same time; only once we open the ballot box does it finally become one thing or the other. If the threshold is met, it was never a mandate at all and we must all move on; if the threshold is not met, it was a mandate and the failure to meet it is supposed to kill off the argument.

I cannot entirely blame the pro-UK parties for exploiting that paradox. John Swinney handed them the opportunity to do so by adopting the position of asking for a single-party majority in the first place. My party always said that that was wrong—not just a strategic error, but wrong in principle. This is a Government that has no majority on any policy at all. It must come to this chamber and seek support, so its policy of having a single-party mandate, if that ever was its policy, has to be set aside precisely because it has no single-party mandate. Regardless of the number of SNP members elected here, nobody has the authority to deny a majority in this Parliament.

The Greens set out in our amendment that, in 2026, the Scottish people returned the biggest ever pro-independence majority in Parliament, and I am proud that the Greens have played the biggest ever part in delivering that majority. I say that that should be respected by all democrats, but I also say that it should be a lesson for the First Minister that the case for independence can never be tied to the electoral fortunes of one political party.

To succeed, the case for independence must be pluralistic, because independence itself is not just one thing. It is neither a land of milk and honey nor a road to disaster. It contains within it all the possibilities that are before us—the opportunity and the responsibility for all the choices we might make as a country. It is large. It contains multitudes. It does not belong to one political party and it never will. It belongs, as the motion says, to the nation of Scotland.

17:09

**Neil Bibby (West Scotland) (Lab):** During the course of the afternoon, it has become clear and beyond doubt that the debate on this motion is not quite the significant moment that John Swinney has been claiming. I highly doubt that 22 September 2026 will have volumes dedicated to it in the history books. Rather, as others have said, this is a bit of a gimmick—the latest sleight of hand in the SNP’s constitutional con trick and the annual pre-conference performance from the First Minister, to give independence supporters who have not cottoned on yet the impression that the SNP has a plan to deliver independence, when it simply does not. It has done nothing to prepare Scotland for a referendum, let alone secession, and, as Michael Marra said, that is on the SNP. It is not trying to build Scotland the brave; it prefers to manufacture Scotland the offended.

In that, John Swinney is not addressing Scotland’s needs; he is addressing his needs with his SNP membership. He is trying to pull off the same con trick that Nicola Sturgeon did for years—telling SNP members that the referendum is just over the hill. The latest date, apparently, is 2031.

Of course we have the right to determine our own future. Scottish Labour believes that, as Michael Marra said earlier. I am sure that we all do—we all should. After all, we are here, in the Scottish Parliament. We are not at an SNP conference fringe event; we are not in a university or, dare I say it, primary school debating society—although, if that sounds offensive, I apologise to all the university and school debating societies up and down the country. We are here because the people of Scotland elected us to be here. The people of Scotland have expressed their opinion, and that was not to have another referendum. The

SNP won the election, and my party—*[Interruption.]* The SNP won the election—I concede that—and, regrettably, my party did not. However, unlike John Swinney and the SNP members, I fully accept the verdict of the people. Unlike John Swinney, I, like other members, also have a good memory. I remember him clearly stating before the election that a referendum would be achieved only if the SNP won a majority. It did not. What has John Swinney done since the election?

**George Adam (Paisley) (SNP):** *[Made a request to intervene.]*

**Neil Bibby:** No, not just now, thank you. *[Interruption.]* What has John Swinney done since the election? Not even Gianni Infantino would attempt to move the goalposts as much as John Swinney is doing now. Perhaps Mr Swinney is feeling under more pressure than Mr Infantino is from his members. When he and the Scottish Greens now cite and assert an overwhelming pro-independence majority, they ignore the inconvenient—for them—truth that the 73 SNP and Green MSPs here were elected on a minority of the vote. As Paul Sweeney said earlier, those SNP MSPs—that 57 per cent of MSPs that we keep hearing about—were elected on just 40 to 41 per cent of the vote.

**Patricia Gibson (Cunninghame South) (SNP):** *[Made a request to intervene.]*

**George Adam:** Will the member take an intervention on that point?

**Neil Bibby:** Yes, I will take an intervention on that point.

**The Deputy Presiding Officer (Katy Clark):** Who do you wish to take an intervention from, Mr Bibby? Two members indicated that they wish to intervene.

**Neil Bibby:** I will take the intervention from Mrs Gibson. *[Interruption.]*

**Patricia Gibson:** Mr Bibby has talked about the fact that, although he respects the right of the Scottish people to decide, there is no support for a Scottish referendum. He said that of course he believes in the right of the Scottish people to choose because he is sitting in this Parliament and the Scottish people have chosen the composition of this Parliament. He will recall the very famous words that devolution was supposed to kill the argument for independence “stone dead”. Is that the position that he is now maintaining, or does he understand that the desire for independence has not waned one iota, despite the roadblocks that his party tries to put in its way?

**Neil Bibby:** It is perfectly legitimate to support independence—I point out that we are not

independent—but, if you want us to be independent, build the case for it and build support for it. That is how you will achieve independence. Mr Adam wanted me to take an intervention from him, and I think that he was offended that I did not, so I will take that now.

**George Adam:** Mr Bibby was talking about elections, and, of course, he has experience of accepting defeats, because that has been three defeats to me in Paisley. When he accepted that he had been defeated by me in Paisley again, did he accept, once again, that the people of Scotland had spoken and that there is now the largest ever majority of independence-supporting MSPs on these benches in this Parliament? Surely that is just a matter of democracy.

**Neil Bibby:** Mr Swinney is moving the goalposts, and so is Mr Adam. He is ignoring the fact that 50 per cent of MSPs here were elected on 40 to 41 per cent of the vote. That is an undeniable fact and an inconvenient truth for him. That is before we get to the other undeniable facts—

**Ross Greer:** Will the member take an intervention?

**Alex Kerr:** Will the member take an intervention?

**Stuart McMillan:** Will the member take an intervention?

**Neil Bibby:** I will make some progress. The people of Scotland rightly determined our future in September 2014; we did so again in July 2024; and we will do so again in the future. *[Interruption.]* I can see that the First Minister and members on the SNP benches do not like those facts, but I am merely telling the truth. Democracy has not been denied. The only thing that has been denied, time and again by the SNP, is the outcome of democracy.

We have to recognise and respect that there are clear differences of opinion on the constitutional question. However, we also need to recognise how divisive referendums can be. I believe that they should be held only when there is a sense on both sides of the debate that the question needs to be put, or in order to confirm the apparent settled will of the people with a clear, decisive result. We are not in either of those positions today and, until that changes, this debate is a smokescreen.

It is clear that the SNP and the Greens would rather focus on the process of getting a referendum than on doing the difficult work of building support for independence and answering questions over currency, defence and the £25.3 billion deficit, to name but three.

**David Linden:** Will Mr Bibby give way?

**Neil Bibby:** No, not just now, thank you.

Years of civil servants' time and hundreds of thousands of pounds of taxpayers' cash—far more than even Peter Murrell spent on hairdryers—were wasted on the Government's white papers in the previous session of Parliament. They did not answer those vital questions and they did not move the dial. That, again, is on the SNP Government.

**Patrick Harvie:** Will the member give way?

**Neil Bibby:** No—I will give way in a moment.

Like other members, I also remember John Swinney telling the nation earlier this year that he had a secret plan. If he was re-elected and was not given a referendum, where is the secret plan? I am happy to give way to Mr Swinney if he can tell us now. Is this the secret plan?

**The First Minister:** Get on with your speech. *[Laughter.]*

**Neil Bibby:** To be fair to Mr Swinney, I am not that interested in his secret plan, but his own supporters deserve to know what the promised secret plan is, because they should not be continually conned. It looks as though they will still have to wait for an answer on that.

Given the lack of serious work being done by the SNP, it is little wonder that even many independence supporters do not want a referendum right now. It is also a reflection of the fact that the people of Scotland, including independence supporters, have more pressing priorities. As Michael Marra said, we should be focusing on the people's real priorities. We should be having a summit on meeting our child poverty targets rather than having a pretend separatist summit. Times are tough for people in Scotland right now, and when the going gets tough, what does the First Minister do? He gets going to Cardiff to meet Plaid Cymru and Sinn Féin—a meeting that even the Taoiseach, who wants Irish unification, said was unhelpful. The Scottish Government should instead be taking up Andy Burnham's offer to work co-operatively across the UK, because that is in Scotland's interests and it is what an independent Scotland would do.

The people of Scotland have the right to decide their own future—yes, we do. The only person who does not like it when we do so appears to be the First Minister. What about other rights?

**Jackie Dunbar (Aberdeen Donside) (SNP):** Will the member take an intervention?

**Jim Fairlie:** Will the member take an intervention?

**Neil Bibby:** No, I am going to make some progress.

Let us talk about some of the other rights that people have. What about the right to help people with additional support needs? Oh, that is right—we will quietly drop the learning disabilities, autism and neurodivergence bill and hope that nobody notices. Well, we have noticed, and so, too, have families across Scotland.

What about the right for people to see a doctor or get an ambulance when they need it? Oh, that is right—the treatment guarantee has been broken 900,000 times since its introduction.

What about the right to walk down the street safely? Oh, that is right—violent crime and sexual crime are on the rise, as Stephen Kerr pointed out. The public wants action on crime, not warm words on the constitution.

What about the right to a home? There is a housing emergency and it was announced today that a record 10,715 children are living in temporary accommodation—that is up 5 per cent in a year. Let us have a summit on that. What about a right to a decent education? Let us have a summit on that. We can, and should, work together on those, the people's, priorities.

I will tell you what Scotland has a right to—it has the right to a world-class education system, a world-class health service and the chance to make a decent living. The rights to all those things are not being denied by Westminster; they are being denied by a First Minister who, like his predecessors, looks after himself, not his nation, and who puts his party before his country.

**The Deputy Presiding Officer (Clare Adamson):** I call Jenny Gilruth to respond to the debate on behalf of the Scottish Government.

17:20

**The Deputy First Minister and Cabinet Secretary for Finance and Local Government (Jenny Gilruth):** I am grateful to colleagues across the chamber for their spirited contributions.

As Patricia Gibson observed, Lord George Robertson famously remarked in 1995 that devolution would kill nationalism “stone dead”. After nearly 20 years of SNP Governments, Lord Robertson’s prediction rings somewhat hollow. People like me, who are in their 40s or younger, can barely remember a Scotland without this Parliament. It belongs to our people: the school groups in the public gallery and those represented by the figures in the glass behind you, Presiding Officer, and by the poetry inscribed on our very foundations. That is the spirit in which the Government secured this debate. The people’s Parliament should have no limit on her ambition to improve the lives of our constituents.

**Willie Rennie:** The Deputy First Minister makes reference to the public gallery in this significant moment. I count five people in that gallery. Is this the significant moment that she seeks?

**Jenny Gilruth:** Mr Rennie’s sneering about the attendance in the public gallery does not help his case. He and his party have come to the chamber today to lock Scotland into a union and to provide us with no democratic route out. Surely, he must recognise that that is an unsustainable position for a liberal democrat.

We on the SNP benches know that an independent Scotland would have what it takes to flourish and to match the success and living standards of nations such as Ireland, Denmark, Norway and Finland. Perhaps more than most people, I know that not all of us agree on independence for Scotland. However, regardless of the views in favour of or against that, this debate is about something far more fundamental: it is about people’s right to choose their own future.

I turn to some of the contributions that have been made. It would be remiss of me not to comment on the absence of Reform members from the chamber, following their walkout earlier. As I understand it, Reform did not oppose the business motion for the debate. Through their antics, Reform members have shown the people who voted for them that they are not prepared to do a full day’s work—that is part time, performative and pathetic.

I welcome Michael Marra to his new role. I am sure that we will work well together. I will welcome hearing Labour’s proposals in relation to the Government’s upcoming budget. As we have discussed, the Government will support the Labour Party’s amendment at decision time.

What Mr Marra has said about further devolution in our communities is timely, given our publication yesterday of proposals for local government reform. Arguably, in a union of equals, tackling child poverty should be a joint endeavour—so I hope that he will support my calls on the UK Chancellor to take action at source to alleviate child poverty in Scotland by, for example, ending the freeze on local housing allowance rates, the bedroom tax and the benefits cap. That support would be welcomed sincerely by the Scottish Government.

As Ross Greer noted, democracy is not a one-off event. Colleagues across the chamber made that point and, of course, a majority of members were elected from independence-supporting parties. We should all accept the premise that it should be for the people of Scotland to decide on our future.

Russell Findlay told us that Scotland has had her tea: the referendum was a one-off event and that should be that. If we follow Mr Findlay's analysis, the Scottish Conservatives should remain the fifth-largest political party in this Parliament, with only 12 seats—because, adhering to that logic, we do not revisit democratic decisions. However, maybe it is time for some self-awareness from the Scottish Conservatives.

David Green's love for Alex Cole-Hamilton's speeches is admirable but, like Russell Findlay, he adheres to the view that independence should be off limits. The Liberal Democrats appear to be unable or unwilling to align themselves with the basic principle that today's debate tests. That is regrettable. However, we agree on some of the Liberal Democrat amendment's wording regarding decentralising decision making, which is exactly why, yesterday, the Government set out a range of measures that are designed to reform local government. I hope that the Liberal Democrats will work with us on those proposals. However, the ultimate decentralisation of power would be independence for Scotland.

I enjoyed Alex Kerr's speech and his evident classroom management skills in quietening the Conservatives. He made an interesting point about fear, which was echoed by Michelle Campbell and Keith Brown. At one point, there was an exchange between Alex Kerr and Stephen Kerr about independence-supporting Conservatives. Back in 1993, Margaret Thatcher said that the people of Scotland

"have an undoubted right to national self-determination; thus far they have exercised that right by joining and remaining in the Union. Should they determine on independence no English party or politician would stand in their way."

Therefore, I presume that the Scottish Tories now disagree with that sentiment.

**Jim Fairlie:** Twice in the debate, George Robertson has been mentioned regarding what he said about devolution killing independence stone dead. Margaret Thatcher disputed that by saying that, if SNP MPs constituted a majority of Scottish MPs at Westminster, that would trigger the right for Scotland to decide. The Labour Party has made numerous assertions today that it believes in Scotland's right to decide, but it was the Labour Party that inserted paragraph 1(b) of schedule 5 to the Scotland Act 1998, which reserved constitutional affairs to Westminster. Is it therefore true that Margaret Thatcher agrees on our democracy and the Labour Party does not?

**Jenny Gilruth:** From Mr Fairlie's explanation, it sounds as though that is exactly the position in which we find ourselves. In the SNP's view, it is deeply undemocratic and unsustainable.

During Kate Campbell's speech, Michael Marra intervened—this relates to Mr Fairlie's point—and spoke, rightly, about the votes in 1979 and 1997 on establishing a Scottish Parliament. Following that logic, according to the rules at the time, there was not enough support in 1979 to establish a Scottish Parliament, but that did not stop Labour pushing for a referendum in 1997. Why was it acceptable for Labour to push for devolution then and not acceptable for the SNP to push for independence now?

**Michael Marra:** Our position is entirely reasonable, because, during the 1980s and 1990s, when the Deputy First Minister and I were both children, the Labour Party generated a settled will among the Scottish people, with overwhelming demand for devolution and the creation of the Scottish Parliament. That is the job that sits in front of her, and I recommend that she gets on with it.

**Jenny Gilruth:** I am grateful to Mr Marra for a lecture on my role in the Parliament. Ultimately, today's debate is about the people of Scotland having the democratic opportunity to express their views on the country's future. The SNP was elected to be the Government for a fifth successive time, so I invite Mr Marra and his colleagues to reflect on why that was the case.

Kate Campbell rightly called for a clearly defined mechanism that would allow the people of Scotland the right to choose their own future. Ultimately, as we have discussed, that is what today's debate is about. It is about the inherent democratic deficit in our current constitutional arrangements.

Stuart McMillan, along with various Opposition members, quoted from the SNP's manifesto. The SNP's manifesto was clear:

"A vote for the SNP is a vote for a referendum on independence."

Stuart McMillan called for the Tories to respect the election result in May. As we heard from Keith Brown, the Conservatives were obliterated in the election not four months ago. It is important to reflect on the reasons why the Conservatives went from 31 seats to just 12 in the space of five years. They do not have a mandate to block independence. The people have rejected the Scottish Conservatives, who should reflect on why that is the case.

Liam Kerr talked about some recent results, and he was right in some regards. The people's vote must be respected, and we need to respect the outcome of the latest Scottish parliamentary election, in which the SNP was re-elected.

I am mindful of the time. In closing, I want to reflect on the purpose of today's motion, which states:

“That the Parliament agrees that Scotland is a nation that has a right to decide its own future.”

That is a simple statement on which, I hope, we can all agree. Continuing to just say no and assert that independence is off the table is simply unsustainable. Andy Burnham knows that. Indeed, the new Prime Minister has said as much himself. He has said that Westminster is not working, and SNP members agree. Something has to give.

We all know that the clock is ticking on the future of the United Kingdom. The people of Northern Ireland, Wales and Scotland have elected independence-supporting First Ministers. Election results are pulling at the very constitutional fabric of these islands. Just because a right has been exercised once does not mean that people should never have the opportunity to exercise it again—not if that is what they wish to do.

In his comments on 9 September, the Prime Minister appeared to accept that basic principle. He knows that our current arrangements do not work for the UK, which is exactly why he has established Number 10 North. It is therefore time for the Prime Minister to meet our First Minister and to agree the mechanism that is required to hold a second independence referendum and to give the people of our country a say. Scotland's future must be in Scotland's hands.

**The Presiding Officer (Kenneth Gibson):** That concludes the debate on Scotland's right to decide.

## Decision Time

17:30

**The Presiding Officer (Kenneth Gibson):** There are five questions to be put as a result of today's business. The first question is, that amendment S7M-01264.2, in the name of Michael Marra, which seeks to amend motion S7M-01264, in the name of John Swinney, on Scotland's right to decide, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

There will be a short suspension to allow members to access the digital voting system.

17:30

*Meeting suspended.*

17:33

*On resuming—*

**The Presiding Officer:** We come to the vote on amendment S7M-01264.2, in the name of Michael Marra, which seeks to amend motion S7M-01264, in the name of John Swinney. Members should cast their votes now.

The vote is closed.

**Gillian Martin (Aberdeenshire East) (SNP):** On a point of order, Presiding Officer. I apologise—I was unable to log into the app. I would have voted yes.

**The Presiding Officer:** Thank you. Your vote has been recorded.

### For

Adam, George (Paisley) (SNP)  
 Adam, Karen (Banffshire and Buchan Coast) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Ahmed, Irshad (Edinburgh and Lothians East) (Lab)  
 Anderson, Heather (Dundee City West) (SNP)  
 Arthur, Tom (Renfrewshire West and Levern Valley) (SNP)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Barratt, David (Cowdenbeath) (SNP)  
 Baxter, Andrew (Skye, Lochaber and Badenoch) (LD)  
 Beattie, Colin (Midlothian North) (SNP)  
 Bibby, Neil (West Scotland) (Lab)  
 Black, Dawn (Angus North and Mearns) (SNP)  
 Bonnar, Steven (Uddingston and Bellshill) (SNP)  
 Bouse, Gary (Falkirk West) (SNP)  
 Brown, Alan (Kilmarnock and Irvine Valley) (SNP)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Brown, Siobhian (Ayr) (SNP)  
 Bruce, Holly (Glasgow Southside) (Green)  
 Burgess, Ariane (Highlands and Islands) (Green)  
 Campbell, Kate (Edinburgh Eastern, Musselburgh and Tranent) (SNP)

Campbell, Michelle (Renfrewshire North and Cardonald) (SNP)  
 Chapman, Maggie (North East Scotland) (Green)  
 Clark, Katy (West Scotland) (Lab)  
 Constance, Angela (Almond Valley) (SNP)  
 Day, Martyn (Falkirk East and Linlithgow) (SNP)  
 Doris, Bob (Glasgow Kelvin and Maryhill) (SNP)  
 Duane, Iris (Glasgow) (Green)  
 Dunbar, Jackie (Aberdeen Donside) (SNP)  
 Dunlop, Duncan (South Scotland) (LD)  
 Fagan, Joe (South Scotland) (Lab)  
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)  
 Flynn, Stephen (Aberdeen Deeside and North Kincardine) (SNP)  
 Ghani, Zen (Glasgow Cathcart and Pollok) (SNP)  
 Gibson, Patricia (Cunninghame South) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Goodlad, Hannah Mary (Shetland Islands) (SNP)  
 Gray, Neil (Airdrie) (SNP)  
 Green, David (Caithness, Sutherland and Ross) (LD)  
 Greer, Ross (West Scotland) (Green)  
 Griffin, Mark (Central Scot and Lothians West) (Lab)  
 Hagmann, Katie (Carrick, Cumnock and Doon Valley) (SNP)  
 Harley, Adam (Strathkelvin and Bearsden) (LD)  
 Harvie, Patrick (Glasgow) (Green)  
 Haughey, Clare (Rutherglen and Cambuslang) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Kerr, Alex (Hamilton, Larkhall and Stonehouse) (SNP)  
 Kerr, Calum (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Kinross-O'Neill, Kayleigh (Edinburgh and Lothians East) (Green)  
 Kumar, Simita (Edinburgh South Western) (SNP)  
 Leask, Kristopher (Highlands and Islands) (Green)  
 Lennon, Monica (Glasgow) (Lab)  
 Linden, David (Glasgow Baillieston and Shettleston) (SNP)  
 Long, Joe (Mid Scotland and Fife) (Lab)  
 MacCallum, Morven-May (Highlands and Islands) (LD)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Gillian (Central Scot and Lothians West) (Green)  
 MacKinnon, Donald (Na h-Eileanan an Iar) (Lab)  
 Macpherson, Ben (Edinburgh North Eastern and Leith) (SNP)  
 Manivannan, Q (Edinburgh and Lothians East) (Green)  
 Marra, Michael (North East Scotland) (Lab)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 McAllan, Màiri (Clydesdale) (SNP)  
 McKee, Cara (West Scotland) (Green)  
 McKee, Ivan (Glasgow Easterhouse and Springburn) (SNP)  
 McLennan, Paul (East Lothian Coast and Lammermuirs) (SNP)  
 McMillan, Stuart (Inverclyde) (SNP)  
 McNeill, Pauline (Glasgow) (Lab)  
 Melville, Lloyd (Angus South) (SNP)  
 Merrick, Colm (Glasgow Anniesland) (SNP)  
 Middleton, Jack (Aberdeen Central) (SNP)  
 Minto, Jenni (Argyll and Bute) (SNP)  
 Mitchell, Laura (Moray) (SNP)  
 Mochan, Carol (South Scotland) (Lab)  
 Moodie, Laura (South Scotland) (Green)  
 Nevens, Kate (Edinburgh and Lothians East) (Green)  
 Oswald, Kirsten (Eastwood) (SNP)  
 Rennie, Willie (Fife North East) (LD)  
 Roddick, Emma (Inverness and Nairn) (SNP)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Sangster, Katherine (Edinburgh and Lothians East) (Lab)  
 Slater, Lorna (Edinburgh Central) (Green)

Smith, Alyn (Stirling) (SNP)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stafford, Pauline (Bathgate) (SNP)  
 Sweeney, Paul (Glasgow) (Lab)  
 Swinney, John (Perthshire North) (SNP)  
 Thewliss, Alison (Glasgow Central) (SNP)  
 Todd, Maree (Highlands and Islands) (SNP)  
 Young, Jenny (Central Scot and Lothians West) (Lab)

### Against

Adams, James (North East Scotland) (Con)  
 Briggs, Miles (Edinburgh and Lothians East) (Con)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Carson, Finlay (Galloway and West Dumfries) (Con)  
 Eagle, Tim (Highlands and Islands) (Con)  
 Findlay, Russell (West Scotland) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallacher, Meghan (Central Scot and Lothians West) (Con)  
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)  
 Hoy, Craig (Dumfriesshire) (Con)  
 Kerr, Liam (North East Scotland) (Con)  
 Kerr, Stephen (Mid Scotland and Fife) (Con)

**The Presiding Officer:** The result of the division on amendment S7M-01264.2, in the name of Michael Marra, is: For 91, Against 12, Abstentions 0.

### *Amendment agreed to.*

**The Presiding Officer:** Amendment S7M-01264.3, in the name of Malcolm Offord, was submitted and selected for debate, but it was not moved, so there will not be a vote on it. I record my surprise at this afternoon's events, as there was no indication whatsoever at this week's Parliamentary Bureau meeting or in previous weeks that Reform had any difficulty with the proposed business, nor was there any opposition to it when the business motion was moved and agreed to—without division, I might add—by the Parliament. I therefore consider this afternoon's antics to be a gross discourtesy to all members of the Parliament.

The next question is, that amendment S7M-01264.5, in the name of Gillian Mackay, which seeks to amend motion S7M-01264, in the name of John Swinney, on Scotland's right to decide, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

Voting is closed.

**Gillian Martin:** On a point of order, Presiding Officer. I would have voted yes.

**The Presiding Officer:** Thank you. Your vote has been recorded.

### For

Adam, George (Paisley) (SNP)  
 Adam, Karen (Banffshire and Buchan Coast) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Ahmed, Irshad (Edinburgh and Lothians East) (Lab)

Anderson, Heather (Dundee City West) (SNP)  
 Arthur, Tom (Renfrewshire West and Levern Valley) (SNP)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Barratt, David (Cowdenbeath) (SNP)  
 Beattie, Colin (Midlothian North) (SNP)  
 Bibby, Neil (West Scotland) (Lab)  
 Black, Dawn (Angus North and Mearns) (SNP)  
 Bonnar, Steven (Uddingston and Bellshill) (SNP)  
 Bouse, Gary (Falkirk West) (SNP)  
 Brown, Alan (Kilmarnock and Irvine Valley) (SNP)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Brown, Siobhian (Ayr) (SNP)  
 Bruce, Holly (Glasgow Southside) (Green)  
 Burgess, Ariane (Highlands and Islands) (Green)  
 Campbell, Kate (Edinburgh Eastern, Musselburgh and Tranent) (SNP)  
 Campbell, Michelle (Renfrewshire North and Cardonald) (SNP)  
 Chapman, Maggie (North East Scotland) (Green)  
 Clark, Katy (West Scotland) (Lab)  
 Constance, Angela (Almond Valley) (SNP)  
 Day, Martyn (Falkirk East and Linlithgow) (SNP)  
 Doris, Bob (Glasgow Kelvin and Maryhill) (SNP)  
 Duane, Iris (Glasgow) (Green)  
 Dunbar, Jackie (Aberdeen Donside) (SNP)  
 Fagan, Joe (South Scotland) (Lab)  
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)  
 Flynn, Stephen (Aberdeen Deeside and North Kincardine) (SNP)  
 Ghani, Zen (Glasgow Cathcart and Pollok) (SNP)  
 Gibson, Patricia (Cunninghame South) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Goodlad, Hannah Mary (Shetland Islands) (SNP)  
 Gray, Neil (Airdrie) (SNP)  
 Greer, Ross (West Scotland) (Green)  
 Griffin, Mark (Central Scot and Lothians West) (Lab)  
 Hagmann, Katie (Carrick, Cumnock and Doon Valley) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 Haughey, Clare (Rutherglen and Cambuslang) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Kerr, Alex (Hamilton, Larkhall and Stonehouse) (SNP)  
 Kerr, Calum (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Kinross-O'Neill, Kayleigh (Edinburgh and Lothians East) (Green)  
 Kumar, Simita (Edinburgh South Western) (SNP)  
 Leask, Kristopher (Highlands and Islands) (Green)  
 Lennon, Monica (Glasgow) (Lab)  
 Linden, David (Glasgow Baillieston and Shettleston) (SNP)  
 Long, Joe (Mid Scotland and Fife) (Lab)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Gillian (Central Scot and Lothians West) (Green)  
 MacKinnon, Donald (Na h-Eileanan an Iar) (Lab)  
 Macpherson, Ben (Edinburgh North Eastern and Leith) (SNP)  
 Manivannan, Q (Edinburgh and Lothians East) (Green)  
 Marra, Michael (North East Scotland) (Lab)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 McAllan, Màiri (Clydesdale) (SNP)  
 McKee, Cara (West Scotland) (Green)  
 McKee, Ivan (Glasgow Easterhouse and Springburn) (SNP)  
 McLennan, Paul (East Lothian Coast and Lammermuirs) (SNP)  
 McMillan, Stuart (Inverclyde) (SNP)  
 McNeill, Pauline (Glasgow) (Lab)

Melville, Lloyd (Angus South) (SNP)  
 Merrick, Colm (Glasgow Anniesland) (SNP)  
 Middleton, Jack (Aberdeen Central) (SNP)  
 Minto, Jenni (Argyll and Bute) (SNP)  
 Mitchell, Laura (Moray) (SNP)  
 Mochan, Carol (South Scotland) (Lab)  
 Moodie, Laura (South Scotland) (Green)  
 Nevens, Kate (Edinburgh and Lothians East) (Green)  
 Oswald, Kirsten (Eastwood) (SNP)  
 Roddick, Emma (Inverness and Nairn) (SNP)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Sangster, Katherine (Edinburgh and Lothians East) (Lab)  
 Slater, Lorna (Edinburgh Central) (Green)  
 Smith, Alyn (Stirling) (SNP)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stafford, Pauline (Bathgate) (SNP)  
 Sweeney, Paul (Glasgow) (Lab)  
 Swinney, John (Perthshire North) (SNP)  
 Thewliss, Alison (Glasgow Central) (SNP)  
 Todd, Maree (Highlands and Islands) (SNP)  
 Young, Jenny (Central Scot and Lothians West) (Lab)

### Against

Adams, James (North East Scotland) (Con)  
 Briggs, Miles (Edinburgh and Lothians East) (Con)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Carson, Finlay (Galloway and West Dumfries) (Con)  
 Eagle, Tim (Highlands and Islands) (Con)  
 Findlay, Russell (West Scotland) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallacher, Meghan (Central Scot and Lothians West) (Con)  
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)  
 Hoy, Craig (Dumfriesshire) (Con)  
 Kerr, Liam (North East Scotland) (Con)  
 Kerr, Stephen (Mid Scotland and Fife) (Con)

### Abstentions

Baxter, Andrew (Skye, Lochaber and Badenoch) (LD)  
 Dunlop, Duncan (South Scotland) (LD)  
 Green, David (Caithness, Sutherland and Ross) (LD)  
 Harley, Adam (Strathkelvin and Bearsden) (LD)  
 MacCallum, Morven-May (Highlands and Islands) (LD)  
 Rennie, Willie (Fife North East) (LD)

**The Presiding Officer:** The result of the division on amendment S7M-01264.5, in the name of Gillian Mackay, is: For 85, Against 12, Abstentions 6.

*Amendment agreed to.*

**The Presiding Officer:** The next question is, that amendment S7M-01264.4, in the name of Russell Findlay, which seeks to amend motion S7M-01264, in the name of John Swinney, on Scotland's right to decide, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division. Voting is closed.

**Gillian Martin:** On a point of order, Presiding Officer. I would have voted no.

**The Presiding Officer:** Thank you. Your vote has been recorded.

**For**

Adams, James (North East Scotland) (Con)  
 Briggs, Miles (Edinburgh and Lothians East) (Con)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Carson, Finlay (Galloway and West Dumfries) (Con)  
 Eagle, Tim (Highlands and Islands) (Con)  
 Findlay, Russell (West Scotland) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallacher, Meghan (Central Scot and Lothians West) (Con)  
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)  
 Hoy, Craig (Dumfriesshire) (Con)  
 Kerr, Liam (North East Scotland) (Con)  
 Kerr, Stephen (Mid Scotland and Fife) (Con)

**Against**

Adam, George (Paisley) (SNP)  
 Adam, Karen (Banffshire and Buchan Coast) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Ahmed, Irshad (Edinburgh and Lothians East) (Lab)  
 Anderson, Heather (Dundee City West) (SNP)  
 Arthur, Tom (Renfrewshire West and Levern Valley) (SNP)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Barratt, David (Cowdenbeath) (SNP)  
 Beattie, Colin (Midlothian North) (SNP)  
 Bibby, Neil (West Scotland) (Lab)  
 Black, Dawn (Angus North and Mearns) (SNP)  
 Bonnar, Steven (Uddingston and Bellshill) (SNP)  
 Bouse, Gary (Falkirk West) (SNP)  
 Brown, Alan (Kilmarnock and Irvine Valley) (SNP)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Brown, Siobhian (Ayr) (SNP)  
 Bruce, Holly (Glasgow Southside) (Green)  
 Burgess, Ariane (Highlands and Islands) (Green)  
 Campbell, Kate (Edinburgh Eastern, Musselburgh and Tranent) (SNP)  
 Campbell, Michelle (Renfrewshire North and Cardonald) (SNP)  
 Chapman, Maggie (North East Scotland) (Green)  
 Clark, Katy (West Scotland) (Lab)  
 Constance, Angela (Almond Valley) (SNP)  
 Day, Martyn (Falkirk East and Linlithgow) (SNP)  
 Doris, Bob (Glasgow Kelvin and Maryhill) (SNP)  
 Duane, Iris (Glasgow) (Green)  
 Dunbar, Jackie (Aberdeen Donside) (SNP)  
 Fagan, Joe (South Scotland) (Lab)  
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)  
 Flynn, Stephen (Aberdeen Deeside and North Kincardine) (SNP)  
 Ghani, Zen (Glasgow Cathcart and Pollok) (SNP)  
 Gibson, Patricia (Cunninghame South) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Goodlad, Hannah Mary (Shetland Islands) (SNP)  
 Gray, Neil (Airdrie) (SNP)  
 Greer, Ross (West Scotland) (Green)  
 Griffin, Mark (Central Scot and Lothians West) (Lab)  
 Hagmann, Katie (Carrick, Cumnock and Doon Valley) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 Haughey, Clare (Rutherglen and Cambuslang) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Kerr, Alex (Hamilton, Larkhall and Stonehouse) (SNP)  
 Kerr, Calum (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Kinross-O'Neill, Kayleigh (Edinburgh and Lothians East) (Green)  
 Kumar, Simita (Edinburgh South Western) (SNP)  
 Leask, Kristopher (Highlands and Islands) (Green)

Lennon, Monica (Glasgow) (Lab)  
 Linden, David (Glasgow Baillieston and Shettleston) (SNP)  
 Long, Joe (Mid Scotland and Fife) (Lab)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Gillian (Central Scot and Lothians West) (Green)  
 MacKinnon, Donald (Na h-Eileanan an Iar) (Lab)  
 Macpherson, Ben (Edinburgh North Eastern and Leith) (SNP)  
 Manivannan, Q (Edinburgh and Lothians East) (Green)  
 Marra, Michael (North East Scotland) (Lab)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 McAllan, Màiri (Clydesdale) (SNP)  
 McKee, Cara (West Scotland) (Green)  
 McKee, Ivan (Glasgow Easterhouse and Springburn) (SNP)  
 McLennan, Paul (East Lothian Coast and Lammermuirs) (SNP)  
 McMillan, Stuart (Inverclyde) (SNP)  
 McNeill, Pauline (Glasgow) (Lab)  
 Melville, Lloyd (Angus South) (SNP)  
 Merrick, Colm (Glasgow Anniesland) (SNP)  
 Middleton, Jack (Aberdeen Central) (SNP)  
 Minto, Jenni (Argyll and Bute) (SNP)  
 Mitchell, Laura (Moray) (SNP)  
 Mochan, Carol (South Scotland) (Lab)  
 Moodie, Laura (South Scotland) (Green)  
 Nevens, Kate (Edinburgh and Lothians East) (Green)  
 Oswald, Kirsten (Eastwood) (SNP)  
 Roddick, Emma (Inverness and Nairn) (SNP)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Sangster, Katherine (Edinburgh and Lothians East) (Lab)  
 Slater, Lorna (Edinburgh Central) (Green)  
 Smith, Alyn (Stirling) (SNP)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stafford, Pauline (Bathgate) (SNP)  
 Sweeney, Paul (Glasgow) (Lab)  
 Swinney, John (Perthshire North) (SNP)  
 Thewliss, Alison (Glasgow Central) (SNP)  
 Todd, Maree (Highlands and Islands) (SNP)  
 Young, Jenny (Central Scot and Lothians West) (Lab)

**Abstentions**

Baxter, Andrew (Skye, Lochaber and Badenoch) (LD)  
 Dunlop, Duncan (South Scotland) (LD)  
 Green, David (Caithness, Sutherland and Ross) (LD)  
 Harley, Adam (Strathkelvin and Bearsden) (LD)  
 MacCallum, Morven-May (Highlands and Islands) (LD)  
 Rennie, Willie (Fife North East) (LD)

**The Presiding Officer:** The result of the division on amendment S7M-01264.4, in the name of Russell Findlay, is: For 12, Against 85, Abstentions 6.

*Amendment disagreed to.*

**The Presiding Officer:** The next question is, that amendment S7M-01264.1, in the name of David Green, which seeks to amend motion S7M-01264, in the name of John Swinney, on Scotland's right to decide, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division. Voting is closed.

**Gillian Martin:** On a point of order, Presiding Officer. I would have voted no.

**The Presiding Officer:** Thank you. Your vote has been recorded.

#### For

Adams, James (North East Scotland) (Con)  
 Ahmed, Irshad (Edinburgh and Lothians East) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Baxter, Andrew (Skye, Lochaber and Badenoch) (LD)  
 Bibby, Neil (West Scotland) (Lab)  
 Briggs, Miles (Edinburgh and Lothians East) (Con)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Carson, Finlay (Galloway and West Dumfries) (Con)  
 Clark, Katy (West Scotland) (Lab)  
 Dunlop, Duncan (South Scotland) (LD)  
 Eagle, Tim (Highlands and Islands) (Con)  
 Fagan, Joe (South Scotland) (Lab)  
 Findlay, Russell (West Scotland) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallacher, Meghan (Central Scot and Lothians West) (Con)  
 Green, David (Caithness, Sutherland and Ross) (LD)  
 Griffin, Mark (Central Scot and Lothians West) (Lab)  
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)  
 Harley, Adam (Strathkelvin and Bearsden) (LD)  
 Hoy, Craig (Dumfriesshire) (Con)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Kerr, Liam (North East Scotland) (Con)  
 Kerr, Stephen (Mid Scotland and Fife) (Con)  
 Lennon, Monica (Glasgow) (Lab)  
 Long, Joe (Mid Scotland and Fife) (Lab)  
 MacCallum, Morven-May (Highlands and Islands) (LD)  
 MacKinnon, Donald (Na h-Eileanan an Iar) (Lab)  
 Marra, Michael (North East Scotland) (Lab)  
 McNeill, Pauline (Glasgow) (Lab)  
 Mochan, Carol (South Scotland) (Lab)  
 Rennie, Willie (Fife North East) (LD)  
 Sangster, Katherine (Edinburgh and Lothians East) (Lab)  
 Sweeney, Paul (Glasgow) (Lab)  
 Young, Jenny (Central Scot and Lothians West) (Lab)

#### Against

Adam, George (Paisley) (SNP)  
 Adam, Karen (Banffshire and Buchan Coast) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Anderson, Heather (Dundee City West) (SNP)  
 Arthur, Tom (Renfrewshire West and Levern Valley) (SNP)  
 Barratt, David (Cowdenbeath) (SNP)  
 Beattie, Colin (Midlothian North) (SNP)  
 Black, Dawn (Angus North and Mearns) (SNP)  
 Bonnar, Steven (Uddingston and Bellshill) (SNP)  
 Bouse, Gary (Falkirk West) (SNP)  
 Brown, Alan (Kilmarnock and Irvine Valley) (SNP)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Brown, Siobhian (Ayr) (SNP)  
 Bruce, Holly (Glasgow Southside) (Green)  
 Burgess, Ariane (Highlands and Islands) (Green)  
 Campbell, Kate (Edinburgh Eastern, Musselburgh and Tranent) (SNP)  
 Campbell, Michelle (Renfrewshire North and Cardonald) (SNP)  
 Chapman, Maggie (North East Scotland) (Green)  
 Constance, Angela (Almond Valley) (SNP)  
 Day, Martyn (Falkirk East and Linlithgow) (SNP)  
 Doris, Bob (Glasgow Kelvin and Maryhill) (SNP)  
 Duane, Iris (Glasgow) (Green)

Dunbar, Jackie (Aberdeen Donside) (SNP)  
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)  
 Flynn, Stephen (Aberdeen Deeside and North Kincardine) (SNP)  
 Ghani, Zen (Glasgow Cathcart and Pollok) (SNP)  
 Gibson, Patricia (Cunninghame South) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Goodlad, Hannah Mary (Shetland Islands) (SNP)  
 Gray, Neil (Airdrie) (SNP)  
 Greer, Ross (West Scotland) (Green)  
 Hagmann, Katie (Carrick, Cumnock and Doon Valley) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 Haughey, Clare (Rutherglen and Cambuslang) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Kerr, Alex (Hamilton, Larkhall and Stonehouse) (SNP)  
 Kerr, Calum (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Kinross-O'Neill, Kayleigh (Edinburgh and Lothians East) (Green)  
 Kumar, Simita (Edinburgh South Western) (SNP)  
 Leask, Kristopher (Highlands and Islands) (Green)  
 Linden, David (Glasgow Baillieston and Shettleston) (SNP)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Gillian (Central Scot and Lothians West) (Green)  
 Macpherson, Ben (Edinburgh North Eastern and Leith) (SNP)  
 Manivannan, Q (Edinburgh and Lothians East) (Green)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 McAllan, Màiri (Clydesdale) (SNP)  
 McKee, Cara (West Scotland) (Green)  
 McKee, Ivan (Glasgow Easterhouse and Springburn) (SNP)  
 McLennan, Paul (East Lothian Coast and Lammermuirs) (SNP)  
 McMillan, Stuart (Inverclyde) (SNP)  
 Melville, Lloyd (Angus South) (SNP)  
 Merrick, Colm (Glasgow Anniesland) (SNP)  
 Middleton, Jack (Aberdeen Central) (SNP)  
 Minto, Jenni (Argyll and Bute) (SNP)  
 Mitchell, Laura (Moray) (SNP)  
 Moodie, Laura (South Scotland) (Green)  
 Nevens, Kate (Edinburgh and Lothians East) (Green)  
 Oswald, Kirsten (Eastwood) (SNP)  
 Roddick, Emma (Inverness and Nairn) (SNP)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Slater, Lorna (Edinburgh Central) (Green)  
 Smith, Alyn (Stirling) (SNP)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stafford, Pauline (Bathgate) (SNP)  
 Swinney, John (Perthshire North) (SNP)  
 Thewliss, Alison (Glasgow Central) (SNP)  
 Todd, Maree (Highlands and Islands) (SNP)

**The Presiding Officer:** The result of the division on amendment S7M-01264.1, in the name of David Green, is: For 35, Against 68, Abstentions 0.

*Amendment disagreed to.*

**The Presiding Officer:** The final question is, that motion S7M-01264, in the name of John Swinney, on Scotland's right to decide, as amended, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

The vote is closed.

**Gillian Martin:** On a point of order, Presiding Officer—for the final time. I would have voted yes.

**The Presiding Officer:** Thank you. Your vote has been recorded.

#### For

Adam, George (Paisley) (SNP)  
 Adam, Karen (Banffshire and Buchan Coast) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Ahmed, Irshad (Edinburgh and Lothians East) (Lab)  
 Anderson, Heather (Dundee City West) (SNP)  
 Arthur, Tom (Renfrewshire West and Levern Valley) (SNP)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Barratt, David (Cowdenbeath) (SNP)  
 Beattie, Colin (Midlothian North) (SNP)  
 Bibby, Neil (West Scotland) (Lab)  
 Black, Dawn (Angus North and Mearns) (SNP)  
 Bonnar, Steven (Uddingston and Bellshill) (SNP)  
 Bouse, Gary (Falkirk West) (SNP)  
 Brown, Alan (Kilmarnock and Irvine Valley) (SNP)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Brown, Siobhian (Ayr) (SNP)  
 Burgess, Ariane (Highlands and Islands) (Green)  
 Campbell, Kate (Edinburgh Eastern, Musselburgh and Tranent) (SNP)  
 Campbell, Michelle (Renfrewshire North and Cardonald) (SNP)  
 Chapman, Maggie (North East Scotland) (Green)  
 Clark, Katy (West Scotland) (Lab)  
 Constance, Angela (Almond Valley) (SNP)  
 Day, Martyn (Falkirk East and Linlithgow) (SNP)  
 Doris, Bob (Glasgow Kelvin and Maryhill) (SNP)  
 Duane, Iris (Glasgow) (Green)  
 Dunbar, Jackie (Aberdeen Donside) (SNP)  
 Fagan, Joe (South Scotland) (Lab)  
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)  
 Flynn, Stephen (Aberdeen Deeside and North Kincardine) (SNP)  
 Ghani, Zen (Glasgow Cathcart and Pollok) (SNP)  
 Gibson, Patricia (Cunninghame South) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Goodlad, Hannah Mary (Shetland Islands) (SNP)  
 Gray, Neil (Airdrie) (SNP)  
 Greer, Ross (West Scotland) (Green)  
 Griffin, Mark (Central Scot and Lothians West) (Lab)  
 Hagmann, Katie (Carrick, Cumnock and Doon Valley) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 Haughey, Clare (Rutherglen and Cambuslang) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Kerr, Alex (Hamilton, Larkhall and Stonehouse) (SNP)  
 Kerr, Calum (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Kinross-O'Neill, Kayleigh (Edinburgh and Lothians East) (Green)  
 Kumar, Simita (Edinburgh South Western) (SNP)  
 Leask, Kristopher (Highlands and Islands) (Green)  
 Lennon, Monica (Glasgow) (Lab)  
 Linden, David (Glasgow Baillieston and Shettleston) (SNP)  
 Long, Joe (Mid Scotland and Fife) (Lab)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Gillian (Central Scot and Lothians West) (Green)  
 MacKinnon, Donald (Na h-Eileanan an Iar) (Lab)

Macpherson, Ben (Edinburgh North Eastern and Leith) (SNP)  
 Manivannan, Q (Edinburgh and Lothians East) (Green)  
 Marra, Michael (North East Scotland) (Lab)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 McAllan, Màiri (Clydesdale) (SNP)  
 McKee, Cara (West Scotland) (Green)  
 McKee, Ivan (Glasgow Easterhouse and Springburn) (SNP)  
 McLennan, Paul (East Lothian Coast and Lammermuirs) (SNP)  
 McMillan, Stuart (Inverclyde) (SNP)  
 McNeill, Pauline (Glasgow) (Lab)  
 Melville, Lloyd (Angus South) (SNP)  
 Merrick, Colm (Glasgow Anniesland) (SNP)  
 Middleton, Jack (Aberdeen Central) (SNP)  
 Minto, Jenni (Argyll and Bute) (SNP)  
 Mitchell, Laura (Moray) (SNP)  
 Mochan, Carol (South Scotland) (Lab)  
 Moodie, Laura (South Scotland) (Green)  
 Nevens, Kate (Edinburgh and Lothians East) (Green)  
 Oswald, Kirsten (Eastwood) (SNP)  
 Roddick, Emma (Inverness and Nairn) (SNP)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Sangster, Katherine (Edinburgh and Lothians East) (Lab)  
 Slater, Lorna (Edinburgh Central) (Green)  
 Smith, Alyn (Stirling) (SNP)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stafford, Pauline (Bathgate) (SNP)  
 Sweeney, Paul (Glasgow) (Lab)  
 Swinney, John (Perthshire North) (SNP)  
 Thewliss, Alison (Glasgow Central) (SNP)  
 Todd, Maree (Highlands and Islands) (SNP)  
 Young, Jenny (Central Scot and Lothians West) (Lab)

#### Against

Adams, James (North East Scotland) (Con)  
 Baxter, Andrew (Skye, Lochaber and Badenoch) (LD)  
 Briggs, Miles (Edinburgh and Lothians East) (Con)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Carson, Finlay (Galloway and West Dumfries) (Con)  
 Dunlop, Duncan (South Scotland) (LD)  
 Eagle, Tim (Highlands and Islands) (Con)  
 Findlay, Russell (West Scotland) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallacher, Meghan (Central Scot and Lothians West) (Con)  
 Green, David (Caithness, Sutherland and Ross) (LD)  
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)  
 Harley, Adam (Strathkelvin and Bearsden) (LD)  
 Hoy, Craig (Dumfriesshire) (Con)  
 Kerr, Liam (North East Scotland) (Con)  
 Kerr, Stephen (Mid Scotland and Fife) (Con)  
 MacCallum, Morven-May (Highlands and Islands) (LD)  
 Rennie, Willie (Fife North East) (LD)

**The Presiding Officer:** The result of the division on motion S7M-01264, in the name of John Swinney, on Scotland's right to decide, as amended, is: For 84, Against 18, Abstentions 0.

#### *Motion, as amended, agreed to,*

That the Parliament agrees that Scotland is a nation that has a right to decide its own future; recognises that Scotland faces pressing challenges that require urgent action to improve people's lives; believes that the Scottish Government must strengthen its efforts to build a fairer, more equal and prosperous Scotland; recognises that tackling child poverty must be an immediate national

priority; believes that parties across the Parliament should work together to deliver the actions needed to reduce child poverty; recognises the positive impact of measures such as the Scottish Child Payment and the removal of the two-child limit in tackling child poverty; further recognises the importance of secure employment, education, housing and strong communities in achieving this; reaffirms its commitment to achieving the targets set out in the Child Poverty (Scotland) Act 2017, including reducing relative child poverty to fewer than one in 10 children by 2030, and recognises that in the 2026 Scottish Parliament election, the people of Scotland returned the biggest ever majority of pro-independence MSPs.

**The Presiding Officer:** That concludes decision time. I ask members who are not staying for members' business to please leave the chamber quietly.

## Child Maintenance Service

**The Deputy Presiding Officer (Clare Adamson):** The final item of business is a members' business debate on motion S7M-00974, in the name of Steven Bonnar, on child maintenance and protecting children and families in Scotland. The debate will be concluded without any question being put.

*Motion debated,*

That the Parliament recognises what it considers to be the significant impact that failures within the UK Child Maintenance Service can have on children and families in Scotland; notes the concerns highlighted by the recent BBC Panorama investigation into the operation of the service; acknowledges the experiences of Scottish families who are struggling to secure maintenance payments to which their children are entitled, including those in the Uddingston and Bellshill constituency; notes the belief that children in Scotland should not bear the consequences of failures within a reserved UK system; recognises the Scottish Government's commitment to supporting children and families within its devolved responsibilities, and notes the calls for continued engagement between the Scottish and UK governments to ensure that the experiences and voices of Scottish families are properly reflected in the reform of the Child Maintenance Service and that future reforms better protect children and families across Scotland.

17:42

**Steven Bonnar (Uddingston and Bellshill) (SNP):** Child maintenance is a reserved matter, but its impact is anything but reserved. It is felt in homes and communities across Scotland, and ultimately it is children who feel the consequences when the system fails. When the system gets it wrong, the consequences are real. Incorrect calculations can leave families with less money to live on. Prolonged disputes can erode already fragile relationships between separated parents and put strain on new relationships and family life. These are not simply administrative failures—they affect people's finances, their wellbeing and their trust in the United Kingdom system.

I begin with the experience of one of my constituents, who is with us in the public gallery. Gerry's dealings with the child maintenance service date back to 2007. Since then, he has spent years just trying to establish what has happened in his case, which raises extraordinary concerns for us all. A child who did not exist was recorded on his claim. How is that even possible? Manual adjustments were then made to his financial records, liabilities were presumed and years were spent in trying to get answers.

I ask colleagues to imagine the impact of suddenly being told, while they are in a new relationship, that they need to pay for another child who they have no knowledge of. The financial implications are obvious, but so too are the

implications for building trust in the new relationship with a new partner. Government malpractice on that scale destroys lives and relationships, yet nobody is held accountable.

In Gerry's case, all of that was followed by years of disputes and attempts to establish what exactly had happened. The potential impact on an individual and on a family is enormous. Even obtaining his own records became a struggle for Gerry, with redactions, parts missing and manual manipulation of his file. That all came to light through a fuller disclosure that was provided only after he complained to the Information Commissioner's Office.

Ultimately, my constituent was left having to investigate the CMS's own records to establish what had gone wrong in his case. That should concern us all because, whatever the circumstances of an individual case, people should be able to have confidence that a public service is keeping accurate records, explaining its decisions transparently and providing a meaningful route by which to challenge mistakes when they occur.

My constituent's experience does not exist in isolation. Organisers working with separated families have raised concerns over many years about administration and malpractice in the child maintenance system. That includes correspondence being lost, different advice being given by different call handlers, and difficulties around the calculation of liabilities and overnight stays, which can mean that a parent may be financially better off by spending less time with their child.

The recent BBC "Panorama" investigation has brought wider concerns about the operations of the child maintenance service into sharp public focus. I recognise that individual cases must be considered on their own evidence—I completely agree with that sentiment. However, when individual casework sits alongside wider concerns about administration, communication, enforcement and redress, it is right that we ask whether the system is working as it should.

I have tried to get answers on my constituent's behalf. On 18 August, I wrote to ask the Secretary of State for Work and Pensions for a senior-level intervention in Gerry's case after he featured in the "Panorama" documentary. I also wrote to the director of the child maintenance service. I asked for a senior review of the case, including the financial records, payments, manual adjustments and handling of Gerry's subject access request. Given the history of the case, I made it clear that simply sending my constituent back through the same processes that he had already navigated was not acceptable. It is now more than a month

since those letters were sent, and I am still waiting for responses from both parties. That raises a wider question about accountability. When a Scottish constituent is dealing with a UK Government service, where does accountability ultimately sit when things go drastically wrong?

That brings me to the wider question that I wish to put on the record. Scotland has developed a significant framework of support for children and families within the powers that are available to the Parliament. We have the Scottish child payment, the best start grant and the best start foods payment, and we have the disability payment for children and other forms of devolved social security. We have 1,140 hours of funded early learning and childcare for all three and four-year-olds and eligible two-year-olds.

Those policies are different in purpose and design, but they recognise something important, which is that supporting children is about not simply one payment or service but all the circumstances in which children grow up, the needs that they have and the support that is available to their families. However, child maintenance sits outside that framework. A Scottish family can interact with Social Security Scotland, Scottish education, Scottish courts and family law and Scottish childcare services, which are all designed to support our children, while the important source of financial support following family separation is being dealt with through a failing UK Government system. When the system fails, the consequences do not stay in Westminster; they arrive at kitchen tables in Scotland.

I was struck by the submission that was made to the Smith commission in 2014 by Families Need Fathers Scotland, which is now known as Shared Parenting Scotland. It proposed that

"child support ... should be devolved to Holyrood."

The organisation argued

"that family policy, legislation and administration should be"

brought closer together to create a more "coherent" and less fragmented approach to supporting families and children. It went on to argue that it was

"fundamentally wrong that child support and family law should"

operate

"on separate, effectively divergent, tracks."

That submission was made 12 years ago. Considering the problems that families are still facing today, it is now reasonable to ask whether the position deserves to be revisited.

Devolution of the CMS system would not be without challenges, of course. That submission recognised questions around cost and difficulties that could arise when parents live in different parts of the United Kingdom. However, families do not experience issues as separate constitutional issues; they experience them as their family life.

Gerry's experience should not be the experience of any family trying to navigate child maintenance. No parent should have to spend time investigating a system to find out what has happened in their own case, and no child should bear the financial and emotional consequence when that system fails. That is why I have secured the debate, that is why these issues matter and that is why I hope colleagues will support the motion.

17:50

**Clare Haughey (Rutherglen and Cambuslang) (SNP):** I thank my colleague Steven Bonnar for bringing this important issue to the chamber.

Child maintenance is a proven lever for reducing child poverty, and getting its delivery right is essential to upholding children's rights. Non-custodial parents have a moral responsibility to contribute fairly to the financial costs of raising their children. Mr Bonnar has shared with us that he has dealt with cases where constituents have spent years trying to navigate the child maintenance service, hitting delay after delay. That should concern us all.

Sadly, that is also very much the case for my own constituents. For example, one of my constituents had provided the CMS with publicly available evidence about their ex-partner's employment and income status. The evidence was provided over the course of several years—and the child maintenance was due over that period. My constituent had concerns about benefit and tax fraud, so the case spanned multiple UK governmental agencies: the CMS, the Department for Work and Pensions and HM Revenue and Customs. There seemed to be a complete lack of cross-agency accountability, with no department willing to take the lead to properly investigate and no apparent mechanism for instigating cross-departmental review when agencies' roles overlapped.

Unsurprisingly, the emotional and financial strain on my constituent was immense. Having contacted the CMS, I received a response that, save for a few personal details about my constituent, was so generic that it could have been sent to any number of individuals. After I replied to detail the effects on my constituent and their children yet again, I received a response

suggesting that my constituent could complete an online form to provide more information if they disagreed with departmental policy. That was utterly staggering.

As my colleague Steven Bonnar said, that was lacking in any accountability. Such correspondence is not the hallmark of a UK Government agency that is fit for purpose and responsive to service users' needs—or, in this instance, to the need to take measures to protect public moneys.

The "Panorama" documentary clearly documented the scale of the issues with the CMS, and it shone much-needed light on the impact on families and children. Since 2012, £790 million of child maintenance has remained unpaid, with the National Audit Office estimating that that amount will hit £1 billion by 2031. One Parent Families Scotland tells us that, if maintenance was paid to all children who currently do not receive what they are entitled to, a total of £200 million would be paid to around 100,000 children across Scotland.

It is very clear that the CMS is a UK Government service that is performing very poorly. However, this is not simply an issue about its key performance indicators. Behind every delay, arbitrary decision or generic response there are children who are missing out.

What the UK Government started in 2012 was an austerity measure dressed up as reform. Trying to minimise statutory support for making and maintaining arrangements has been a failed experiment. It has resulted in the creaking service that we have today, which too often fails to enforce payments or adequately safeguard women and children who experience domestic abuse.

Eradicating child poverty is critically important to the Scottish Government, and our policies are estimated to be keeping 100,000 children out of relative poverty this year.

The child maintenance service is not fit for purpose. Warm words will not put money in parents' pockets. I support the third sector organisations that support those who are fighting for their just cause with the CMS.

17:55

**Carol Mochan (South Scotland) (Lab):** I thank Steven Bonnar for bringing this debate to the chamber and for raising the horrendous case of his constituent. It made us understand in real terms what the situation is like.

It is right that the Parliament discusses every issue that affects our constituents in Scotland and looks to find solutions here and by working with our United Kingdom colleagues. I note that the motion

mentions working with our UK colleagues and the UK Government, and I hope that I can play my part after the debate in doing anything that I can to support that.

As we have heard, child maintenance is money that helps to pay for children's everyday living costs across families who are divided. The child maintenance service collects and enforces financial support and has an important responsibility in relation to supporting families and ensuring that children's costs are shared between their parents. As Clare Haughey said, it has an important role to play in Scotland in relation to child poverty and other issues. Steven Bonnar's speech showed the emotional impact of what is happening, and we have to take that very seriously.

We know that the CMS supports huge numbers of children and processes hundreds of thousands of arrangements. The experiences of those in the BBC investigation are evidence that the system is not working—many people knew that that was the case before the BBC investigation. The system is supposed to deliver for each and every one of its users. When that does not happen, the Government in charge absolutely has to address those shortcomings.

As we have heard, child maintenance is a reserved matter and is managed through reserved arrangements. Therefore, the responsibility for fixing the system ultimately lies with the UK Government, but it is important that we hold the UK Government to account, in the interests of our constituents.

I want to put on the record some of the things that I looked at while I was preparing for the debate and some of the things that we need to press the UK Government on.

It is important to note that the UK Government has recognised that more must be done to deliver a fairer and more trustworthy service. This month, the UK Government confirmed that the child maintenance service is delivering a modernisation programme to improve customer access, efficiency and transparency. Given what the last two speakers have said, it is important that we hold the UK Government to account in that regard.

**Clare Haughey:** I am pleased to hear that the current Westminster Government is going to review the CMS. I do not think that anyone in the chamber could argue that it is not beyond time for doing that. Will Carol Mochan commit to working on a cross-party basis to ensure that whatever is put forward by the UK Government is fit for purpose and serves people—mainly women and children—who require to get access to their maintenance?

**Carol Mochan:** I thank Clare Haughey for that intervention, as one of the points that I want to make is about cross-party working in this parliamentary session.

The UK Government has committed to doing other things, including improving digital communication and enhancing data sharing. We have heard about some of the replies that members have received, and it seems that not all of the necessary data is available. Identifying where there is non-compliance is extremely important.

The UK Government has confirmed that it will remove direct pay altogether and move to a single, strengthened collect and pay service. That will enable the service to monitor all payments, identify missing or partial payments more quickly and take faster enforcement actions, which I think is an important step. I am not completely familiar with the system, and I have not had a constituent come to me with issues about it. However, from what the previous speakers have said, it seems that the way in which enforcement happens is quite difficult to understand, and people find it hard to navigate the system to find out what is happening.

It is perhaps worth mentioning that the Department for Work and Pensions recently published research, which was commissioned as part of the wider evidence base that is being used to inform the DWP's review of child maintenance calculations. The research examines the reasons given by paying and receiving parents for why they did not pay or receive the fully calculated amount of maintenance.

I know that I am short of time, so I will finish up. I echo the motion, which calls on the Scottish and UK Governments to continue to engage on this issue. If we want to get it right, we need to have meaningful discussion about that.

18:00

**Dawn Black (Angus North and Mearns) (SNP):** I am going to focus more on the aspect of protecting children and families, as I speak not only as a member of this Parliament but as a divorced mother of four who has lived through the reality of family breakdown.

When my family separated, our priority was simple: stability for our children. At the time, we were living in the Netherlands, where separation is approached largely through mediation rather than adversarial litigation. We practised shared parenting through an arrangement known as nesting, where the children remain in the family home while the parents move between residences. It was not easy, and it will not be right for every family, but it gave our children continuity, routine and security. Most importantly, it allowed

both of us parents to remain actively involved in their lives and took maintenance payments out of the question.

The experience taught me that shared parenting should never be about adult entitlement. The starting point must always be with the child—their welfare, their voice, their safety and their right to stable family relationships—because family separation can be profoundly unsettling for the children. They may be adapting to new routines, moving between homes and trying to navigate significant change while maintaining important relationships. However, shared parenting cannot simply be a slogan. It must be practical, flexible, safe and tailored to the individual needs of each child.

Where it is safe and appropriate, children benefit from those meaningful relationships with both parents. Children benefit when parents remain involved in everyday life and when adults communicate respectfully without placing children in the middle of any conflict.

The rights of the child must remain central to every decision, and children should be listened to, supported to understand what is happening and given opportunities to express their views. They should never be asked to choose between parents or carry the burdens of adult disagreements.

Safety must also be non-negotiable, because shared parenting is clearly not appropriate when there is violence, abuse, coercive control, neglect or genuine fear. A child's right to maintain relationships can never override their right to protection from harm. However, when safety is assured, we should not allow conflict or outdated assumptions to damage important relationships not only with parents but with grandparents, siblings and other trusted adults who provide continuity, reassurance and love.

That is why mediation, parenting plans, counselling, child contact centres and early interventions matter. They help families resolve conflict and keep the focus where it belongs: on the child. However, we must also recognise that disputes following separation are often about more than just contact arrangements. They are frequently about money, as is the focus of the debate.

Child maintenance helps to meet a child's everyday needs, and both parents remain responsible for those costs, as has been articulated well by Steven Bonnar, Clare Haughey and Carol Mochan. Unfortunately, too many families find that the current child maintenance service does not meet expectations. Too many receiving parents struggle to secure payments to which their children are entitled, and too many

paying parents report errors, delays and poor administration.

When the system fails, it is always the children who pay the price. Whatever side of the system they are on, families deserve better, and children should not bear the consequences of failures in a UK-reserved system. Therefore, I support the motion whole-heartedly.

In Scotland, family law, child welfare and decisions about contact and residence are largely devolved, but statutory child maintenance remains reserved. That division creates too much complexity for families, and I believe that there is a strong case for devolving child maintenance to the Scottish Parliament, so that support for children can be considered alongside the wider family justice system. I call on ministers to work towards that.

Ultimately, Scotland must hold two truths together—that children are entitled to safety, stability and protection from adult conflict and that, whenever it is safe and practical, they should be supported to maintain meaningful relationships with both parents and the wider family members who matter to them.

If we are serious about making Scotland the best place in the world in which to grow up, we must ask one simple question whenever families separate: not which adult wins, but what this child needs to feel safe, loved, heard and able to thrive. That is the foundation of shared parenting done well and children's rights in practice, and it is the standard to which Scotland should aspire.

18:05

**The Minister for Children, Young People and The Promise (Siobhian Brown):** I thank Steven Bonnar for securing this important debate, and I thank members who are present in the chamber for their contributions. We have heard personal stories about the impact on families and on children of a system that is failing.

We have heard only a few stories this evening, but I know that failures have impacted thousands and thousands of families for many, many years—as I, personally, have been failed through the system.

In his opening speech, Steven Bonnar mentioned the failures of the CMS, and I am really sorry to hear about the experience of his constituent, Gerry. That is totally unacceptable. Going through the system can be extremely stressful for families; it is a long and emotionally draining process. As all the members who have spoken have mentioned, the question is about who is accountable. No one ever seems to be accountable for what happens.

Members have called for the CMS to be devolved to Scotland, as its functions are reserved to Westminster. The First Minister has previously said in the chamber that there are currently no plans to establish a Scottish child maintenance service. In saying that, the Scottish Government does recognise arguments in favour of an integrated approach to family support, and we acknowledge that the question regarding future devolution merits consideration.

From Carol Mochan's speech, it was good to hear that the current UK Government has recognised that the system is failing. It is positive to hear that members from across the parties are willing to work together to ensure that any changes deliver for the families and children of Scotland.

It was interesting to hear about Dawn Black's experience in the Netherlands—about shared parenting and things being done in a totally different way there, and about how beneficial that is for families and for children. There are so many ways in which we can learn from other nations.

The Scottish Government recognises the importance of a child maintenance system that works for the families who need it. Sadly, as we have heard tonight, that is simply not the case for too many. The reality of the current service is highlighted in the important work conducted by One Parent Families Scotland, in partnership with Fife Gingerbread and the Institute for Public Policy Research Scotland. Those organisations engaged with parents with lived experience to understand the challenges that they faced, and their final report, which was published in October last year, sets out recommendations for transformational change that could help improve the financial security of children and lone-parent families.

The scale of what can be achieved is clear. IPPR Scotland estimates that 20,000 Scottish children could be lifted out of relative poverty if families were properly supported to navigate the child maintenance system and to access the money that they are owed.

Responsibility for the child maintenance service rests solely with the UK Government at the moment, and the failings that have been highlighted are that Government's alone. While the Scottish Government has welcomed the UK Government's recognition of the need for reform, as set out in the child poverty strategy, the actions that have been committed to fall short of the transformation that stakeholders have called for.

We are not content to sit idly by and point fingers at the failings of Westminster, so the Scottish Government is taking action. This year we are investing more than £270,000 in a new child maintenance project, led by One Parent Families Scotland and Fife Gingerbread. That project is

helping to provide information and advice nationally to train front-line advice workers and to deliver specialist advice for families with complex circumstances, including those experiencing domestic abuse.

We are also investing more than £99,000 over the next two years, through the child poverty practice accelerator fund, to build on the innovative work taken forward by Fife Council and Fife Gingerbread. Our investment is enabling learning from that project to be expanded into Edinburgh, which will help to improve the support that is available to families, including by training more financial inclusion and family support workers to feel more confident about discussing child maintenance.

In addition to mitigating the failings of the child maintenance service, we are investing £159 million this year to mitigate the effect of UK Government welfare policies, including the benefit cap, the bedroom tax and the freeze on local housing allowance rates. We have repeatedly called on the UK Government to scrap those cruel policies, and we have again urged the chancellor to take action at the budget next month.

This mitigation forms part of the much broader action that we are taking to drive progress on our defining mission of eradicating child poverty. The "Bringing Hope, Building Futures: Tackling child poverty delivery plan 2026-2031" sets out concrete action to increase families' incomes, reduce the cost of living, and support children and their families to thrive. That includes investing £40 million to deliver new transport and skills support for parents to help boost their earnings. It includes continued investment in our five family payments, which provide unparalleled financial support to families, and it strengthens them by increasing our Scottish child payment to £40 for children under the age of one. The plan also includes action to tackle the cost of living crisis, including through continued investment in funded early learning and childcare and free school meals.

Our action is making a real difference and is estimated to be keeping 100,000 children out of relative poverty this year. The Scottish Government recognises the significant challenges and failings in the current child maintenance service and the impact that transformational change could have on families across the country. We have repeatedly called on the UK Government to raise its ambition and deliver the change that is needed.

I really welcome this debate. I assure members that we will ensure that learning is shared from the projects that we are funding and that we will work constructively with the UK Government to reflect the experiences of families in Scotland.

*Meeting closed at 18:12.*

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Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

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