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Pàrlamaid na h-Alba

Official Report

MEETING OF THE PARLIAMENT

Thursday 12 September 2013

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Scottish Parliament

Thursday 12 September 2013

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

General Question Time

The Presiding Officer (Tricia Marwick): Good morning. The first item of business is general questions. I would like members to try to keep their questions as short as possible and I am sure that ministers will reciprocate by keeping their answers as succinct as possible.

Passenger Rail Franchise (Bicycles)

1. Claudia Beamish (South Scotland) (Lab): To ask the Scottish Government what provisions for bicycle access and storage on trains and at stations will be included in the contract for rail passenger services to be issued in 2014. (S4O-02372)

The Minister for Transport and Veterans (Keith Brown): The next ScotRail franchise will commence in April 2015. Bidders will be required to develop plans to improve rail's integration with the wider transport system, which, of course, includes improvements to facilities for cyclists. In the next rail investment period, from 2014 to 2019, Network Rail is required to work with partners to deliver improvements at stations through the £30 million Scottish stations fund, including more and better facilities for cyclists.

Network Rail is continuing to improve facilities for cyclists at the stations that it manages in Scotland—for example, with the excellent redevelopment at Waverley station, where it has arranged pop-up maintenance workshops for cyclists and has been collecting feedback to help inform future cycling provisions.

Claudia Beamish: I thank the minister for that answer, in particular for the information about the pop-up workshops.

In line with the as yet unfulfilled ScotRail franchise plans to include

“secure cycle parking facilities at every station”,

can the minister confirm that those facilities will indeed be part of the new franchise and will be extended to stations in more remote rural areas? Also, can he confirm whether consideration has been given to developing separate cycle carriages for trains, as used in Denmark for tourism, leisure and work, such as the carriage that is shown in the picture that I am holding up?

Keith Brown: It is worth saying that the specification for the franchise is deliberately

designed to encourage the bidders to come forward with their own proposals. In some bidders' minds, there is a much greater emphasis on having access to bikes at stations—as happens in Amsterdam, for example—rather than on taking bikes from station to station on a train. If they want to do that, they have to have secure cycle storage facilities, as the member suggests.

We are encouraging bidders to come forward with their own proposals, but we are also seeing developments such as the Stirling hub, which is an excellent new development that improves cycle storage and the facilities to maintain bikes as well as telling people where they can go in the local area. We are doing that just now, but the big leap forward can come with the new franchise.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): The minister is well aware of the many cycling events and things that can happen in the Borders in the likes of Gala, Walkerburn and Glentworth. With the opening of the Borders railway, is the minister in dialogue with anyone with regard to the storage of bicycles on trains?

Keith Brown: The same conditions will apply as I outlined in my previous answer, in as far as storage will come with the new franchise, over and above the development of the Borders railway itself. It will be the same as the rest of the rail network; there will be cycle storage facilities on board and the franchisee will be required to balance the needs of cyclists and non-cyclists. Of course, there is an alternative Dalkeith cycle route to replace the paths that will be lost to the railway.

Mark Griffin (Central Scotland) (Lab): What work was done by the Government, as far as legally possible, prior to the pre-qualification questionnaires to encourage a non-profit bid for the franchise?

Keith Brown: The member should be aware that we are not able to encourage one form of bid over another. To do so would be to breach the procurement regulations. We said that we were more than happy to receive a not-for-profit bid. We made it clear that any not-for-profit bid that came forward would have to contain an element or a partner that had substantial experience in running railways. Beyond that, it is not for us to go and encourage bids. In fact, we are specifically precluded from doing that by European procurement law.

Dennis Robertson (Aberdeenshire West) (SNP): I am a regular train traveller, as the minister is aware. On the train, designated spaces for cycles and designated spaces for people with disabilities are often taken up by luggage and by people without disabilities. What assurances can the minister give to cyclists and to people with

disabilities that those spaces will be prioritised for their proper use?

Keith Brown: The member will be aware that we have to balance the requirements and competing demands of foot passengers, cyclists, wheelchair users and others on the available on-train space. The current franchisee provides wheelchair spaces that can be reserved on longer express routes, and priority seating is provided on almost all ScotRail services. The assisted travel team in ScotRail can help to make reservations and can arrange assistance for individuals. In the next franchise period, from April 2015, we will continue to work to ensure that rail services in Scotland are accessible to all.

Cycle Paths

2. Nigel Don (Angus North and Mearns) (SNP): To ask the Scottish Government what plans it has to expand the network of cycle paths. (S4O-02373)

The Minister for Transport and Veterans (Keith Brown): The updated cycling action plan for Scotland, which was published in June 2013, makes clear our commitment to the continued development of cycling infrastructure in communities as well as the continued development of the national cycle network. That commitment was reinforced in the draft budget that was announced yesterday by the Cabinet Secretary for Finance, Employment and Sustainable Growth. We are further increasing our expenditure on cycling infrastructure by £10 million in each of the next two years. To clarify, that is in addition to the £58 million that the Scottish Government has already allocated to active travel since the 2011 spending review, using the opportunities for further investment that have arisen. Local authorities, as the local transport authorities, also have an important role in delivering on infrastructure improvements in their communities.

Nigel Don: I welcome the extra funding that was announced yesterday. The minister will be well aware that there are notable old railway lines running from Montrose south towards Arbroath and north towards Inverbervie. There seems to be an excellent opportunity for family recreation routes accessible by railway. Is that something that the Government might be able to support? Might he be able to support access to European funding for that, if it were available.

Keith Brown: Yes, of course. Last week I was on a former rail line that is now used as a cycle track and for walking, and such routes offer excellent opportunities to develop the cycle network. Local authorities are best placed to determine what cycle routes should be developed in their areas. Where there are local opportunities

to encourage wider participation in cycling, particularly for everyday journeys, I would encourage people to consider them carefully.

The Scottish Government is providing significant funding via the Sustrans community links programme, through which all local authorities in Scotland can bid for cycle infrastructure projects.

Cluff Natural Resources (Meetings)

3. Claire Baker (Mid Scotland and Fife) (Lab): To ask the Scottish Government when it is meeting Cluff Natural Resources and what matters will be discussed. (S4O-02374)

The Minister for Energy, Enterprise and Tourism (Fergus Ewing): It is a key part of my job as energy minister to routinely meet representatives of companies to discuss their plans for potential employment and investment as they relate to Scotland. Along with Scottish Government energy officials, I met representatives of Cluff Natural Resources on 27 August 2013. We discussed the company's plans and we understand them to be at an early stage of development. We understand that no applications for planning permission have been lodged in Scotland by the company. As is routine in such meetings, I made it clear to the company that applications for development of any energy sources in Scotland will be determined on their merits. Each proposal will be considered through the normal planning process and the appropriate regulatory regimes.

Claire Baker: I thank the minister for the update. He will be aware of Cluff's proposals in Fife. Concerns have been raised by the local communities, along with environmental organisations, regarding underground coal gasification proposals for Largo Bay and Kincardine. With international pilot testing resulting in the contamination of local water, does the minister share my concerns over potential mine-water pollution in Fife? Is he confident that sufficient and robust safeguards are currently in place under the regulatory regime?

Fergus Ewing: I make it clear that environmental issues are of extreme importance. I informed the company that, on these matters, we take an evidence-based approach, appropriately considering environmental matters and encouraging any such companies to engage in appropriate community engagement.

Patient Safety (Monklands, Wishaw and Hairmyres Hospitals)

4. Siobhan McMahon (Central Scotland) (Lab): To ask the Scottish Government what action it is taking to ensure patient safety at

Monklands, Wishaw and Hairmyres hospitals. (S4O-02375)

The Cabinet Secretary for Health and Wellbeing (Alex Neil): A review has already been announced. It will be carried out by Healthcare Improvement Scotland and it will consider the causes and reasons behind the pattern of aggregated mortality statistics—hospital standardised mortality ratios, or HSMRs—in Lanarkshire, which do not reflect the reduced mortality ratios that have been recorded by other Scottish territorial health boards. It will identify whether any additional action needs to be taken, or whether any aspects of NHS Lanarkshire's existing action plan need to be strengthened or accelerated.

Siobhan McMahon: Can the cabinet secretary confirm that, from 2012, Healthcare Improvement Scotland worked with NHS Lanarkshire to reduce the mortality rate by 15 per cent by 31 March 2013 from a baseline of November 2007? When did the cabinet secretary first become aware of the potential problem with the above-average mortality rates at Monklands and Wishaw? Will the findings of any work undertaken by HIS be published? Will the cabinet secretary outline what progress has been made to reduce mortality rate figures and to ensure that lessons are being learned in order that those hospitals can continue to deliver a high standard of care to all patients?

Alex Neil: Obviously, I cannot say what the action will be until we have had the findings from HIS and NHS Lanarkshire. However, whatever recommendations are made about improvement, they will be implemented, because we are determined to ensure that we have the safest possible hospitals in Lanarkshire and, indeed, elsewhere in Scotland. I can confirm that we will publish the report when it is available from HIS.

Linda Fabiani (East Kilbride) (SNP): Is the cabinet secretary aware of the lack of capacity in neurology departments in NHS Lanarkshire hospitals? I know of cases where people are so worried about the length of time that it is taking to get scans and so on that they are potentially putting themselves into debt to pay to have the scans carried out privately. Will the cabinet secretary consider meeting me and perhaps Siobhan McMahon and other members to discuss the apparent capacity issues in NHS Lanarkshire to try jointly to find a way forward for the benefit of all patients in Lanarkshire?

Alex Neil: There is a wider problem of capacity in neurological consultancy. I am happy to meet the member or, indeed, any member or collection of members to discuss the specific issues in relation to NHS Lanarkshire. Clearly, we do not want to be in a position in which people feel that they have to go private because they cannot get

the service timeously within the national health service.

NHS Greater Glasgow and Clyde

5. Duncan McNeil (Greenock and Inverclyde) (Lab): To ask the Scottish Government when the Cabinet Secretary for Health and Wellbeing last met the chief executive of NHS Greater Glasgow and Clyde and what was discussed. (S4O-02376)

The Cabinet Secretary for Health and Wellbeing (Alex Neil): Ministers and Government officials regularly meet with national health service boards, including NHS Greater Glasgow and Clyde, to discuss matters of importance to local people.

Duncan McNeil: As the cabinet secretary will be aware, in August 2011 NHS Greater Glasgow and Clyde published its property asset management strategy, which showed a maintenance backlog bill in Port Glasgow health centre of £240,000, one in Gourock health centre of £20,000 and a staggering bill in Greenock health centre of £900,000, which surely puts it beyond repair. What can the cabinet secretary do to ensure that capital moneys are targeted at those areas with the greatest need to ensure that they have effective community health services?

Alex Neil: NHS boards have to work towards priority criteria. I fully understand and appreciate the concerns of the member, who represents one of the poorest constituencies in Scotland. I am more than happy to arrange a meeting between NHS Greater Glasgow and Clyde and the member to see how we can take those projects forward faster.

Broadband (South Scotland)

6. Aileen McLeod (South Scotland) (SNP): To ask the Scottish Government what consideration it is giving to methods of providing broadband access to the hardest-to-reach remote rural communities in south Scotland. (S4O-02377)

The Deputy First Minister and Cabinet Secretary for Infrastructure, Investment and Cities (Nicola Sturgeon): The Scottish Government and its partners are investing over £280 million in the step change programme which, alongside commercial deployment by BT and other operators, will deliver next-generation broadband access to 95 per cent of premises in Scotland by 2017. That is expected to cover at least 95 per cent of premises in Dumfries and Galloway and 93.8 per cent in the Scottish Borders. We have also established community broadband Scotland, which is a £5 million initiative that is supporting broadband roll-out in those communities that will not have next-generation access delivered by step change.

Aileen McLeod: The cabinet secretary will be aware that this issue is being followed closely in rural south-west Scotland, where many of the most rural communities currently have very slow connection speeds. With a possible viable interim measure being distributed satellite broadband, will the Government look at ways of supporting communities that might feel that to be an option for them?

Nicola Sturgeon: Aileen McLeod raises a matter that is obviously of great importance to those communities that she represents. In my original answer, I mentioned community broadband Scotland, which is a £5 million initiative that is specifically designed to provide support to rural and remote communities to help them deliver their own broadband solutions. The CBS team includes five dedicated project officers, who are providing very important on-the-ground support to communities across the country. I advise any community considering delivering its own broadband solution to contact community broadband Scotland. I am happy to write to Aileen McLeod to ensure that she and, by extension, her constituents have the full details of the support that is available to them.

Forth Crossing (Local Jobs)

7. Helen Eadie (Cowdenbeath) (Lab): To ask the Scottish Government whether it will provide an update on the number of local jobs that have been created as a result of the construction works for the Forth replacement crossing. (S4O-02378)

The Deputy First Minister and Cabinet Secretary for Infrastructure, Investment and Cities (Nicola Sturgeon): During August this year, an average of 874 people have been directly employed on the project. Of those, 43 per cent are from Edinburgh, Lothian and Fife and 35 per cent are from other areas of Scotland. Those figures do not include the many others employed in the 365 Scotland-based firms that have to date been awarded subcontracts and supply orders on the project. Recruitment will continue throughout the project, with all job opportunities advertised in local jobcentres.

Helen Eadie: Can the cabinet secretary justify to this Parliament why an accommodation ship is said to be moored in the River Forth for over 100 Spaniards working on the new Forth crossing, along with a freight ship with all the requisite food from Spain, which is denying local shops and businesses much-needed trade? That is against a background where Fife still experiences very troubling high levels of unemployment.

Nicola Sturgeon: I am more than happy to meet Helen Eadie to discuss any particular issues of local concern, but I really think that we should be focusing on the massive positive economic

benefit of the Queensferry crossing that is being delivered not just to Fife and Edinburgh but to communities across Scotland.

Let me give a few statistics that underline the importance of the project. As of June this year, 216 out of 368 subcontracts went to Scottish companies, along with almost 8,000 of the almost 11,000 supply orders, which is 90 per cent. We have 874 people directly employed in building the Forth replacement crossing. We see 365 Scottish firms already benefiting from subcontracts and supply orders worth a total of about £143 million. Those are fantastic benefits to local economies and to Scotland. It is about time that Labour started acknowledging that, rather than criticising the project.

Speed Limits (A9)

8. Murdo Fraser (Mid Scotland and Fife) (Con): To ask the Scottish Government what plans it has to vary the speed limit for heavy goods vehicles on the A9 trunk road. (S4O-02379)

The Minister for Transport and Veterans (Keith Brown): Available research shows that average speed cameras will improve safety for all users, whether the HGV speed limit is retained at 40mph or increased to 50mph. However, our evidence suggests that a greater reduction in accidents will result if the 40mph speed limit is retained. As I have said before, we have not ruled out a pilot scheme to increase the speed limits of HGV vehicles exceeding 7.5 tonnes on single carriageway stretches of the A9 from 40mph to 50mph if the evidence supports that and the A9 safety group is currently undertaking further investigation work to better understand the suitability of such an increase.

Murdo Fraser: I am sure that the minister is aware of the widespread concern that exists in the Highlands and Perthshire that introducing average speed cameras without addressing the question of HGV speed limits might increase the number of accidents on the A9, because it will add to driver frustration. I listened with great interest to what the minister had to say. Will he undertake not to progress the introduction of average speed cameras without first seriously addressing the question of the HGV speed limit?

Keith Brown: I think that I have already said that further evidence is currently being gathered by the A9 safety group, which I think is the correct way to proceed. These are serious matters involving the safety of motorists. We want to try to make the road as safe as possible. The best way to proceed is to make sure that we garner all the evidence. I have said in debates in the chamber in the past that I am sympathetic to the idea of a 50mph speed limit for various reasons, but we have to proceed on the basis of the evidence. I

should say that I have written today to all local and list MSPs to invite them to a presentation to talk about both the average speed cameras and the possible introduction of a 50mph speed limit.

The Presiding Officer: I remind all members that electronic devices, particularly mobile phones, should be switched off. I am not looking at you, Mrs MacDonald.

Margo MacDonald (Lothian) (Ind): And I am not looking guilty.

The Presiding Officer: I call David Stewart.

David Stewart (Highlands and Islands) (Lab): As a road safety campaigner, I strongly support increasing the speed limit for 7.5 tonne HGVs from 40mph to 50mph on single carriageways. Will the minister think again about trialling that proposal on the Inverness to Perth section of the A9 to build up evidence in favour of a wider roll-out across Scotland?

Keith Brown: I think that I have answered that question. I hope that the member, who has a track record in road safety, agrees that the best way to proceed is on the basis of real evidence. Work is currently being undertaken by the A9 safety group and I think it best to await that evidence and then decide how to proceed after that.

First Minister's Question Time

11:59

Engagements

1. Johann Lamont (Glasgow Pollok) (Lab): To ask the First Minister what engagements he has planned for the rest of the day. (S4F-01534)

The First Minister (Alex Salmond): Engagements to take forward the Government's programme for Scotland.

Johann Lamont: In 2008, as part of the preparations for the Glasgow airport rail link, four plots of land at 57 Clark Street, Paisley, were bought on behalf of the Scottish Government for £840,000. Can the First Minister tell me from whom the land was bought and to whom has the land been subsequently sold and for what price?

The First Minister: If Johann Lamont wants to write to me with these questions, I will supply the answers. I should say to her that, as we heard yesterday, this Government's track record in taking forward transport projects in Scotland under the circumstances of the cutbacks from Westminster is considerable indeed. That said, the member should by all means send in her questions and we will supply the answers.

Johann Lamont: There you go: there was me thinking that this was First Minister's questions, where the First Minister has the opportunity to show how much in control of his Government he is.

Let me help the First Minister. The land was bought in 2008 for £840,000 from a businessman called John McGlynn, who was then a donor to the Scottish Conservative Party. Since then, of course, Mr McGlynn has been on something of a political journey; he now supports the yes campaign. Since then, he has been appointed to the Scottish Government national economic forum and he has bought back the land from the Scottish Government for £50,000 and made a profit of £790,000. Is there some connection here or has Mr McGlynn just benefited from the First Minister's gross incompetence with public funds?

The First Minister: As Johann Lamont should know, ministers are not involved in property transactions with regard to transport projects or anything else. Maybe it was different when the Labour Party was in power, but that is what has happened since the Scottish National Party has been in power.

Clearly, Johann Lamont had the answers to her own questions all the time, so she was not really eliciting information. However, I was not clear from her question whether it was an attack because

someone was a donor to the Conservative Party when the land was bought or it was just an attack for no apparent reason against a Scottish businessperson. *[Interruption.]*

The Presiding Officer (Tricia Marwick): Order.

The First Minister: If Johann Lamont has any evidence whatever that anything untoward has been happening in property transactions, she should bring it to the chamber or to public notice. If she has no such evidence—and she has no such evidence whatever—she should not attack people in Scotland with no reason whatever or come to this chamber to attack people who cannot answer back in the chamber. It is ridiculous.

Johann Lamont: I was attacking no one. I was expecting the First Minister to justify his actions, and he has absolutely failed to do so.

The fact of the matter is that the Scottish Government bought the land for £840,000; it was signed off by the Scottish ministers; and the Scottish Government then sold the land for £50,000 when not obliged to do so to kill a project that John Swinney himself has called “desirable” and which Transport Scotland is still exploring.

In case the First Minister has not noticed, Scotland has for the past five years been going through one of the deepest downturns in our history. In that time, the First Minister has slashed spending on skills and colleges; has underfunded vital public services with the result that some of our most vulnerable old people get just 15-minute care visits; and has cut funding so that many people with a bus pass have no bus to get on. In those circumstances, how does the First Minister justify buying a piece of land for £840,000 and then selling it back to the person he bought it from for just £50,000? What was the First Minister thinking of?

The First Minister: Neither the First Minister nor any other minister was involved in the property transaction that the member has spoken of. Such transactions are not conducted by ministers in this Government. I do not know whether the practice was any different in the previous Labour Government—I suspect not—but the purpose of Johann Lamont’s question seems to be to smear a perfectly respectable Scottish businessman for no apparent reason other than she did not like his politics then and does not, for that matter, like them now. I do not really think that that is the way a political leader should behave in a parliamentary chamber.

If, as Johann Lamont occasionally says, she wants to talk about the real issues, then let us do so. This Government has given an unequivocal commitment to universal services and benefits—the mark of the Parliament over these past 14 years. It is Johann Lamont who, as I understand it,

wants to cut people’s bus passes and stop free access to higher education and who has put a question mark over free personal care for the elderly. Those are matters that, as I understand it, are being considered by her cuts commission as part of the something for nothing society that she outlined only a year ago.

As we said in our programme for government, we believe in a something for something society in Scotland. We believe that those benefits to people in Scotland are well justified, and I think that people in Scotland want to hear about those substantive policies, not totally unfounded smears on a Scottish businessperson.

Johann Lamont: I think that we might hear the First Minister talking about a something for next to nothing Scotland. I am not addressing the question of the businessman who benefited; I am asking the First Minister to take responsibility for what was done by his Government.

All of the displacement activity that we just witnessed might make the First Minister feel better for the present, to get him through the moment, but when he is done with that he will still have to answer this serious question—and I do not think that the First Minister understands, even at this stage, how serious the issue is. I am asking a simple question: how did we get in a situation in which a piece of land was bought with taxpayers’ money for the guts of £1 million and sold back to the same person a few years later for just a fraction of that?

There are people watching this at home who are struggling to pay the bills or put food on the table. They have to account for every penny that they spend. Can the First Minister explain to them either why the issue has nothing to do with him or how he managed to buy a piece of land with their money for £840,000 and sell it for just £50,000?

The First Minister: Because neither the valuation of land for purchase nor the valuation of land for sale is made by Scottish Government ministers, as Johann Lamont perfectly well knows.

If her question was not an attempt to smear a Scottish businessperson, as she said, why did Johann Lamont casually mention—or read out—that he was a donor to the Conservative Party? Why did she say that he was on a political journey? Why did she say that he was appointed to the Scottish Government’s economic forum? What was that about if it was not a fairly blatant attempt to smear a perfectly respectable Scottish businessperson?

I think that the people who are watching will be interested and concerned: are they going to keep their bus passes under Labour? *[Interruption.]* Well, we do not know—the cuts commission is still considering the issue. Is Johann Lamont not going

to reintroduce tuition fees for Scottish students? Is free personal care going to be safe under Labour? The answer is no to all of those questions. She has them under consideration by the cuts commission and its something for nothing society.

Johann Lamont does not want to talk about the issues that concern the people of Scotland, because people know that Labour has let them down in the past and, if it gets the chance, will let them down again. That is why she is sitting there, reading out the questions, and this Government is in office.

Secretary of State for Scotland (Meetings)

2. Ruth Davidson (Glasgow) (Con): To ask the First Minister when he will next meet the Secretary of State for Scotland. (S4F-01530)

The First Minister (Alex Salmond): No plans in the near future.

Ruth Davidson: In 2010, when the First Minister announced his flagship non-profit-distributing model for big building projects, he promised to invest £686 million this financial year—if he is flicking through his notes for the figure, he will find it on page 173 of yesterday's draft budget. Last year, the Government had to admit that, actually, it would deliver less than half of that—£338 million—and that figure has been revised again. Can the First Minister tell the chamber what the current estimate for NPD spending on building projects is for 2013-14?

The First Minister: That has been laid out, as Ruth Davidson rightly says. The whole capital programme, including the NPD programme, rising from £185 million in 2013-14 to £809 million in 2014-15 and £932 million in 2015-16, was laid out in the budget statement yesterday.

Also laid out was the total estimated capital investment programme, of which non-profit distribution is a key part. That will rise from £3,240 million in 2013-14 to £4,157 million in 2014-15 and £4,438 million in 2015-16. That is an increase from £3 billion to £4 billion to £4,438 million. That is an extraordinary achievement of capital investment when set against cutbacks by the Westminster Government that started at more than 30 per cent and are now just under 30 per cent.

Most people looking at those figures would recognise that Mr Swinney, under the most extraordinary pressure from the Westminster Government, is delivering a capital programme for growth and capital investment in the Scottish economy. Now that Ruth Davidson has the figures, perhaps she will have the grace to say that that is an encouraging and productive trend in Scottish society.

Ruth Davidson: That was an extraordinary blizzard of figures, but it did not include the one that I asked for. Let us look at that, shall we? The figure that the First Minister would not give us is that, of the £686 million that the Government promised to invest in big building projects, it now says that it will deliver just £185 million. That is after a first year in which it promised £150 million but delivered nothing and a second year in which it promised up to £350 million but delivered just £20 million. The Deputy First Minister, who is sitting next to the First Minister and smiling, says that that is not incompetence but just a "reprofiling".

Three years ago, the First Minister promised more than £1 billion of investment for big building projects through the NPD scheme, but he is coming up short by more than £900 million: his projects, his responsibility and his incompetence. The people of Scotland need to know what has happened to his £1 billion build.

The First Minister: The £185 million was the first figure in the blizzard of figures that Ruth Davidson complained about. Let me repeat it so that she can see the full importance of it. As the budget document says, the NPD programme will receive £185 million in the current financial year, £809 million in 2014-15 and £932 million in 2015-16. Those are impressive figures for a new system of public finance.

Let us get the background to this straight. The private finance initiative—the revenue finance system that was beloved of the Labour Party and supported by the Tories—is no longer a feasible option for revenue-based finance. Everybody agrees—even George Osborne has recently come to this conclusion—that PFI was a hideous, expensive mistake. Then there is the direct capital funding that is so beloved of Mr Swinney and me because it enables us to accelerate capital spending and deal with recession. That is the budget that has been cut by just under 30 per cent by the Westminster Government—a cut in capital allocations.

We have, therefore, introduced a new system of funding—non-profit distribution—that has been demonstrated to provide value for money and which is building schools and colleges across the country at the moment. Ruth Davidson complains about the fact that that new generation of funding has been brought into practice. However, because it has been brought into practice, we in Scotland now face, against Westminster cutbacks, an expanding capital budget over the next three years that will generate jobs, investment and prosperity in the Scottish economy.

Liam McArthur (Orkney Islands) (LD): Orkney's internal ferry fleet provides a lifeline to some of our most fragile communities, but it urgently needs to be replaced. Apparently,

however, discussions on funding the replacement programme have broken down, with the chair of Orkney Islands Council's development and infrastructure committee claiming today that the Government has

"closed the door in our face".

With Orkney set to be the only area where ferry services have been cut, does the First Minister understand why his Government has been accused by Orkney Islands Council this morning of treating my constituents "with contempt"? Will he now instruct his minister and transport officials to get back round the table and agree a practical way forward so that those who live in the inner and outer isles in my constituency are not held to ransom by his Government's stubbornness?

The First Minister: The premise of the question is not correct. Regarding discussions, Nicola Sturgeon would be delighted to meet the constituency MSP. The Government's investment programme in ferry services is very considerable indeed, so I encourage him to have that meeting as we take forward the discussions.

Neil Findlay (Lothian) (Lab): Given that several hospitals in my region have had to close this year to deal with norovirus, including two wards in the past few weeks, why is the finance secretary taking £10 million from the budget that supports hospital cleaning?

The First Minister: Neil Findlay would do well to look at the achievements in the reduction of hospital-acquired infections over the past few years, with the recorded figures dropping by a dramatic amount. Some of that is due to our decision to stop the privatisation and contracting out of cleaning services from the national health service. I know that he would not have supported such measures, but, unfortunately, they were pursued by the previous Labour-Liberal Administration. Thanks to what we have done and thanks to other measures under the patient safety programme, we are now in a considerably better position with regard to norovirus and other hospital-acquired infections than we have been previously.

Of course, we must continue to be extremely vigilant, but Neil Findlay can be absolutely assured that, as health secretary, Alex Neil will be exactly that.

Cabinet (Meetings)

3. Willie Rennie (Mid Scotland and Fife) (LD): To ask the First Minister what issues will be discussed at the next meeting of the Cabinet. (S4F-01549)

The First Minister (Alex Salmond): Issues of importance to the people of Scotland.

Willie Rennie: A few days ago, the chair of the patient safety board of the Royal College of Surgeons of Edinburgh raised concerns that hospital care is substantially worse at weekends than on weekdays. For example, at Hairmyres hospital in Lanarkshire, the death rate among patients who are admitted for vascular surgery on a Saturday is more than 41 per cent compared with 16 per cent for those admitted on a Tuesday. At Dundee's Ninewells hospital, the rate for Saturdays was more than 21 per cent, which is almost double the rate for Thursdays. In Fife hospitals, the rates for renal patients admitted at weekends are higher than for those admitted on weekdays. Has the First Minister been able to consider that issue?

The First Minister: The whole issue of patient safety in Scottish hospitals is part of the patient safety programme, which, as Willie Rennie will know, has achieved an estimated 12 per cent reduction in standardised mortality ratios. Certainly, differentials between weekdays and weekends are one aspect that is being considered.

As Willie Rennie will also know, Professor Don Berwick, who has been brought in by the coalition Government in London to try to deal with the difficult situation across the English health service in terms of patient safety, has given the Scottish patient safety programme the accolade of being one of the safest in the world. I think that we should recognise the achievement of the patient safety programme and recognise that one aspect of that programme is to look at issues such as differential rates of mortality between weekdays and weekends. That is part of the continuous improvement on which the patient safety programme is based.

Willie Rennie: I know that we have to be careful, but we have a duty to ask serious questions about these issues to satisfy ourselves that patients are being kept as safe as possible. Simon Paterson-Brown, who is consultant general surgeon at Edinburgh royal infirmary and chair of the patient safety board at the Royal College of Surgeons, has said:

"It could well be the weekend mortality rates in some medical specialities are not statistically significant. But on the other hand they could be and, unless we are fully investigating this, I don't think anyone can say with certainty either way. I intend to take this further."

I recognise that there are processes in place to look at such issues, but I think that we need some reassurance about what surgeons are saying, because these are not insignificant people—this is from the Royal College of Surgeons of Edinburgh. When will the First Minister publish a report in response to the surgeons' concerns?

The First Minister: I know that those matters are being looked at at the present moment. As I explained to Willie Rennie, that is part of the patient safety approach. He can be absolutely certain that one aspect of the patient safety programme is to ensure that all matters are properly considered. I will arrange for the health secretary to give Willie Rennie the detailed information.

Willie Rennie can be sure that, regarding any suggestion that improvements in individual hospitals have not been as quick as in other places in Scotland or that there are differences in standardised mortality ratios and patient safety between weekdays and weekends, the patient safety programme has such matters under active consideration.

Willie Rennie is perfectly right to raise those points—I hope that nothing in my first answer suggested that it was not an entirely legitimate area of inquiry. However, I expect that, when he looks at the achievements of the patient safety programme and the fact that, because of that programme, nine out of the 10 recommendations suggested by the Berwick review to address some of the questions about patient safety in hospitals across England are already in place in Scotland, he will give genuine credit to the efforts of those throughout the health service—not just the administrators at the top, but the nurses, doctors, consultants and other workers—who have brought about that impressive improvement in the standardised mortality ratios in hospitals. I absolutely agree that questions should be asked about worrying statistics and the opinions of reputable doctors sought, but the general improvement that the patient safety programme has brought to the Scottish national health service—a public service that we all share—should be acknowledged when the programme performs so well for the people of Scotland.

Fostering

4. Kenneth Gibson (Cunninghame North) (SNP): To ask the First Minister what action the Scottish Government is taking to encourage fostering. (S4F-01535)

The First Minister (Alex Salmond): The Government works closely with the Fostering Network to encourage and support people to become foster carers. We have provided £1 million of funding to support its work, which includes running campaigns such as foster care fortnight, which not only raises awareness of fostering, but provides a focus for fostering agencies to run local recruitment campaigns. The impact of those efforts can be seen in the increase in the number of fostering households from 3,092

in 2008 to 3,989 this year, which is a significant and welcome rise.

Kenneth Gibson: Does the First Minister agree that we do not have many people coming forward as potential foster parents because of commonly believed myths about who would be considered unsuitable as foster parents, such as those in rented accommodation, same-sex couples, the over-55s and people not in full-time employment? Given the rise in the number of children requiring fostering and the enriching experience it can provide for child and foster parent alike, does he agree that it is vital to support campaigns, such as Action for Children's fostering myth-busting academy, which is detailed on its website?

The First Minister: Yes, I do. I like Action for Children's myth-busting campaign because myths have a real impact. We endorse that and other local campaigns, such as the recent award-winning campaign in Glasgow that focused on recruiting from diverse populations.

Foster carers offer vulnerable people a safe, caring and stable home. We should do all that we can to encourage more people into fostering. I hope that the campaign will see an even larger rise in fostering households next year.

Jayne Baxter (Mid Scotland and Fife) (Lab): Given that local authorities are using social work funds to pay external providers to foster children due to a lack of potential foster parents coming forward, will the First Minister assure us that the Scottish Government will address the funding crisis facing council spending in that area?

The First Minister: The best possible outcome is that we see a continued increase in the number of fostering households coming forward. Of course, we discuss with local authorities at all times the best way to meet those social obligations.

Bob Doris (Glasgow) (SNP): Kinship carers do a tremendous job supporting some of our most vulnerable children. What progress is being made to better support them, including moving towards parity of support with foster carers?

The First Minister: It is abundantly clear that the benefits system is failing kinship carers. That is why we legislated to recognise kinship care for the very first time, and we backed that up with significant funding for local authorities to support carers.

On 18 September 2012, we announced a review of financial support to kinship carers to tailor support and tackle inconsistencies across Scotland. Such inconsistencies cause a great deal of angst to kinship carers. We aim to publish the findings of the review by the end of the year.

Child Poverty

5. Jackie Baillie (Dumbarton) (Lab): To ask the First Minister what action the Scottish Government will take to address child poverty, in light of the findings in the “Annual Report for the Child Poverty Strategy for Scotland 2013”. (S4F-01538)

The First Minister (Alex Salmond): Any child living in poverty in Scotland is one too many. It is therefore encouraging that relative child poverty has reduced from 21 per cent in 2006-07 to 15 per cent in 2011-12. The Government is committed to going further. We will be publishing a revised poverty strategy next spring, which will stress the focus on maximising household incomes and improving children’s wellbeing and life chances. That will be backed by significant funds, including the £272 million collective investment in the early years change fund and the £33 million that we have committed to the Scottish welfare fund.

We should all be aware that the figures on children in poverty are seen against the backcloth of welfare changes, many of which are bearing hardest and firmest against households with children.

Jackie Baillie: I agree with much of what the First Minister said, but the child poverty report tells us that the progress made by Labour in slashing child poverty has now stalled. I think that we all agree that more needs to be done.

Does the First Minister agree with the words of John Dickie of the Child Poverty Action Group, who said:

“it is absolutely critical that government in Scotland moves beyond describing existing policies and sets out how actions that can be shown to reduce child poverty are ratcheted up and rolled out across the whole country”?

What new action will the First Minister and his Government take now to tackle child poverty?

The First Minister: As Jackie Baillie should acknowledge, the £272 million collective investment in the early years change fund is a significant new action.

Neither John Dickie nor any other expert on child poverty would deny that we cannot divorce the impact of welfare changes bearing down upon families from achievements on child poverty. Given the straitened financial climate that we have been experiencing over the past few years, the reduction in relative child poverty from 21 per cent in 2007 to 15 per cent now is no mean achievement, but, of course, does not go far enough.

That is why I have a real puzzle with Jackie Baillie’s question. She is aware—she must be—that the analysis of changes to welfare benefits such as child tax credit and working tax credit

showed that 88 per cent of the reduction, the average of which was, I think, £700 per family, bore down on families with children. That is what is happening under the United Kingdom Government’s welfare changes at present. Therefore, I find it incomprehensible that, when Jackie Baillie was on “Newsnight” on 3 September, she managed to make the statement that she was not saying that Scotland could not develop a social security system, but that it should not develop a social security system.

How can it be that, when any person, expert or authority would acknowledge that the background of welfare changes bearing down on families with children has the most enormous effect on child poverty in Scotland, the person who claims to be concerned about that goes and says that we should not develop a welfare system in Scotland that would give children—all children—in the country an equal chance?

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): On welfare cuts, I refer to child benefit—that excellent universal benefit with almost 100 per cent uptake. It has been slashed by the Westminster coalition leaving families in Scotland with one child some £650 a year worse off and those with two children £1,100 worse off. If the First Minister’s Government had power over welfare, what would he do about child benefit?

The First Minister: I would address the needs of people in Scotland in an effective and proper way.

Christine Grahame puts her finger on what the vote next year is about: either we build a more prosperous country and a just society in Scotland or we allow Westminster to wreck the dreams and the progress that has been made in recent years.

Palliative Care

6. Murdo Fraser (Mid Scotland and Fife) (Con): To ask the First Minister what the Scottish Government is doing to ensure that terminally ill patients with conditions other than cancer are given access to palliative care. (S4F-01536)

The First Minister (Alex Salmond): The Scottish Government is committed to ensuring that compassionate, high-quality palliative and end-of-life care is provided for anyone who requires it, regardless of their underlying condition.

Therefore, we welcome the publication this week of the report “How good is primary care at identifying patients who need palliative care? A mixed-methods study” from the University of Edinburgh, Marie Curie Cancer Care and NHS Lothian and its recognition of the Scottish Government’s national action plan for palliative care.

We are examining how patients who require palliative care are best identified in all conditions. One example is for people who have suffered heart failure, on which we have established a national group that is charged with supporting improvements in the management of people with heart failure, which will include palliative care.

Murdo Fraser: The report from Marie Curie, NHS Lothian and the University of Edinburgh to which the First Minister referred found that eight out of 10 non-cancer patients are not identified for palliative care and that those who do receive it often get it too late to benefit fully. The report also found that many primary care staff have difficulty—understandably so—raising death with their patients.

Will the Scottish Government instruct a review of the training and support for primary care staff to help to ensure that more non-cancer patients access palliative care in the last year of their lives?

The First Minister: That is a constructive suggestion, and I will certainly see that it is considered.

As Murdo Fraser knows, the report made four specific recommendations. He mentioned one of them, which was to do with the taboo around talking about death. The report suggested that the Scottish Government should lead a public discourse on that important subject. We agree, and we welcome support for that initiative.

We agree that training for doctors and nurses should be included as part of the support that is provided for professionals to have conversations about these difficult subjects, and that will be developed alongside the national plan for palliative care. We think that the other recommendations that the report helpfully made are extremely positive, and if Murdo Fraser would like to discuss matters in detail with the Cabinet Secretary for Health and Wellbeing, I am sure that that can be arranged.

The Presiding Officer: Margo MacDonald—if your phone is off and you keep it brief.

Margo MacDonald (Lothian) (Ind): Thank you, Presiding Officer. You will never let me forget that.

I have a serious question for the Government. Will it undertake to give a commitment to patient autonomy? A very small number of people who suffer from degenerative conditions such as MS or Huntington's can—even with the best palliative care—find their existence to be unacceptable. Autonomy would mean that they would have the right to ask for assistance to end their life because they have had enough.

The First Minister: Margo MacDonald introduced a bill on the issue, and I understand that she has pledged to do so again. I am sure

that the Parliament will discuss the matter very seriously and as a matter of conscience, and that it will look at her proposals as they come forward.

If Margo MacDonald is inviting me to say whether I have changed my mind on the matter, I have not, but all of us recognise its seriousness and importance and Margo's legitimate role in bringing such issues to the chamber.

Dogs (Compulsory Microchipping)

The Deputy Presiding Officer (John Scott): The next item of business is a members' business debate on motion S4M-06981, in the name of Claire Baker, on the fact that 82 per cent of Scots are in favour of compulsory microchipping for dogs. The debate will be concluded without any question being put.

Motion debated,

That the Parliament congratulates what it considers the excellent work of Dogs Trust in rescuing, microchipping and rehoming dogs across the UK; understands that there are approximately 3,000 stray dogs in Scotland each year, resulting in a significant burden placed on the budgets of local authorities, including across Mid Scotland and Fife, for kennelling costs; believes that microchipping can assist in reuniting stray dogs with their owners, help to identify those who commit cruelty against animals and improve the accountability of owners of dangerous dogs; acknowledges the recent YouGov poll for Dogs Trust, which suggests that 82% of Scottish adults are in favour of compulsory microchipping of dogs; understands that compulsory dog microchipping is already enforced in Northern Ireland and that England and Wales intend to introduce compulsory microchipping in the near future, and notes calls for compulsory microchipping to be introduced in Scotland.

12:33

Claire Baker (Mid Scotland and Fife) (Lab): I am pleased to be having this members' business debate, and I thank all the MSPs who supported the motion. I also thank the Dogs Trust for its campaign to promote compulsory microchipping of dogs across the United Kingdom. The Dogs Trust, which is the UK's largest dog welfare charity, has two rehoming centres in Scotland—one in Glasgow and one in West Calder. I was pleased to visit the West Calder centre earlier this year to see its facilities and learn more about its work and the valuable role that it plays in rehoming dogs. In the past year in Scotland, the organisation has rehomed nearly 2,000 dogs. At West Calder, I also had the opportunity to learn more about microchipping and its benefits.

The benefits of microchipping are widely recognised. A recent YouGov poll for the Dogs Trust suggested that 82 per cent of adults in Scotland are in favour of the introduction of compulsory microchipping for dogs. Public support for the introduction of such a change is important, and those figures are very encouraging.

Principally, microchipping enables a lost or stray dog to be quickly reunited with its owner. It is a permanent method of identification—collars and tags can be removed or lost, but a chip is permanent. Many owners already take the decision to have their pet microchipped. It encourages responsible dog ownership and can

lead to the owner building a relationship with advice services, who can then support their decision to own a dog.

Why should microchipping be compulsory? Why not leave it up to the individual owner? Part of the reason is that owning a dog is often not a decision that impacts only on the individual. Although there are many responsible dog owners across Scotland, MSPs will know from their mailbags that irresponsible dog ownership, whether that means dog fouling, stray dogs or noise pollution, can be detrimental to our communities. This week the *Dunfermline Press*, one of my local newspapers, highlights problems with dogs running off their leads and causing problems in public parks. Instilling a responsible approach to ownership can help to address some of those issues.

For dog wardens and other local authority workers who have to deal with those issues, microchipping enables easy identification of owners in order to tackle the problem. For example, in a recent survey of local authorities and environmental health officers across the United Kingdom, the Dogs Trust found that, although Scotland has one of the lowest numbers of stray dogs, there has been a decrease in the number of strays that are quickly reunited with their owners. On average, 12 dogs are picked up in Scotland every day. Microchipping assists their rapid return, allowing wardens to emphasise to dog owners their responsibilities and, where appropriate, that straying dogs are not acceptable.

In addition, under current arrangements, local authorities carry the significant burden of kennel costs for stray dogs. Increasingly, that service is being delivered in partnership with a private provider whose costs have to be negotiated. Although costs can be recovered if an owner is identified, when we look at Scotland's relatively poor reunification figures, we can see that that is not always an option. The delay in reuniting a dog with its owner means higher costs for the owner. Compulsory microchipping would reduce costs for the local authority as well as for the owner recovering their pet.

I have welcomed support from Fife Council for this proposal. The council has taken a proactive approach to responsible dog ownership and recognised that compulsory microchipping is a beneficial tool that makes it as easy as possible for owners to look after their dogs and be responsible within their communities.

The permanent nature of microchipping can act as a deterrent to dog theft. Approximately 3,500 dog thefts were reported across the UK last year, which is up by 17 per cent on the previous year. Microchipping is consistently given as the top deterrent for theft. Of course, we are dealing with criminal activity and, depending on the reason for

the theft, it might not be enough of a deterrent, but it gives a disincentive to theft.

Compulsory microchipping can also lead to easier identification and the subsequent arrest of owners who are guilty of animal cruelty, as well as supporting actions to address dangerous dogs. In Scotland, dogs can be required to be microchipped if they are the subject of a notice that has been issued under the Control of Dogs (Scotland) Act 2010 or under the Dangerous Dogs Act 1991. However, that can happen only once a dog has been identified as a threat. If microchipping was compulsory, owner identification would be quicker and the workload and costs for local authorities would be reduced.

If, as in the rest of the UK, we were to decide on a system of microchipping before first change of hands, that would mean that all puppies could be traced back to their breeder, which would help to tackle puppy farming and reduce the incidence of infectious disease and inherited defects from which many dogs can suffer.

I recognise that there are questions of cost effectiveness. Microchipping typically costs around £20 to £30, which is a one-off cost that covers the dog's lifetime. Although some people might find it difficult to find that money, owning a dog costs money through food bills, vet fees or grooming costs. In the overall picture, therefore, microchipping is affordable. To address the concerns that there might be about the cost to the owner, the Dogs Trust is working closely with local authorities throughout the UK and it offers microchipping for free.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): On the question of cost, what does it cost for local authorities to keep an up-to-date database?

Claire Baker: The scheme down south is operated by a private provider so the cost of maintaining the database falls on the dog owners. That issue would be explored fully in a consultation.

The Dogs Trust is committed to ensuring that no dog owner will be financially unable to get their dog chipped. Since compulsory microchipping was introduced in Northern Ireland, the Dogs Trust has chipped approximately 100,000 dogs for free and is running a number of partnerships with local authorities and housing associations in Scotland. Owning a dog is not cost free; there are costs involved. A responsible dog owner has to accept the responsibility of meeting those costs.

Concerns over compliance are held up as a reason not to opt for compulsory microchipping, but international experience suggests that the levels of non-compliance are moderate and the benefits of compulsory microchipping outweigh the

concerns over non-compliance. Evidence from countries that use a compulsory system indicates clear welfare benefits, particularly in respect of increased proportions of stray dogs that are returned to their owners.

Microchipping by itself is not enough, of course. Owners need to register the microchip and keep their details up to date. We would need a robust system with compatible databases.

Since the YouGov survey results, we have seen a positive change of direction by the Scottish Government. Northern Ireland introduced compulsory microchipping in April 2012, and its experience so far has been positive. Following consultation, in February the UK Government announced the compulsory microchipping of all dogs in England by April 2016, and the Welsh Government has announced the compulsory microchipping of all dogs by March 2015.

Scotland must not be left behind. That is why the Scottish Government's announcement that it will consult by the end of the year, having previously resisted that, is welcome. Perhaps the minister can say when the consultation will be launched. Following the consultations in the rest of the UK, the consultation can practically be lifted off the shelf. We could even introduce compulsory microchipping before the UK Government and see Scotland taking a lead on the issue, rather than playing catch-up.

12:41

Kenneth Gibson (Cunninghame North) (SNP): I apologise in advance to members for having to leave the chamber before the debate concludes. As members know, the Presiding Officer has arranged for committee conveners to question the First Minister, and she has chosen me to ask the first question, so I will have to leave quite soon.

I thank Claire Baker for securing this valuable debating time and echo her comments on the excellent work that the Dogs Trust carries out to ensure the welfare of dogs. Last year, I visited its rehoming centre in Glasgow, which also serves my constituency, to see at first hand how the charity cares for dogs that may have strayed or been abandoned.

I am certain that most members across the chamber appreciate the importance of microchipping and the benefits that it brings to dogs and owners alike. I have been greatly interested in the issue for a while, and am pleased that the benefits of microchipping dogs have already been noted in my constituency after I hosted the first free microchipping event in Scotland this June. That event was tremendously successful. A total of 167 dogs were chipped free

of charge. I reiterate my thanks to the Dogs Trust for its dedication, hard work and professionalism on 21 June, when it went above and beyond the call of duty in driving for five hours to the event, beginning early and working for more than four and a half hours without any kind of break, due to the high turnout and long queues. Constituents who attended the event were delighted to be there, and I hope that, as a result of its success, the event will be the first of many.

It is important to underline that it is the legal responsibility of dog owners to ensure the welfare of their pet. Indeed, a recommendation is included in the Scottish Government's "Code of Practice for the Welfare of Dogs" that advocates the use of microchipping.

I appreciate that the financial burden of having a dog chipped can be offputting in the current economic climate, but the Dogs Trust has kindly offered to provide free microchipping at its two rehoming centres and at its roadshows. That can save owners the estimated £20 to £30 cost of microchipping their dog. I am sure that members will agree that it is important to advertise that service as widely as possible to increase the number of people who have their dogs chipped. With the recent YouGov figures showing that 82 per cent of the Scottish public support compulsory microchipping, as Claire Baker pointed out, I believe that most owners will be happy to take up the Dogs Trust's offers where they can, although, of course, many people live in the far-off corners of Scotland and cannot get to either of the two rehoming centres.

Microchipping would be more efficient than the licensing system currently in place and would save dog owners time and money. The popularity of microchipping among dog owners is, of course, no mystery, and it is clear that the benefits of microchipping dogs are numerous. Those were spelled out in detail by Claire Baker, who talked about reuniting pets with owners. Stolen dogs can be returned, negligence can be dealt with, prosecution and tracing can be enabled, and hereditary defects can be dealt with.

Many dog owners already acknowledge the importance of microchipping, of course. Indeed, I recently dealt with a case in which one of my constituents had had their dog stolen only for it to be retrieved again in England and returned to him, thanks to the dog being microchipped.

It is important to emphasise that the benefits of microchipping are not limited to dogs and their owners. The introduction of compulsory microchipping will save local authorities substantial time when they deal with dangerous dogs, considering how lengthy and fruitless the dog control notice system that is currently in place can be. By taking a preventative stance, local

authorities will be relieved of the financial burden that the process costs and will make associated savings in areas such as kennelling costs.

As Claire Baker mentioned, Scotland is lagging behind thus far. Northern Ireland brought compulsory microchipping into effect in 2012. Wales will do so by March 2015, and England will do so by April 2016. Being left behind should not be an option for Scotland. I believe that an initiative to introduce compulsory microchipping of dogs would help to ensure the safety of dogs and would put at ease the minds of owners and, in relation to dangerous dogs, of the general public. I am confident that, with the support of the Parliament, such an initiative can be created and the benefits realised.

12:45

Malcolm Chisholm (Edinburgh Northern and Leith) (Lab): I support the motion and I congratulate Claire Baker on bringing it to the Parliament. Many reasons for microchipping can be advanced. First, it causes no harm to dogs. It is important to state that at the beginning, since some people have suggested that it could cause harm. The Dogs Trust supports the proposal, so we can have no doubt that it is in the interests of dog welfare. Another fundamental reason for microchipping is that it can be beneficial for owners who might be highly distressed as a result of losing a dog. Clearly, through microchipping, it is easy to connect a lost animal with the owner.

Some people might accept those two points but argue that it should be up to the individual owner to decide whether to go ahead with microchipping. There are several responses to that, some of which have already been suggested. One example is the public cost of kennelling a large number of stray dogs, and we could add to that the fact that dogs often eventually have to be slaughtered if they cannot be reunited with their owners. However, an even more fundamental point is that the dogs of some individual owners cause problems. That is crucial in arguing the case for microchipping. For a long time, my view, based on constituency experience, has been that we need to be tough on dog problems and tough on the causes of dog problems. Frankly, in many ways, I do not think that we as a society are sufficiently tough at present.

That is in no way a statement against dogs, because we all recognise that the problems that dogs cause are ultimately caused by certain dog owners. One of the most awful things that can happen to any person, but particularly to a child, is to be attacked by a dog. I live in absolute dread of that ever happening to one of my young grandchildren. It is already recognised that microchipping can have an effect on the problem

because, under the Control of Dogs (Scotland) Act 2010—on which I congratulate Christine Grahame—any dog that has a dog control order imposed on it has to be microchipped. That association has already been made, but the problem with that act is that not nearly enough dog control orders are issued. We therefore have to look at the issue from the other point of view and ensure that all dogs are microchipped. In that way, any dog that causes a problem—the most serious kind is an attack, but as we all know dogs running around in various places can cause many other problems—can be identified and connected with its owner.

Microchipping is therefore important in dealing with the problems that are caused by dogs. We all hear about such problems every week. As we know, the most common one is dog fouling, which we should never laugh at or write off, as it is a massive problem. I am not aware that microchipping can deal with it, although one of my constituents has suggested to me that, in the long run, DNA profiling combined with microchipping could solve the problem. I am not arguing for that, but we can all see that, theoretically and potentially, it could be done. Personally, I would just ask the Government to increase the fine for anyone who is caught with a dog fouling, because it is an enormous problem in streets and parks. Again, I particularly worry about the effect that dogs have on children's lives through the impact on parks and play areas as well as the health risks of dog poo.

My final example is from this very week, when one of my constituents was most distressed because he had been on a cycleway and, apart from experiencing the problems that dogs running around on cycleways cause for bicycles, he had seen a dog off the lead destroying a cat. Councils should make far more use of byelaws to prohibit dogs from being on cycleways and from being in some—although not all—parks, so that those parks can remain the province of children.

12:49

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I thank Malcolm Chisholm for referring to the Control of Dogs (Scotland) Act 2010, although I think that the trouble on cyclepaths is to do with the owners, rather than the dogs. I congratulate Claire Baker on bringing the issue to the Parliament, although I did not sign her motion, and she is going to find out why.

As members know, I piloted the Control of Dogs (Scotland) Act 2010 and I convene the cross-party group in the Scottish Parliament on animal welfare. I have a lot of time for the Dogs Trust and a huge amount of time for universal voluntary

microchipping. The system has great advantages for good owners.

I can give a brief personal example of how the system works. I ask members to picture me, a few years ago at 3 o'clock in the morning on 2 January, as I was tucked up in bed. I heard a yowling outside the window and found a little Staffordshire terrier peeking through the hedge. I have two cats, which were in a state of terror as I brought the Staffordshire terrier in. What was I to do with him? I was leaving for Ayr in the morning, so I could not keep him. I eventually phoned the police—not the emergency line. Hours later, they turned up to question me, and they took the dog away to keep it overnight, so that the owner would be able to find it. I think that the most embarrassing question that I was asked was not "How old are you?" but "What do you do for a living?" There I was, sitting in my pyjamas with this dog, and my cats climbing the walls. I said, "I'm a politician." That made the officers' day.

Anyway, the dog was microchipped. However, the owners did not come to get it for a week. I wondered why they had not come earlier, and I was told that it is quite common for people to dump a dog over Christmas or new year or when they go on holiday, so that someone else pays for the dog's board and kennelling. I am concerned that bad owners do that all the time, and in my view, bad owners will not microchip their dogs anyway—they certainly would not want their dogs to be tracked.

The Dogs Trust supports compulsory microchipping, but I was interested to learn that the Scottish Society for the Prevention of Cruelty to Animals does not. The jury is still out for the SSPCA, and it is still out for me. In a perfect world I would support compulsory microchipping, but we live in an imperfect world, with imperfect dog owners.

For example, Claire Baker talked about dogs that come from breeders. What about a dog that someone just passes to their next-door neighbour? Dogs that change hands without going past a breeder, good or bad, will not necessarily get microchipped. What about dogs that are dumped? A person who dumps a dog that they have had enough of, because it is not a lovely wee fluffy puppy any more, will not necessarily have had the dog microchipped—and they will certainly not want the dog to be tracked to them.

What about a dog that has been microchipped but has passed through several owners? Unless the new owner keeps the database up to date, the microchip will track ownership to a person who has nothing to do with the dog.

There are issues. I am not saying that compulsory microchipping is a bad idea. I am just saying that there are issues.

Claire Baker: Will the member give way?

Christine Grahame: I have only two minutes. I am just suggesting tests. I am not trying to prevent the idea from going forward; I want us to consider the law of unintended consequences.

Mike Flynn, who is senior inspector at the SSPCA, said:

"We support voluntary micro chipping of pets but not necessarily compulsory chipping. There is no point in making it compulsory unless there was a system and legislation in place, to ensure that the details are kept up to date and transfer of ownership is recorded (the same as if you sell a car)."

There are issues to do with tracking. Mike Flynn also told me:

"we already get abused and emaciated animals being dumped by cruel owners in a effort to avoid detection, if all dogs and cats were micro chipped, some of these people may try to remove or destroy the chip to avoid detection."

Someone said that a microchip cannot be removed—yes, it can. It damages the dog. A person could cut off a dog's ear or take a bit out of it, to remove the microchip. It would not be done nicely, but it could certainly be done.

All I am asking members to do is to think of the law of unintended consequences—my favourite phrase. Claire Baker's intentions and the intentions of the Dogs Trust are excellent, but there are issues that mean that it would not be easy to legislate for, or indeed to police, compulsory microchipping and get at the bad owners.

12:53

Nanette Milne (North East Scotland) (Con): I congratulate Claire Baker on securing the debate.

Despite recent efforts to encourage responsible dog ownership, there are too many examples of poor control and indiscriminate breeding. The Guide Dogs for the Blind Association reports eight dog attacks a month. Recently a family pet was subjected to a horrific mauling by a Staffordshire bull terrier on an Aberdeen street, and an Inverness man nearly lost an eye after being attacked by a dog as he sat on a bench beside the River Ness. Such attacks demonstrate the need for action to promote responsible dog ownership and address illegal breeding. Microchipping will not solve the problem, but it can help to identify culprits, as well as make it easier to reunite stray dogs with their owners.

The public mood appears to be increasingly in favour of compulsory microchipping. As we heard, elsewhere in the United Kingdom, Northern Ireland

introduced the measure in April last year, the Westminster Government has announced that it will be introduced in England by April 2016 and Wales plans to have it in law by March 2015.

Over the past year, with the help of the Dogs Trust, I have been pressing the Scottish Government to introduce compulsory microchipping in Scotland. In May I was pleased when the Cabinet Secretary for Rural Affairs and the Environment agreed to meet me and representatives from the trust to discuss the issue. We had a very constructive meeting and I very much welcome the cabinet secretary's agreement to undertake to proceed with a national consultation on the compulsory microchipping of dogs and the control of dogs in Scotland, which should answer some of Christine Grahame's questions. I would be grateful if the minister could give us an idea of the timetable for that consultation in his closing speech.

There are specific issues relating to puppy farms and to the cross-border movement of dogs, in particular from the Irish Republic and from eastern Europe. However, the most pressing issue that has been raised with me as an MSP is the indiscriminate breeding of dogs in social rented properties. I recently visited Angus Dog Rescue near Arbroath and saw at first hand the consequences of that. Dog rescue centres across Scotland such as the one in Angus are seeing a significant increase in the number of dogs that are being abandoned and are experiencing a particular problem regarding the breeding of certain types of dogs such as bulldogs and Staffordshire bull terriers.

I am in no doubt that when properly cared for and raised in a responsible environment, such dogs make wonderful family pets, but sadly more and more indiscriminate breeding of those dogs has resulted in many dangerous feral animals and concern has been expressed to me that in time there will be a serious or fatal accident because of that.

It is my understanding that current legislation allows for tenants in social rented housing to own dogs only after notifying the landlord and that the breeding of dogs is not permitted. However, I am told that that legislation is not always being enforced and it has been suggested to me that a small number of properties already known to the authorities are often at the heart of the problem. Will the minister look at that problem? Will he liaise with the Minister for Housing and Welfare to review current guidance on the keeping of dogs in the social rented sector? Perhaps he will agree to meet representatives of organisations such as Angus Dog Rescue to learn more about the indiscriminate breeding of dogs and how that serious issue may be addressed.

I pay tribute to the work of all Scotland's dog charities and the many individual volunteers who strive to secure for so many abandoned and neglected dogs the loving homes that they deserve, with responsible owners who know how to control and bring out the best in these wonderful animals.

I hope that the Government will listen to public opinion, pay heed to the excellent work of the Dogs Trust, and bring Scotland into line with our neighbouring countries by introducing compulsory microchipping of dogs in Scotland as soon as possible and ideally prior to the change in the English law in 2016.

12:57

Fiona McLeod (Strathkelvin and Bearsden) (SNP): I add my thanks to Claire Baker for bringing this important debate to Parliament. There have been a lot of interesting facts and figures from previous speakers but I come to the debate very much from the heart rather than from the head. I adopted my cat Sophie from the SSPCA in 2002 and we were not allowed to take her home without accepting that she would be microchipped. Two years later, when I bought my Dalmatian, Rona, my first thought was that she must be microchipped.

Claire Baker talked about the fact that in Scotland, more than 2,000 dogs a year are not reunited with their families. That must be heartbreaking, and one of the simplest things to do is to microchip your dog.

I also remember the story of my next-door neighbour's westie, Hamish. This is more than 10 years ago. Hamish was not chipped and he was stolen—he did not stray; he was stolen. About two weeks later, Hamish's owner was driving along the road and saw Hamish. He got out of the car and challenged the people and they gave Hamish back to him. Hamish was not microchipped. I think that Hamish was returned because his owner was in a police uniform when he challenged the people who stole Hamish. Would it not have been so much easier if Hamish had had his chip? The owner could have got Hamish back without having to exert his authority in that way.

I also remember when I was young, about eight years old, a lovely mongrel that we called Sally came into our street. Sally was adopted by the Windrams and she became part of our street and part of everybody's family, but it must have been awful for her first owners, who never got Sally back again. We had the joy but they did not.

Malcolm Chisholm referred to some of the claims about the alleged health risks of using microchips. In the whole time of the debate, I have had only one email from someone raising rather

dubious health risk claims about microchipping dogs. Being the librarian that I am, I went away and did a bit of research and Malcolm Chisholm is absolutely correct. There is very good evidence to show that microchipping is useful for social purposes and is not harmful to the individual animal.

Evidence and emotion mean that microchipping makes sense. I am really pleased that the Scottish Government announced earlier in the year that it is going to undertake a consultation. I understand that the cabinet secretary spoke to the British Veterinary Association on the matter in June.

I urge all dog lovers to take part in the consultation when we get it. I say to people such as Christine Grahame, who have doubts about the proposal, to get involved in the consultation so that, at the end, the evidence shows clearly that this is something that we want to do for ourselves and for our animals.

13:00

Jenny Marra (North East Scotland) (Lab): I thank my colleague Claire Baker for bringing this important topic to the chamber for debate. I will pick up on a couple of the points that Christine Grahame raised—I am sorry that she is no longer in the chamber. I congratulate her on the bill that she introduced in 2009 on dog control notices, which became the Control of Dogs (Scotland) Act 2010, but I wonder if it is perhaps now time to review that legislation. Kenny Gibson called the dog control notice process "lengthy and fruitless". Community safety wardens are responsible for issuing dog control notices—that is in the power of local authorities—but the evidence from the ones I have spoken to in my communities in Dundee is that they are not aware that dog control is within their power, and they think that it is within police power.

I am about to address something awful, to which I think Nanette Milne alluded, which happened in Angus this summer. It is my understanding that Angus Council has issued no dog control notices whatever, despite the fact that there was a terrible attack. I say respectfully to the minister that, although I know that the 2010 legislation was very well intended and a thorough consultation was done, we need to consider the act's effectiveness.

I come to this issue because some of the communities that I represent, and especially the most deprived communities in our country, have real issues with dangerous dogs, in particular some breeds of very dangerous dogs that are let out, roam the streets and attack children. It was in August this year that 13-year-old Amy Adams was in a park in Arbroath when she was attacked by a stray Staffordshire bull terrier. The experience was

terrifying in itself, but Amy sustained a puncture wound to her hand, which became infected. She was in surgery for four hours. She was first treated at Arbroath royal infirmary, but the infection travelled up her arm and she was rushed to Ninewells hospital in Dundee to see the specialist plastic surgery team.

Amy's story is by no means unique. In May this year, a 13-year-old boy was rushed to hospital after being attacked by a dog in a home in my home city of Dundee. It is also very difficult to forget the story of 10-year-old Rhianna Kidd, who was attacked by two Rottweilers as she played on her bike in Dryburgh in my home city in 2010.

Irresponsible dog owners are a threat to our communities. The psychological consequences of a dog attack, as Malcolm Chisholm said, can last long after physical recovery, especially for young children. I am supporting Claire Baker's motion today because I believe that compulsory microchipping could help to tackle dangerous dog attacks by creating a culture of more responsible dog ownership. By providing a clear line of accountability from dog to owner, it could help to reduce the number of dogs that go stray, like the dog that attacked Amy. It could also help the police to trace those dogs that become dangerous back to their owners.

Microchipping is, of course, not an answer in itself, and it will not stop dangerous dog attacks, but it could help by encouraging responsible behaviour and keeping children safe from harm. I support the motion, and I ask the minister whether he will consider examining the 2010 act and perhaps applying post-legislative scrutiny to it—and whether he will look into how many dog control orders are being issued and how effective they are.

13:04

The Minister for Environment and Climate Change (Paul Wheelhouse): I congratulate Claire Baker on bringing to the chamber today an important subject for debate. Indeed, the debate has been of great quality and has shown the different perspectives that people have on the issue.

The Scottish Government recognises and values the important work, including that of the Dogs Trust, that many animal welfare charities and organisations undertake in rescuing and rehoming unwanted animals across Scotland. If nothing else, the debate has highlighted the importance and value of owners voluntarily microchipping their dogs. Indeed, a number of members mentioned the support available from the Dogs Trust to fund the cost. I hope that the

media coverage of the debate will at least pick up on that and remind people of that opportunity.

As Claire Baker and Kenneth Gibson identified, we have long recognised the benefits of microchipping. That is why we recommended it as best practice in our "Code of Practice for the Welfare of Dogs", which was published in 2010. Microchipping can prove an invaluable tool in helping to reunite lost, stolen or straying dogs with their owners and, potentially, to reduce the number of healthy dogs being put to sleep. I agree with members that that is an extremely distressing consequence of dogs not being microchipped or reunited with their owners.

The Scottish Government is also aware that many welfare organisations, groups and individuals in favour of the introduction of compulsory microchipping in Scotland believe that it will help to tackle the problem of puppy farming and the many health and welfare problems that it creates, which Claire Baker referred to earlier. They also consider that compulsory microchipping could prove helpful in raising a better awareness of the duty of care that owners have to their pets, thereby fostering a culture of more responsible ownership. Indeed, the very horrific incidents that Jenny Marra and Nanette Milne referred to illustrate why we need a culture of responsible dog ownership in this country.

My colleague Richard Lochhead MSP, Cabinet Secretary for Rural Affairs and the Environment, met Nanette Milne and representatives of the Dogs Trust in May this year to discuss compulsory microchipping of all dogs in Scotland. At that meeting, the Dogs Trust highlighted the recent YouGov poll to which Claire Baker referred, which showed that 82 per cent of the Scottish adults surveyed support the introduction of compulsory microchipping for all dogs in Scotland. The Dogs Trust also advised that it currently offers free chipping by appointment at any Dogs Trust centre and will offer a free microchipping scheme for a limited period in Wales and England in advance of compulsory microchipping. The Dogs Trust has assured the Scottish Government that, if compulsory microchipping is introduced in Scotland, it would offer a similar free chipping scheme here for a limited period.

At that meeting, the Scottish Government agreed to issue a formal consultation on the introduction of compulsory microchipping for all dogs in Scotland. However, we still have some concerns, particularly about the cost and practicalities of enforcement, which I will outline. The effective enforcement of compulsory microchipping for all dogs could prove relatively resource intensive. I understand that, currently, local authority animal welfare officers cover a wide range of duties in addition to dog welfare and not

every local authority has the resources available to offer a dedicated dog warden service in its area. Indeed, Jenny Marra pointed out that some dog owners are not aware of local authorities' ability to enforce dog control measures, which is interesting indeed. Although compulsory microchipping would reduce the financial burden that local authorities currently face when dealing with stray dogs, it could create a new burden in terms of the allocation of available resources to enforce new legislation.

The Dogs Trust has committed to offering a free chipping scheme in Scotland for a limited period should compulsory microchipping be introduced. We appreciate that that generous service would help those on lower incomes to microchip their dogs, but we still have some concerns about the on-going associated costs for dog owners in ensuring that their details are accurate and up to date. It is important to note that at present costs vary between database companies, but owners who are having their pet chipped might not be aware of that factor, nor have a choice about which database company their details are registered with. My understanding of what is happening in England and Wales is that the Department for Environment, Food and Rural Affairs and the Welsh Assembly Government have no intention of operating a central or local authority database. Similarly, we would continue to rely on existing commercial databases; at least, that would appear to be the likely outcome. However, it is important to remember that at present microchipping costs vary.

Irresponsible owners who allow their dogs to be out of control are already required to microchip their dogs if they receive a dog control notice under the Control of Dogs (Scotland) Act 2010. I, too, congratulate Christine Grahame on bringing forward that legislation, which makes it easier for local authority-appointed authorised officers to monitor and enforce dog control notices that have been issued.

I should also say that earlier this week the Justice Committee took evidence on provisions contained in the UK Government's Antisocial Behaviour, Crime and Policing Bill. The Scottish Government is seeking to extend, by way of a legislative consent motion, provisions to Scotland that would explicitly make attacks on assistance dogs an aggravated offence under the Dangerous Dogs Act 1991 and would ensure that courts assess the character of the owner in determining whether a dog poses a danger to public safety. That is obviously an important point in relation to guide dogs and other dogs that assist people with disabilities.

The Scottish Government is fully aware of the move towards compulsory microchipping

throughout the rest of the UK. We understand that England plans to bring in compulsory microchipping for dogs as part of its wider dog controls in 2016. As others have said, Wales plans to make regulations to ensure that all dogs are microchipped by March 2015.

We are aware that compulsory microchipping has been in force in Northern Ireland since April 2012, after having been made a requirement for obtaining a dog licence under the Dogs (Amendment) Act (Northern Ireland) 2011.

At the British Veterinary Association's annual Scottish dinner in June, my colleague Richard Lochhead made a speech reinforcing the Scottish Government's commitment to consult on compulsory microchipping and announcing that that would take place by the end of 2013. The precise detail of the timetable has to be identified, but that gives an indication of the timing of the consultation. The consultation is currently being drafted and in it we will seek the views of the Scottish people, Scotland's local authorities, animal welfare charities and organisations and all other interested parties, particularly on the issue of enforcement and the potential impact of introducing compulsory microchipping in Scotland.

The Scottish Government will continue to work on this issue to the timescale that we have announced and will consider what is best for Scotland before it makes a decision. If we decide to go ahead with compulsory microchipping for all dogs, we would expect to be able to introduce it around the same time as in England.

13:11

Meeting suspended.

14:30

On resuming—

Scottish Independence Referendum Bill: Stage 1

The Deputy Presiding Officer (John Scott): Good afternoon, everyone. The first item of business this afternoon is a debate on motion S4M-07610, in the name of Nicola Sturgeon, on the Scottish Independence Referendum Bill. I invite members who wish to speak in the debate to press their request-to-speak buttons now or as soon as possible, and I call the Deputy First Minister to speak to and move the motion.

The Deputy First Minister and Cabinet Secretary for Infrastructure, Investment and Cities (Nicola Sturgeon): I am very pleased indeed to open today's debate on the general principles of the Scottish Independence Referendum Bill. The debate represents the next big step in the legislative process towards the referendum on independence on 18 September 2014. It follows Parliament's approval of the Scottish Independence Referendum (Franchise) Act 2013, which came into force on 8 August. The Scottish Independence Referendum Bill sets out the arrangements to give the people of Scotland the opportunity to decide our constitutional future—to decide whether Scotland should be an independent country—and to consider what kind of nation we want to be.

I am delighted that, as a result of the passing of the Scottish Independence Referendum (Franchise) Act 2013, we can now say with certainty that the opportunity to decide the future of our country will be extended to 16 and 17-year-olds.

I begin by thanking all those who have played a role in the careful development of the bill to date. In particular, my thanks go to the convener and members of the Referendum (Scotland) Bill Committee for their thorough scrutiny of the bill, and to all those who gave evidence during that consideration. I welcome the committee's comprehensive stage 1 report and, of course, its support for the general principles of the bill.

Before we turn to the detailed proposals that are contained in the bill, I want to say something about the extensive consultation and engagement that have led us to this point. Members will recall that in January last year, we published a consultation paper, "Your Scotland, Your Referendum", which sought views from the Scottish people on how the referendum should be run and regulated. More than 26,000 people responded, expressing broad support for the Government's proposals.

The legislation that we will debate today arose out of that hugely successful public consultation, which, of course, was followed by negotiations between the Scottish Government and the United Kingdom Government during the summer last year. Those discussions culminated in the Edinburgh agreement, which cleared the way for a referendum that will be designed and delivered here in Scotland. The Edinburgh agreement confirmed that the independence referendum should be legislated for by the Scottish Parliament, and delivering legislation to enfranchise young voters was the first step in that process.

At the outset of my remarks, I remind Parliament why the Scottish Government is legislating for a referendum on independence: to give the Scottish people the chance to complete the powers of the Scottish Parliament, to make sure that decisions about the economy and welfare as well as health and education are taken not by Governments in Westminster that we often do not vote for, but by people who care most about Scotland's future—those of us who live and work here in Scotland. We all know—even those who are on the other side of the debate concede this—that Scotland can be a successful independent country. We can more than afford to be independent. Our task for the next 12 months is to persuade people in Scotland that we should be an independent country.

The bill contains the Government's detailed proposals for running and regulating the referendum in a way that will command the confidence of Parliament, the people of Scotland and those who will take part in the referendum campaign. I am grateful for the advice that was provided by the electoral professionals who will be responsible for conducting and overseeing the referendum next year. They have shared their expertise and experience to help us to ensure that the arrangements are fit for purpose and that they reflect national and international best practice. I am sure that Parliament will be pleased to note that, in their evidence to the committee, the Electoral Management Board for Scotland and the Electoral Commission expressed confidence in the legislation. Indeed, they told the committee that they valued the consultation by and engagement with the Government as the bill has developed. We will continue to work closely with those stakeholders as they prepare for the referendum.

The bill specifically sets out the date of the referendum—18 September 2014—the wording of the question, the rules and spending limits for campaign funding, and the detailed rules for the conduct of the referendum, including the poll, the count and, importantly, the declaration of the result. The referendum will be conducted and regulated to the highest international standards,

with the referendum campaigns being run in a demonstrably fair and transparent manner.

The bill provides that the convener of the Electoral Management Board for Scotland, which was widely praised for its role in the Scottish local government elections last year, will be the chief counting officer for the referendum. The chief counting officer will be responsible for appointing local counting officers and managing the overall delivery of the referendum, and they will declare the national result once the ballots have been counted.

Responsibility for overseeing the referendum lies with the Electoral Commission, of course. The Electoral Commission will also monitor compliance with the campaign regulations and will have responsibility for informing the public about the referendum. It will report to Parliament directly on the conduct and administration of the referendum.

In line with best practice, the Scottish Government asked the Electoral Commission to test our proposed referendum question. As members are aware, the commission found the question to be clear, but suggested an improvement to the wording. We accepted the commission's recommendation, so next year voters will be asked the straightforward question

"Should Scotland be an independent country?"

The Scottish Government also accepted in full the Electoral Commission's modified recommendations on the spending limits that will apply to different types of campaigners during the 16-week referendum period. The commission's recommendations differed significantly from its previous proposals, and they will ensure a level playing field. I believe that they will encourage participation in the debate within sensible spending parameters, which is, of course, extremely important.

Although the details of the campaign regulations are based on the legislative regime for UK referendums and elections, we have also taken the commission's advice on a number of areas in which the existing framework can and should be improved. In particular, we have made changes in relation to the designation of lead campaigns, the pre-poll reporting of donations and loans, and the rules for campaigners who are working to a common plan. Those improvements have been informed in part by lessons learned during the 2011 referendum on the UK parliamentary voting system.

I turn to the Referendum (Scotland) Bill Committee's stage 1 report. I am pleased that, following what the committee's report describes as "a wide-ranging and robust scrutiny process",

the committee has been able to support the general principles of the bill. As with any large and complex piece of legislation, the committee has, of course, identified a number of areas in which it would welcome clarification. I will not comment on all those issues—I responded to many of them in my letter to the committee's convener earlier this week—but I will now consider some of the specific queries and recommendations that the committee raised.

The committee heard evidence from a number of witnesses who suggested improvements to some of the technical aspects of the voting provisions. Those include suggestions on revised arrangements for absent voting, the position of the official mark on the ballot paper and the deadline for proxy vote applications. I can confirm that we will lodge Government amendments to the bill at stage 2 to address those points.

On the conduct rules, the committee sought reassurance that provisions for visually impaired voters will be covered in the guidance for counting officers. That is clearly an operational matter, but I agree that it is vital that voters with specific needs receive appropriate assistance, and I believe that the bill makes provision to allow for that. I have no doubt that the chief counting officer will ensure that there is clear and comprehensive guidance on all aspects of the conduct of the poll at a local level.

The Scottish Government is working with counting officers to agree detailed funding arrangements that will ensure that those who are responsible for delivering the poll are properly resourced. I will write to the committee ahead of stage 3 about the fees and charges information that will underpin the resource allocations for each counting officer.

On the campaign regulations, the Electoral Commission suggested that it would be beneficial to bring forward the timetable for the designation of lead campaign organisations so that a decision is made ahead of the referendum period. We have given that serious consideration—I indicated to the committee during its stage 1 consideration that I would do that. We believe that the suggested approach will give certainty to campaigners about the benefits that are available to them and enable them to make better use of those benefits across the whole referendum period, and I confirm that the Government will lodge a specific amendment at stage 2 of the bill process to provide for that.

We also intend to amend the campaign rules to extend the scope of pre-poll reporting of donations in line with the Electoral Commission's recommendation. I am sure that all members agree that transparency on the funding of the campaigns is absolutely vital if we are to have—as we will have—a referendum that operates to the

highest international standards. Therefore, in line with that recommendation of the Electoral Commission, we will require permitted participants to report donations and loans that are received before the start of the referendum period and that are intended to be used in that period towards referendum expenses. That will, I believe, further increase transparency in the way in which the campaigns are funded and therefore further increase the confidence that not just the Parliament but the Scottish people in general have in the conduct of the referendum.

Finally, the committee sought clarification on how permitted participants might check donors' eligibility by reference to electoral registers other than the Scottish local government register. There are a number of ways in which they can do that, which I set out in my letter to the convener. Campaigners will have access to all the information that they need to ensure that their donations are permissible.

Those are some of the points that were raised in the committee's stage 1 report. As I said, a range of other issues have been raised. I responded to the committee in my letter earlier this week, but I am sure that we will discuss many of those matters as we proceed to stage 2.

To conclude, our overarching objective for the bill is to ensure that the legislation that we are taking through the Parliament will provide for a referendum that is run to the highest standards of transparency, fairness and propriety. I again put on record my thanks to everyone who was involved in advising on and scrutinising the bill for their efforts. I am confident that the bill will achieve the ambition that all of us—regardless of which side of the campaign we are on—have for the conduct of the referendum.

Earlier, I reminded Parliament of why the Scottish Government is legislating for an independence referendum, and that is the point that I want to end on. I believe that, over the past 14 years of the Parliament, we have proved that decisions are best taken here in Scotland. When we take decisions here in our Parliament, which is accountable to the Scottish people, we get good decisions that deliver things such as free education, free prescriptions and dignity for our older people. When we leave decisions in the hands of Westminster Governments that we do not elect, we get austerity and cuts to welfare that impact on the poorest and most vulnerable in our society. The compelling case for independence is to bring home the powers that will allow us here in Scotland to deliver the kind of country that we want to be and the kind of country of which we can all be proud.

Therefore, with great pleasure, I move,

That the Parliament agrees to the general principles of the Scottish Independence Referendum Bill.

The Deputy Presiding Officer: I call Bruce Crawford to speak on behalf of the Referendum (Scotland) Bill Committee.

14:42

Bruce Crawford (Stirling) (SNP): On behalf of the Referendum (Scotland) Bill Committee, I begin my contribution to this important debate by recognising that there was no doubt from the outset that committee members appreciated the importance and significance of the role that they had been asked to undertake. We were all acutely aware of our primary responsibilities as parliamentarians on the committee to ensure that any proposed legislation that was put before us for scrutiny can command the confidence of not only the Parliament but, perhaps more important, the people of Scotland.

I was therefore very glad that the committee, following its deliberations, was able to unanimously agree that the Scottish Independence Referendum Bill provides an appropriate foundation for next year's referendum, albeit that we have some specific requirements for clarification or amendment. Although committee members might differ on the preferred outcome of the referendum, there was a high degree of consensus that it should be conducted to the highest standard possible. To that end, the committee was pleased that the Electoral Commission told us that the bill is

"a strong piece of legislation"

that will deliver a referendum

"that truly puts the voter first".—[*Official Report, Referendum (Scotland) Bill Committee*, 23 May 2013; c 421.]

Turning to the process of the committee's deliberations, I begin by sincerely thanking my fellow committee members for their positive and robust approach to the job of scrutinising the bill. In particular, I thank my deputy convener, James Kelly, for his helpful and sage words at just the right time and when I required them—thanks, James. I believe that, as a group, we followed through on our recognition of the importance and significance of our role by appropriately questioning witnesses who appeared before us and examining the written evidence that was submitted to us.

On that note, I thank the witnesses, whose helpful contributions made our task so much easier, as well as the people who took time to provide written submissions.

Of course, we also heard from the Deputy First Minister and officials. We appreciated the

Government's positive approach to its responsibilities and its timely responses to our requests for information. The Deputy First Minister today described a number of areas in which the Government intends to lodge amendments—indeed, those were set out in a letter to the committee earlier this week.

I thank our two advisers, Iain Grant and Professor Stephen Tierney, for their helpful advice and input throughout the scrutiny process. It is also appropriate to thank our parliamentary staff, including Scottish Parliament information centre staff and the media and legal teams who helped us. In particular, I thank the clerking team, which was led by Andrew Mylne. The team's hard work and diligent and considered approach enabled us to meet our aims and objectives ahead of schedule, in a highly professional manner.

On the specifics of our report, the committee unanimously recommended that the general principles of the bill be agreed to. However, the committee was not unanimous on all our very detailed recommendations. In the time that is available today, I cannot do justice to the breadth of the subject areas that we examined and reported on, so I will concentrate on the most significant aspects of our deliberations.

On campaign spending limits, the committee was clear that any approach must meet the test that was set out in the Edinburgh agreement that the rules must be

“fair and provide a level playing field.”

Committee members also recognised the importance of protecting individuals' right of free speech and of encouraging as wide as possible participation in the debate. In that regard, the committee concluded that the Electoral Commission's recommendations, which are reflected in the bill,

“achieve as good an overall outcome as is likely to be possible.”

We also took the view that

“a combination of public scrutiny and the oversight of the Electoral Commission should be capable of preventing spending power alone, on either side, unfairly affecting the outcome.”

That is important.

On purdah, the committee accepted the Deputy First Minister's view that there is no reason to doubt the good faith of the UK Government's commitment, in the Edinburgh agreement, to observe purdah restrictions that are equivalent to those that are imposed on the Scottish Government in the bill.

Nevertheless, a majority of the committee thought that there is a need to go further, to ensure that the expected level playing field is

delivered—in reality and in perception. That is why the committee invited the UK Government to indicate whether it would be prepared to put the purdah restrictions to which it says that it is committed on a statutory footing, as will happen here in Scotland.

On purdah's implications for the Parliament, the bill provides for the purdah period to commence on 21 August 2014. The committee noted that the Parliament has now agreed recess dates that include periods from 28 June to 3 August 2014 inclusive and from 23 August to 21 September 2014 inclusive. As is obvious, there will be a two-day overlap of the purdah period with parliamentary business.

The committee agreed to draw the issue to the attention of the parliamentary authorities but did not feel compelled to make specific recommendations in that regard. It is, of course, well within the parliamentary authorities' powers to deal with the issue if they think that it is appropriate to do so.

I hope that the parliamentary authorities at Westminster will want to ensure that, in the spirit of the Edinburgh agreement, that Parliament's activities do not break the purdah rules. This year, Westminster was in recess from 18 July to 2 September and will be in recess from 13 September to 8 October. There is therefore potentially an issue for both Parliaments to consider and take action on, if they see fit.

Patrick Harvie (Glasgow) (Green): The committee's convener is right to say that we did not reach a view on what should be done about the two-day mismatch. Is he open to the possibility of considering the text of the bill and its reference to the Scottish Parliamentary Corporate Body, with a view to including a line to say that nothing in that text should be seen to impinge on parliamentary business?

Bruce Crawford: There are a number of issues that we can consider in that regard. Where the corporate body lies in relation to the legislation is an important factor—there might be a question about whether it should be covered by the purdah measures. That is one way of dealing with the issue; Patrick Harvie's suggestion is another way.

The committee needs to consider the matter seriously at stage 2. The parliamentary authorities, too, need to consider what, if anything, they need to do—it would be helpful if they made suggestions before stage 2.

On information from both Governments post-referendum, the committee acknowledged the Electoral Commission's recommendation about providing voters with general information about the post-referendum process that would be followed in the event of either a yes vote or a no vote.

Certainly, in my experience of talking to people about the outcome of the referendum, that is indeed information that voters would welcome.

The committee was therefore encouraged to hear that the Scottish Government and the UK Government are discussing those matters. As members might expect, we would welcome further information about the nature of those discussions and regular updates on progress.

On the declaration of results, the committee endorsed the approach taken in the bill, which allows local results to be made available before the national result and gives discretion on exact timings to the chief counting officer. Nevertheless, we would expect the chief counting officer, in practice, to authorise counting officers to announce local results without any unnecessary delay. As is made clear in our report, we would welcome further clarification from the Electoral Management Board for Scotland as to how those decisions are likely to be made in practice. It is worth pointing out at this stage that all committee members had strong views on that matter and there was a strong expectation that voters would be entitled to know the outcome of the referendum at the earliest possible date.

As we know, long after this bill has received royal assent, the debate on the constitutional future of Scotland will continue apace. It is now about the nature of how that debate is conducted. I know that if, as parliamentarians, we can put in place legislation that can command the confidence of the people in Scotland, so too we are more than capable of conducting a debate over the next 12 months that is respectful of one another's deeply held views and devoid of rancour or abuse.

Of course, it will be a hard-argued and passionate debate—that is how it should be. However, when it is all over, we will still have a job to do for Scotland whatever the result, so let us conduct the debate in the spirit that the people of Scotland expect and deserve.

If we can make it a debate that is about hope, aspiration and taking the people of Scotland forward, people from all parts of Scottish life will want to take part. That is the type of debate that the people of Scotland deserve because it sits well with the democratic and civic traditions of our people.

In the meantime, before we get into that debate, I recommend that the Parliament agrees to the general principles of the Scottish Independence Referendum Bill.

14:53

Drew Smith (Glasgow) (Lab): I, too, thank all those who have been involved in the preparation

of the stage 1 report that is before us, as outlined by the Deputy First Minister and including the individuals who were mentioned by the convener.

Last week, the Scottish Government's legislative programme was announced. Given the centrality of the referendum to Parliament's business in the remainder of 2013-14, it is no surprise that stage 1 consideration of the Scottish Independence Referendum Bill has come before us so quickly; nor is it a surprise that the bill is so fulsomely supported by members of the governing party. The rest of the Scottish Government may be on pause, but the long road to the referendum provides few resting places.

Indeed, Labour supports the need to get fair ground rules for the referendum established now. We welcome the people having their say on Scotland's future, either outside the UK or as part of a continuing partnership with the people of England, Wales and Northern Ireland. We, too, will support the bill at stage 1 because, as Bruce Crawford says, we agree that, despite our differing views on the answer, this question should be put and settled next year.

The referendum campaign has already been described as the longest political campaign that Scotland has seen—and hopefully will ever see. For any who are already weary, it is worth remembering that Labour's referendum, which created this Scottish Parliament, took just two months to organise and devolution occurred within just two years.

However, this referendum is different from the referendum of 1997. We are clear that the end of the UK is not, as the Deputy First Minister suggested, a development of power sharing within the UK; it is an entirely different idea. Members will no doubt expand on that difference during the debate. Perhaps they will reflect the new-found enthusiasm of the First Minister, who spent the summer expounding on his love of all things British: the Queen, the pound, a shared welfare system, and a defence partnership are just some of the ever-growing number of British unions that the SNP now wants to save from itself.

The purpose of the Scottish Independence Referendum Bill is to establish the ground rules for how the debate will be conducted next year. Both the yes and no camps have made it clear that we hope for a clear and decisive result—but we can only hope that the people deliver such a result. If the result is close, it is even more important that we achieve consensus now about the rules to be followed.

The bill is rooted in rights and responsibilities that are enshrined elsewhere in electoral law and, as others have said, in our previous experience of referendums in this country. However, this contest

is different from all previous votes. Questions over expense returns, proper accounting and the duty to behave with respect towards our opponents cannot be left to be adjudicated upon afterwards. Unlike in other elections, electoral courts, the enforcement of electoral law and the ultimate sanction against rule breaking—rerunning a contest—cannot be options in this debate. The safeguards must be built into the contest in advance. Guidance or, if needed, enforcement of the rules must take place before polling day, not after it.

The Referendum (Scotland) Bill Committee's stage 1 report raises a number of issues that will need to be considered further at stage 2 because, by stage 3, we will need to be satisfied that we have given the Electoral Commission the tools to do the job that Scotland needs it to do.

On the requirements of purdah, the committee correctly highlights the difficulty that has been created by the Scottish Government's desire for Parliament to sit next August, during the purdah period. That is a problem, first, because of the significance of the decision and, secondly, because of the danger of the Government completing its transformation into a campaign. I am sure that it is not the intention of anyone in the Government to hold a First Minister's question time on that Thursday in purdah, in which the leader of the Government is barred from providing substantive answers, nor is it intended that his words might not be publishable under restrictions affecting the production of an *Official Report*, which would be a potential outcome if the Scottish Parliamentary Corporate Body was included in the bill.

Mark McDonald (North East Scotland) (SNP): Correct me if I am wrong, but I seem to recall the member and his colleagues voting for a situation in which the Parliament would have sat for almost the entirety of purdah, not just the beginning of purdah. Can he clarify his position on that?

Drew Smith: The Government also chose the date of the referendum. The key point is that we have a bill before us, and we now have to scrutinise the rules that it creates to ensure that they work.

The upcoming by-election in the Dunfermline constituency represents a prompt test for the Scottish Government to respect the rules that apply to Government activity during elections in spirit as well as to the letter.

Nicola Sturgeon: We always respect the rules.

Drew Smith: There should be no problem at all, then. Perhaps the Deputy First Minister will indicate later in the debate whether she thinks that it would be appropriate for the white paper on

independence to be published during the campaign.

The bill proposes that lead campaigns will be formally designated only during the 16-week regulated period. We support the Electoral Commission's view that that should happen as soon as possible. We know that Yes Scotland and Better Together will be the lead campaign organisations, so there is no need to delay, and we welcome the Deputy First Minister's commitment to amendment on that issue.

The bill does not deal with the franchise for the referendum, but the Deputy First Minister raised that matter. The outstanding issue on which Parliament still needs an answer is whether 16 and 17-year-olds living abroad with forces families will have the same voting rights as their parents or possibly their cousins living here. Our view is that no number of votes should ever be considered negligible, and that a solution for those young people must be found.

Spending limits are a fraught issue in any election, and all elections cost money, but it is important that the rules apply equally and have an impact that is fair for both sides. A decision of this importance should not be hampered by artificially low limits, any more than we would wish there to be unrestricted spending.

However, we have real concerns, which were expressed in evidence to the committee, about the interaction of lead campaigns and local or affiliated groups and the possibility of moving money or other resources between them to get round the limits. For lead campaigns, the limit is relatively low, whereas for other groups it seems fairly high. The transparency of relationships between lead campaigns and other permitted participants must be improved if we are to have groups that are linked to a lead campaign but which have apparently not been declared to be formally part of it. Everyone welcomes initiatives by both campaigns to engage with particular groups of voters, whether they be businesses, trade unions, women, or minority or lesbian, gay, bisexual and transgender groups. However, it is crucial that their funding and relationship to the lead campaign is clear and beyond further questioning all the way to referendum day.

Margo MacDonald (Lothian) (Ind): Does the member imagine that there will be a propensity for one side rather than the other to seek to stretch the rules and perhaps get round them?

Drew Smith: That is not what I am suggesting. The point of ground rules is that they apply equally to both sides; that is why we must get them right. The Parliament should consider whether an overall spending limit that included the lead campaign and permitted participants on either side

of the contest would be a better way to prevent the possibility of gaming and allow for flexibility and an inclusive contest.

As I said, the bill is about establishing the ground rules for the debate, but there is also a duty for participants to behave in a way that recognises that trust is earned and not provided for in an act of Parliament. We want a debate in which both sides can be robust in putting their position and scrutinising the alternative. The public demand is for information that can help them establish the questions that they have and evaluate the answers that they are given. People know that each side is trying to persuade them of its case, and they will come to their own judgments about what information and arguments to value and which to discard, provided that the ground rules of debate, which they expect, are respected.

Unfortunately, this summer the ground rules have not always been respected to the extent that we would wish. We have seen payment for a supposedly independent article that was placed in a newspaper without qualification. Many of us will have spent the summer knocking on doors and putting our case for what we each believe, but few of us will have done that while dressed up as the other side. The spectacle of elected Scottish National Party representatives as well as other members and supporters unfurling their Labour for independence banners represented a farce that demeaned the debate over the summer. *[Interruption.]*

The Deputy Presiding Officer: Order. Mr Swinney.

Drew Smith: Without acknowledgement that those tactics let them down, there will continue to be questions.

Mark McDonald: Will the member give way?

Drew Smith: No, thank you. I need to make progress.

Why was the press conference of the Labour for independence group paid for by the yes campaign? If yes supporters cannot bring themselves to accept that that was a mistake, perhaps they can at least suggest to Blair Jenkins that their money might be better spent on putting their own case.

The test for the bill is whether it represents a fair set of ground rules for a debate that is on-going and which will only get more intense. So far, the polls continue to support our belief that most Scots continue to believe in Britain and a partnership with our neighbours, rather than leaving the country that we have built together. However, we are not complacent about the final result or the job that we have to do in the year ahead.

Despite the First Minister's summer tour to the Isle of Man and elsewhere, we understand that the best way to keep the pound, safeguard our pensions and have a say in our mortgage interest rates is not just to be part of an economic, monetary, social and political union but to be represented in it. We agree that the defence of our shores is a burden that is best borne together, but we will also campaign against the remaining aspects of separation that the SNP still supports, such as tax competition, which will lead to nothing but a race to the bottom, damaging not just Scots but all the people of Britain.

Kevin Stewart (Aberdeen Central) (SNP): Will the member give way?

Drew Smith: No, thank you.

We have come a long way from the issues of process and the wording of the question, which dominated the early debate. The bill is an important milestone, but the decision itself is too important to be left open to further challenge. Whether or not we like the result on 18 September next year, it will be our job to come together afterwards. That will happen only if we have ground rules that are agreed in the bill and which are both fair and respected by all.

15:03

Annabel Goldie (West Scotland) (Con): Next year will be a momentous one when, arguably, the most important decision ever to confront Scottish voters will require to be taken. The debate is already passionate, voters are getting engaged with the issue and emotions are running high. However, I echo Bruce Crawford's view that the debate must be conducted with clarity, courtesy and a degree of dignity and must not become an unedifying barney or stairheid rammie. Whatever we may think, the public have no great impression of politicians as it is, so an uninformed shouting match will merely cement that negative perception. The public deserve better.

If the debate is vital, no less so is the process to ensure that there is a mechanism for the referendum in which voters can have confidence. That may be a lot less sparky and may be redolent to some of the drabness that can attach to process, but process matters. We have already dealt with phase 1 of the process in the Scottish Independence Referendum (Franchise) Act 2013 and we are now dealing with phase 2: the Scottish Independence Referendum Bill.

As a member of the scrutinising committee, I pay tribute to Bruce Crawford for his canny and wise chairmanship. I do not say this lightly, but I enjoy serving on the committee. I thank Andrew Mylne and the clerking team for really breaking sweat to support the committee through a

demanding timetable. I thank, too, our advisers and SPICe for excellent input, which I found extremely helpful. All that endeavour has culminated in the stage 1 report that is before the Parliament today.

With that absence of logic in which I rejoice, I will start at the end of the report by quoting paragraph 322, which states:

"The Committee is confident that its Stage 1 inquiry has enabled this important Bill to be subjected to a wide-ranging and robust scrutiny process. Inevitably, as with any large and complex piece of legislation, there are some aspects of the Bill that require adjustment, and other points on which clarification is needed. Overall, however, the Committee is confident that this Bill should provide a suitable framework for next year's referendum."

I think that that adequately encapsulates the position and my party will support the bill this evening.

Let me tease out one or two issues that I think require adjustment or comment. An issue on which there is probably complete consensus is when we get the result. I had some anxiety over that, as it was not clear from the bill if or when a local result could be announced. It was less than clear when the chief counting officer would announce the overall result. The public expectation is clear, as is that of the Electoral Commission, that once the chief counting officer is satisfied with the local count, the local counting officer will be authorised to declare it locally. I hope that the Deputy First Minister will confirm today that that position is now beyond doubt. I am also satisfied that it is clear that there is an expectation that the national result will be announced as soon as is practicable.

To me, the main area of sensitivity concerned the period before 18 September next year, governed by the regulated period of 16 weeks and the purdah period of 28 days. That has implications for campaigning groups, their activity and their expenditure, but it also has implications for Governments and their quangos.

My impression is that the principal campaigning groups are content with those periods and understand their impact on their activities. However, I have to say that emotions ranging from mild suspicion to rampant paranoia surrounded what Governments and their quangos might get up to during these sensitive periods. I think that a purdah period for Government of 28 days is reasonable.

While the Scottish Government is content to have its conduct for that period regulated in the bill, I do not consider it either necessary or reasonable for this long-standing protocol to be legislated for at Westminster. There has been no need of that in the past. As she has confirmed today, the Deputy First Minister has expressed herself content with the terms of the Edinburgh

agreement and such a legislative obligation on Westminster seems to me to be excessive. For that reason, along with Tavish Scott, Patricia Ferguson and James Kelly, I dissented from that proposal in the report.

However, I think that taxpayers would take a very dim view of any quango or public authority appearing to support either side of the debate, whether within the purdah period, the regulated period or any other period between now and next September. It seems to me to be both unnecessary and inappropriate for quangos to express any such views. The Deputy First Minister, while being characteristically robust when questioned on these matters, did not seem entirely unsympathetic to concerns that Tavish Scott and I expressed. She strongly rejected any suggestion that such bodies would behave inappropriately by stating:

"Public authorities do not operate in a political way, and they will not do so during the regulated period any more than they do now."

She went on to say that to suggest that such bodies would be

"out there campaigning for either side in the referendum ... stretches credibility."—[*Official Report, Referendum (Scotland) Bill Committee*, 13 June 2013; c 564-5.]

However, the Deputy First Minister provided what to me is a welcome acknowledgement of the concerns expressed by confirming that the Scottish Government would issue guidance to relevant public bodies and she has offered to provide a draft of such guidance to the committee. I hope that that draft will be available in early course, but I also hope that it is broader than covering just the 28-day purdah period. It should reflect the Deputy First Minister's confidence that such bodies will not behave inappropriately.

As has already been indicated, this Parliament will have to resolve the issue of the two days of the purdah period during which the Parliament will now operate. I think that that is described as a *casus omissus*, which is a Latin euphemism for something else, but it is certainly not clever and it needs to be addressed.

The bill delivers a workable mechanism for 18 September 2014, when I confidently expect Scotland to reject overwhelmingly separation from the rest of the United Kingdom.

The Deputy Presiding Officer: We move to the open debate. We have a modest amount of time available this afternoon, which will allow for interventions.

15:09

Annabelle Ewing (Mid Scotland and Fife) (SNP): I am delighted to be called to speak in this

stage 1 debate on the Scottish Independence Referendum Bill. That very phrase, which is set out on the front page of the Referendum (Scotland) Bill Committee's stage 1 report, trips off the tongue very nicely indeed.

I, too, have the privilege of serving on the committee and want at the outset to record my thanks to the clerks, who worked incredibly hard to ensure that the committee progressed its work in a timely and productive manner. I also state for the record that notwithstanding the very significant differences in people's outlook on this debate, the committee's deliberations have in the main been carried out constructively and respectfully. I believe that that augurs very well for the progress of the referendum campaign itself, which the people of Scotland want to be conducted in a fair and reasonable way. They want a positive campaign that is focused on issues of importance, not characterised by endless negativity and sneering.

The first thing to note about the bill is that it has been made in Scotland for Scotland. That is important, because it ensures that our Parliament here in Edinburgh is responsible for deciding on our referendum's legislative framework and that the elected representatives of the people of Scotland will establish the rules for the referendum on Scotland's future. What could be more democratic than that? Is it not better for the referendum rules to be decided by the Scottish Parliament, which is trusted by the vast majority of the people of Scotland, instead of their being imposed by a Westminster Government that we did not vote for and which is not trusted by the vast majority of the people of Scotland?

Another key element of the bill is the extent to which the key provisions have been accepted as providing a fair and robust framework for the independence referendum that, as we have heard, meets the highest international standards and in which the people of Scotland can have confidence. For example, Michael Clancy of the Law Society of Scotland, who in his work here is not known to be overly fawning about legislation in general, told the committee:

"this is actually quite a well-drafted bill. Indeed, as you will see from our submission, we had very little difficulty with the drafting."—[*Official Report, Referendum (Scotland) Bill Committee*, 9 May 2013; c 346.]

That is considerable praise indeed. We have also just heard the committee convener quote from John McCormick, electoral commissioner for Scotland, who also said that the bill was

"a strong piece of legislation".—[*Official Report, Referendum (Scotland) Bill Committee*, 23 May 2013; c 421.]

As its stage 1 report makes clear, the committee has been able to agree on a lot of things,

including—crucially—the bill's general principles. The report raises a number of technical points with a view to clarifying certain issues, and I very much welcome the Deputy First Minister's confirmation that the Scottish Government is preparing to look at those issues and to bring forward amendments at stage 2.

Of course, as the convener also pointed out, we have no say on the purdah restrictions that will be applicable to the Westminster Government. There is per the Edinburgh agreement a gentleman's agreement in place, which is why the committee noted in paragraph 189 of its report an asymmetry in this respect between the Scottish Government, which is subject to the purdah restrictions on a statutory basis, and the Westminster Government, which is not. In its recommendations, therefore, the committee has invited the Westminster Government to reconsider its position with a view to putting on a statutory footing the purdah provisions to which it, too, should be subject.

With regard to the question that will be posed in the referendum, notwithstanding all the fuss from some of the no lobby before the bill was introduced, the Electoral Commission's recommendation on the wording of the question—

"Should Scotland be an independent country?"

—has in fact been accepted across the board. I believe that that sums up the general view of the bill's status in Scotland at large: it is regarded as straightforward and clear and as establishing the proper framework to facilitate the people of Scotland's decision about which of the two futures for Scotland they want.

I know what future I will be advocating to the people of Scotland—including, crucially, our 16 and 17-year-olds—in the referendum vote. I will advocate a prosperous and fair Scotland, in which decisions about our country are taken by the people who care most about it: those who live and work here. It is clear to me, and to an increasing number of voters, that to ensure such a future for our country and its people the answer to the question

"Should Scotland be an independent country?"

that will be posed on 18 September 2014 must be yes.

15:15

James Kelly (Rutherglen) (Lab): I welcome the opportunity to take part in the debate, and I thank my former fellow committee members and the clerks, as well as all those who gave evidence, which contributed to the substantial stage 1 report that is now before Parliament for its consideration.

First, we must consider why the bill is so important. It is clear that the referendum, which

takes place in a little more than a year's time, involves a massive decision for the Scottish people, whichever side of the argument they are on. It is important that the rules for the campaign, and for the poll and the count, are bottomed out and are completely accurate, and that we—those on both sides of the argument and the public outside—have confidence in them.

In that respect, the legislation is important because it sets out the platform of rules for the campaign ahead. I think we would all agree that we want an open and honest debate with fair and transparent rules, and the stage 1 debate is the first step on the road.

When the bill was first mooted, it was felt that there might be a lot of controversy in committee and in the chamber. I know that we have had some differences of opinion, but, to go back to the start of this year, I remind members that there were big divisions, largely on campaign spending limits and the actual question. However, once the Electoral Commission had produced its report, all sides accepted the limits and the question. That took a certain amount of heat out of the deliberations in the chamber and in committee, which is to be welcomed.

The public did not want us to get too embroiled in the process. These issues are massive for Scotland, and people want to see what the implications are for their towns and communities. I welcome the consensus that has arrived with regard to spending limits and the question.

For both the two lead campaigns and the party-political campaigns, accountancy in campaign expenditure will be important. I welcome the limit of £1.5 million on spending by each of the lead campaigns.

Margo MacDonald: Regarding the general principle of spending limits having to be agreed and adhered to, on the assumption that somebody breaks the spending limit, what is the sanction against that person?

James Kelly: I assure Margo MacDonald that the Electoral Commission has clear sanctions if people break the rules on spending—for example, by not declaring it.

It is important that both the lead organisations—Better Together and Yes Scotland—have a proper accounting structure. However, given the evidence that we heard in committee, I am concerned that some of Yes Scotland's organisations—for example, Business for Scotland—operate, in accountancy terms, outwith the remit of the yes Scotland campaign. It would be better for both campaigns if such organisations were tightly controlled within the organisations' remits, so that expenditure is open and transparent.

Patrick Harvie: I ask James Kelly to be a wee bit careful in his choice of language. He referred to "Yes Scotland's organisations". If he is talking about separate organisations that are accounted for separately under the campaign rules that all sides have agreed, perhaps he should not describe them as belonging to another organisation.

James Kelly: It is clear that Business for Scotland and women for independence are organisations that work closely with Yes Scotland. *[Interruption.]*

Kevin Stewart: Will the member give way?

James Kelly: No.

Such organisations operate as part of the yes Scotland campaign, so that campaign should account for their expenditure.

Kevin Stewart: Will the member give way?

John Wilson (Central Scotland) (SNP): Will the member give way?

The Deputy Presiding Officer: James Kelly is in his last minute.

James Kelly: I am sorry, Mr Stewart—I am in my last minute.

On the issues that the committee considered, there was consensus about supporting the bill's general principles. It will be important to address some of the issues that have arisen and I welcome the list of amendments that the cabinet secretary said that she would lodge.

Once the bill is passed, we can look forward to the campaign. With members across the chamber, I look forward to getting out into the country, debating the issues and seeing a clear victory for the no campaign.

15:22

Rob Gibson (Caithness, Sutherland and Ross) (SNP): The Scottish Independence Referendum Bill process has been conducted in the spirit of the historic Edinburgh agreement. I thank my committee colleagues and the clerks, advisers and witnesses for conducting themselves in that spirit.

The Westminster and Edinburgh Governments agreed on the principle of consulting the Scottish people on the independence proposition. The Scottish Independence Referendum (Franchise) Act 2013 and the stage 1 report on the Scottish Independence Referendum Bill were agreed to after detailed scrutiny, as has been said. All committee members signed up to the report; we agreed on the conclusions about the principles, with a few votes of dissent on certain paragraphs. We can be proud of that model of democratic

scrutiny. It is made in Scotland and it is fair and above reproach.

That said, a major concern of members has been to include as many people as possible in the process of understanding the issues that are at stake and in being able to vote. That is why we spent time looking for ways to ensure that the disabled and people with limited eyesight can vote and why we considered whether prisoners should be able to vote.

I sought answers to many questions about the Electoral Commission's role and how it intends to provide informative material to potential voters, all the way from registration—as agreed in the Scottish Independence Referendum (Franchise) Act 2013—and engagement to voting, which are in the bill.

We are talking about democracy in action. The committee's report stands international scrutiny and is above reproach.

We agreed on the need for the Electoral Commission to produce clear and impartial sets of information. That should leave matters of substance for the yes and no campaigns to explain to voters. I have seen the materials that the commission produced in various languages for previous elections, which included translations of the ballot paper for voters who do not speak English.

Submissions to the Referendum (Scotland) Bill Committee and the Public Petitions Committee sought the inclusion of Gaelic on the ballot paper. As a committee, we did not consider that a persuasive case had been made for a bilingual ballot paper. One of the great virtues of the ballot paper that is set out in the bill is that it is simple and clear. No Gaelic speaker is monolingual, unlike some ethnic minority speakers for whom special help will be required and will be available.

Nevertheless, I believe that the agreed concept of equal respect for Gaelic as one of Scotland's national languages, as set out in the Gaelic Language (Scotland) Act 2005, needs to be addressed in future. No attempt was made by the petitioners to have bilingual ballot papers in the 2007 and 2011 Scottish elections, the 2010 UK election or the alternative vote referendum, and I suggest that the petitioners' contention that the Scottish independence referendum is an event of national importance applies equally to those previous elections. Therefore, I believe that the future testing of such a bilingual text is a matter for this Parliament to address but not, I am sorry to say, in the context of the bill.

Equal respect for our native languages will probably come into perspective with the publication of the 2011 census figures, which is due later this month. I suggest that the Public

Petitions Committee should deliberate on the best way forward for future votes after the referendum. Indeed, I believe that an annual debate should be held in the Parliament to discuss the progress of our indigenous languages in the life of the nation both in this and future parliamentary sessions. I hope that the Government will respond to that proposal whole-heartedly. For the referendum vote, I hope that all returning officers will make a Gaelic translation of the ballot paper available and on display at every polling station.

On awareness raising, the issues that are involved in the referendum need to be presented as fully as possible to encourage the maximum turnout. Therefore, on the issue of informing voters, I am delighted that the processes to take place after the vote are currently being agreed and discussed. We are told that senior officials from the Scottish Government, the Cabinet Office and the Scotland Office have met to hold discussions on agreeing a joint statement in response to the recommendation in the Electoral Commission's January 2013 report that the public should be informed about what would happen after the referendum. Such information is essential to set the issue in the context of the move forward that we, on this side of the chamber, hope will take place.

Indeed, issues of prisoner voting, bilingual ballot papers and much else are subjects that an independent Parliament would be able to properly scrutinise and give full weight to in due course.

I support the stage 1 report on the bill, which paves the way for a fair and internationally accepted referendum through consent and democratic agreement. The return of the full powers to an independent Scottish Parliament will be the best and fairest way forward for our country.

15:28

Richard Baker (North East Scotland) (Lab): It is clear that we are agreed on one thing and that is the importance of the bill. The arrangements for the oversight of the referendum are significant politically, so it is important that we get the legislation right. Given the process issues that have been raised by members from across the chamber, it will be crucial that the committee and ministers work through the bill diligently to ensure that all those issues are correctly addressed.

A legitimate concern is that more can be done to ensure that there is a reasonable equality of arms in terms of spend during the short campaign, particularly in relation to permitted participants and how those are defined. It is also right to ask questions about the operational purdah, particularly with reference to the parliamentary

sitting days that will occur during the campaign. We also need to ensure that the Electoral Commission has the powers to address any breach of the campaign rules prior to the referendum.

I am hopeful that the committee will look carefully at those issues. On the two occasions that I attended committee meetings, the committee certainly considered the business in hand—in that instance, the issue of the registration of 16 and 17-year-olds under what is now the Scottish Independence Referendum (Franchise) Act 2013—in a thoughtful and efficient manner. Those issues are important because it is vital that both sides of the debate and, indeed, all those taking part in the referendum can be confident that the process will be efficient and fair and that all will know, whatever the result, that it was reached in the right way.

I welcome the bill's objective to provide for a

“fair, open and truly democratic process, conducted and regulated to the highest international standards.”

A key part of fulfilling that principle must be the proper parliamentary scrutiny of the Scottish Government's proposition. We need to hear more about that from ministers as well.

The remit of the committee, as it examined the legislation before us, has thus far focused on those important process issues, but I am concerned that the Parliament also has a proper opportunity to debate the substantial issues that will arise from the publication of the Scottish Government's white paper, whenever that finally happens. If the publication date is to be delayed, as we hear it may be, it becomes all the more important to have a clear process in place so that whatever propositions are put forward for Scotland post-separation or post-vote can be properly scrutinised. We are told that the white paper will have all the answers, so Parliament must engage in work that will shine a light on whether questions have been answered or whether further questions need to be asked.

Although consideration of the Scottish Independence Referendum Bill is the first job of the committee, it is vital that it, alongside that work, considers what further role it may have in scrutinising the proposals that the Scottish Government will put before the people as a result of the passage of the bill, which we on this side of the chamber will support.

I am aware that, under its current work programme, the committee may well have ceased its work before the publication of the white paper. It is possible that the Government's intention is to publish the document after stage 3 consideration of the bill. Therefore, if the committee cannot lead in that scrutiny, we must consider what role

Parliament will have. That cannot just be a few plenary debates. It is clear that civil servants have devoted significant time to the white paper. For example, four civil servants are working on the infrastructure programme and seven are working on the proposed defence policy.

The white paper is a major piece of Government work and members must have the opportunity to consider it carefully. This cannot be an issue in which the governing party restricts parliamentary scrutiny in any way—I certainly hope that it will not do that. In my North East Scotland region, there is a great desire that, alongside the fair referendum process that we hope the legislation will achieve, we receive answers to the questions on major issues such as currency, personal and business taxation, monetary policy and a range of other policy areas that many believe they have not yet received answers to from those proposing the break-up of the United Kingdom. The Law Society of Scotland has also highlighted key principles that must inform the debate, including legal certainty and administrative continuity.

In order to achieve that, the Parliament must not only legislate properly on the referendum process but look carefully into the substantial matters of debate that will take place in the process set out in the bill and then hold the Executive to account on the arguments that it makes on those matters.

We all have our views about how that debate will be resolved. I am confident that the people of Scotland will reach the conclusion that, in constitutional terms, we have the best of both worlds, with this Parliament here to ensure that we have a strong Scotland in a strong UK. I believe that the people in my region will reach that conclusion for our part of Scotland and our local economy. Whatever our divergent views on the important question that we have to answer, we should all welcome full scrutiny of the proposals that we have waited years for the Government to provide. In endorsing the general principles of the bill, I hope that ministers will tell us how they will enable Parliament to carry out that important scrutiny work.

15:33

Linda Fabiani (East Kilbride) (SNP): I am pleased to support the general principles of the Scottish Independence Referendum Bill, just as I was pleased to serve on the Referendum (Scotland) Bill Committee and contribute to the report that informs the debate. Coming to the chamber at stage 1 follows a great deal of effort by members on all sides of the independence question to ensure that all Scots have an open, fair and democratic opportunity to decide our constitutional future.

I endorse Rob Gibson's words and restate the Parliament's unanimous commitment to Gaelic and its status as a national language. I call on all agencies to ensure that Gaelic remains at the heart of our referendum.

The process of designing the referendum has been inclusive, extensive and exhaustive. It gives the lie to the Westminster fantasy that this Parliament cannot be trusted with such a significant issue. That view apparently extends across Westminster from Lord Forsyth's attempts to scupper the Scotland Act 1998 (Modification of Schedule 5) Order 2013 to Anas Sarwar MP's contention that the Scottish Parliament is not democratic.

The Parliament has already addressed the critical matter of the referendum franchise and this bill takes us further. The bill covers the practicalities of meeting its main objective, which is to provide for a referendum following

"a fair, open and truly democratic process which is conducted ... to the highest international standards."

The important role of the Electoral Commission in that has, of course, been recognised.

There are important roles for many, of course, not least the press and the broadcast media. The referendum challenges powerful interests throughout the UK and internationally and, in the years ahead, Scots are entitled to rely on the media to ensure that views expressed by, or on behalf of, such interests are exposed to scrutiny.

Funding should always be exposed to scrutiny. It is always an issue and the committee discussed it at length. James Kelly referred to it earlier and got himself in a little bit of a muddle. The bill recognises the need for campaigns to have the resources to get their messages across but attempts to guard against the referendum becoming a plaything of the powerful and wealthy. There may well be opportunities for mischief-making by those with more money than principles or sense, and wealthy individuals based outside Scotland have already taken a highly prominent role in the debate. We should be beyond 18th century ethics in that stuff in the 21st century. A no vote secured by imported funds would leave a bitter legacy from which a continuing union might never recover. At the end of the referendum, Scotland must not be seen as having been bought and sold in any way.

Margo MacDonald: I was deeply engrossed in what Linda Fabiani was saying. What if we get a yes vote and somebody else has paid the money? I would not be for giving it up. [*Laughter.*]

The Deputy Presiding Officer (Elaine Smith): Order.

Linda Fabiani: It is interesting to note that the yes campaign has already said that it will only take donations from Scotland.

As we work our way to 18 September 2014, attention will increasingly turn to the real choice that faces people in Scotland. The pro-union parties tell us that Scotland's constitutional settlement is not fixed and that, if we vote no, Scotland will get significant new powers. It sounds familiar—shades of 1979.

I have already called many times on pro-union parties to ensure that the settlement against which Scots will test independence is clear and locked in but, instead, they focus on a negative campaign that is designed to misinform and undermine Scottish self-confidence. It is in that context that we must judge the promise of a UK Government magnanimous in victory and committed to fulfilling Scots' desire for more control over their own affairs.

Reality will be very different. Interest in a Scotland deemed to have voted itself out of existence will be extremely low on the agenda of all UK parties. I cannot envisage Scottish leaders turning up at party conferences to receive grateful thanks for saving the union getting any merit or ground at all if they argue that there is a new, as yet unspecified bill to pay for that.

Fearing the UK Independence Party, no Westminster party—none—will tell voters in England that a top priority is to give Scotland more financial and economic powers. David Cameron has already backed a UK-wide constitutional commission. The Lib Dems' rediscovery of a federal future for the UK is largely irrelevant, but the Campbell commission at least makes it clear that further devolution would lead to the demise of the Barnett formula, costing Scotland billions of pounds every year.

Ed Miliband has not made his position clear either, but we know that it would be guided by his need to win seats throughout England. With 15 per cent of English voters in favour of regional Government and one in five in favour of a Parliament for England, any kind of devo, whatever we want to call it, would hit the buffers of UK electoral arithmetic.

At the heart of it, we should remember that the people who promise further powers are those who voted against welfare powers for Scotland when we discussed that under the Scotland Bill.

That all weakens the argument for voting no. However, the record of the Scottish Parliament strengthens the case that it is better for all of us if decisions about Scotland's future are made by the people who care most about Scotland—that is, the people who live and work here. That is why a clear and decisive yes is the only future for Scotland

and why we must have a yes vote in September next year.

15:40

Tavish Scott (Shetland Islands) (LD): The referendum is going to happen next year—2014—and people across the nation will decide whether we should remain part of the UK or separate from it, so the referendum must be conducted properly. On that, at least, Parliament can surely agree.

I thank the convener of the Referendum (Scotland) Bill Committee, Bruce Crawford, for the way in which he handled the stage 1 proceedings. He knew fine that he had an in-built SNP majority on the committee and that he could have got through what he wanted. Instead—to his great credit—he conducted those proceedings properly and all members of the committee at least got their voices heard. Mr Crawford was quite correct to say that there was broad agreement on how to proceed. That was important, and it reflects a decent effort by Parliament to make the referendum work in the way in which all of us want it to.

I welcome the tenor, at least, of the Deputy First Minister's remarks. I know that she had to chuck a bit of red meat to the back benches at the end of her speech but, broadly speaking, I entirely take the points that she made, particularly her point about the inclusion of 16 and 17-year-olds in the Scottish Independence Referendum (Franchise) Bill.

I also accept the very fair point that Rob Gibson made about Gaelic. I can tell him that many of us would speak in the debate that he suggested in our own dialects, if we were given time to do that.

However, I cannot accept Linda Fabiani's point about the pro-union parties offering more powers only if people vote no. That is exactly the same line that we got from the Government's front bench in Shetland just the other week, when it said that if people voted for independence, the islands could have some more powers. That argument seems to suit your front bench very well indeed, Ms Fabiani.

The Deputy Presiding Officer: Through the chair, please.

Linda Fabiani *rose*—

John Swinney *rose*—

Tavish Scott: I will happily give way to Mr Swinney when I have finished my point. The people who care most about Shetland are the people who live and work there. I hope that he will accept that.

The Cabinet Secretary for Finance, Employment and Sustainable Growth (John Swinney): I am all for a positive dialogue with the

people of Shetland, but I remind Tavish Scott of the historical precedent of a no campaign saying to the people of Scotland, "Vote no and we will deliver you a better settlement." Those were the words of the late Lord Home in 1979. We got 18 years of paralysis and an awful Tory Government. Tavish Scott's colleagues are propping up just such a Government in the House of Commons today.

Tavish Scott: We have also got devolution in the Scottish Parliament. Given that Mr Swinney is a member of the front bench, I hope that he welcomes that.

I want to pick up on what Bruce Crawford, Annabelle Ewing and others said about the tone of the debate. I am all for a robust debate. Mr Swinney and I could very cheerfully debate these matters extremely robustly, but I fully agree with the point that members have made about the broad tone of the debate. I accept that one of my limitations is that I may sometimes slightly lose it when I make an argument that I believe in, but—good gosh—we must ensure that the discussion that we hold over the next year is held properly, because there is nothing more fundamental than the future of one's country. I hope that members of both front benches—those who are in the better together campaign and those who are in the yes campaign—will say, "No more," to the disgraceful cyberchatter that we are all subjected to. There is no place for that in this debate, and I hope that Nicola Sturgeon will take the opportunity of her winding-up speech to reflect on the need to end all that bile.

Nicola Sturgeon: We all get abuse on Twitter.

Tavish Scott: I could not agree more—we have all been subjected to it, as I have made absolutely clear. I hope that Nicola Sturgeon will reflect on that, just as I hope that Alistair Darling and others will do.

I also hope that politicians will recognise that not everyone is engrossed in the referendum campaign. Just the other day, David Grevemberg—the admirable chief executive of Glasgow 2014—said that we could do without any politics in the Commonwealth games next year. Sir Jonathan Mills, who is the head of the Edinburgh international festival, said the same about the arts in today's papers. I hope that there is a lesson there for politicians not to use such events in a way in which—

The Minister for Commonwealth Games and Sport (Shona Robison): The member will, of course, be aware that the Deputy Prime Minister is visiting Glasgow to look at the facilities for the Commonwealth games next week. I hope that the member is not making any assertions in relation to Nick Clegg's intentions in that regard.

Tavish Scott: I do not understand that remark. Ms Robison might want to reflect on David Grevenberg's piece that was published today. I hope that she agrees with it, because I certainly do, and I do not understand her observation.

Shona Robison: Would the member like clarification?

The Deputy Presiding Officer: Order, please.

Tavish Scott: I want to briefly touch on section 32 and schedule 8 and the definition of "referendum period". During the debate, I have picked up on the fact that there are some serious lessons that must be learned. I welcome the Deputy First Minister's response to the committee in the letter that I got today, which says that, in line with standard election practice, the Government will issue guidance to its staff and to those in public bodies for which it is responsible for the 28-day pre-referendum period. We will receive that guidance shortly, as Annabel Goldie said earlier. I hope that that guidance will cover the whole of the regulated period and I wonder whether the Deputy First Minister would be so good as to advise us on that in her closing remarks.

That is important not least because, at paragraph 263 of the stage 1 report, Nigel Smith is quoted as saying:

"both governments will be regulated for the first three months of the referendum not by this Bill but ministerial codes and public outcry. And for the last month, by a referendum Commission with few tools in the Bill ... This is no regulation of government at all."

That is a direct quote from Mr Smith. I hope that Governments here and in Westminster will reflect on that, because it will be important for the conduct of the campaign.

15:46

Stuart McMillan (West Scotland) (SNP): It will come as no surprise to members to hear that I welcome the bill and hope that the people of Scotland will vote yes next year to take Scotland forward.

Before then, we have a number of processes to go through. The bill is, of course, part of that work. I associate myself with the comments of the convener about the assistance of the clerks, the advisers and all those who have given evidence to the committee. All that assistance has been tremendously helpful.

I thank my colleagues on the committee and I commend the convener for his handling of the committee and what is clearly an emotive issue, as we have already heard today. I am sure that his handling of the committee helped it to get to the point of recommending to the Parliament that the general principles of the bill be agreed to, which is

recommended in paragraph 323 of the stage 1 report.

Taking a co-operative approach from the outset, with the signing of the Edinburgh agreement, right up to where we are now is a positive sign. It has ensured that the Scottish Independence Referendum Bill will be made in Scotland, for the electorate of Scotland to decide on Scotland's future.

As for every bill that goes through Parliament, we received a tremendous amount of evidence. One key comment was from the Electoral Commission, which stated, as shown in paragraph 36 of the stage 1 report:

"this is a strong piece of legislation".—[*Official Report, Referendum (Scotland) Bill Committee*, 23 May 2013; c 241.]

Issues of visual impairment and disability and other equalities issues are mentioned in paragraphs 302 to 306 of the report. Those issues were raised to ensure that everyone who is eligible to vote can vote. I genuinely believe that that is vital for democracy.

Whatever the outcome of the referendum, the process and the scrutiny thus far have been thorough and robust. I do not see how any side of the debate could use them as a mechanism for challenging the outcome if it goes against their particular wishes. We still have a few steps to take, but I have no reason to think that the level of scrutiny will differ from what has been brought to bear thus far.

Today is yet another historic day in Scotland's journey. In little more than 12 months, we will have a better understanding of where that journey will take us. There will be robust debate, campaign literature, adverts, billboard posters and television and radio broadcasts aplenty, not to mention the social media campaigning that Tavish Scott obviously loves so much. It is right and proper to have such a robust debate. We all have our respective positions and we will take an active part in the campaigns up and down the country.

We have to work to inspire people to vote and to consider what they want Scotland to be like after the referendum. We must inspire the electorate to think of Scotland and what will happen if the vote is yes and if it is no. We have to inform the electorate what Scotland can look like after the referendum.

I know that, in an independent Scotland, we can provide many and more opportunities for the people of Scotland, and that the Parliament needs to have the full economic powers to deal effectively with economic conditions and whatever comes its way in the future. I also know that the Parliament should be charting its own course to make decisions for the people of Scotland. It

should not be concerned about developing rearguard action policies to deal with decisions from Westminster.

The Scottish Independence Referendum Bill allows that opportunity to happen. By the time it passes through the legislative process, no one will be able to say that the creation of the referendum has not been fair. Indeed, as the policy memorandum says, the bill's main objective is to ensure that the referendum next year is

"a fair, open and truly democratic process which is conducted ... to the highest international standards."

I welcome the Deputy First Minister's comments earlier and in the letter that we received regarding amendments at stage 2. In particular, there will be amendments to address the designation of the campaign groups, which paragraph 126 of the committee's report deals with, and the issue of absent voters, which paragraph 65 of the report deals with. Those two amendments will be very helpful.

Bruce Crawford spoke with his typical eloquence about how the debate should take place. Other colleagues have also talked about that. I could not agree more that there must be the utmost respect in it. When the nation wakes up on 19 September next year—obviously, some of us will not sleep as we will no doubt be up all night, but the vast majority of the nation will go to bed—Scotland will still be here, whatever the outcome. The SNP will still be in power at the national level and the make-up of the local authorities will not change. Scotland will still continue, but in what shape?

Earlier, I used the word "inspire". We on this side of the debate and on this side of the arguments have a positive vision for the people of Scotland, and we have inspired and will continue to inspire more people to decide how they want to live in an independent Scotland post the referendum. I am not sure how the no campaign can be inspirational about the bedroom tax, welfare reform, nuclear weapons on the Clyde, illegal wars and many more issues. We have the inspirational vision; the no side has a devastating vision.

When the vote takes place next year on the simple question

"Should Scotland be an independent country?",

there really can be only one answer: yes.

15:52

Anne McTaggart (Glasgow) (Lab): I welcome the opportunity to contribute to this stage 1 debate on the Scottish Independence Referendum Bill.

First, I wish to highlight that how the referendum is seen in the eyes of the general public is paramount in the whole process of conducting it. I am pleased that the bill's objective is to provide a truly democratic process. Bearing that in mind, the Parliament's aim in scrutinising the bill is to ensure transparency and fairness. As a consequence, the referendum process must meet the two essential criteria of integrity and inclusiveness.

The process must be conducted with integrity. By that, I mean that all the elements of the process, such as the campaigns and debates—no matter where they are held, whether in the Parliament or at the community level—must be transparent and informative. The process must also be inclusive and reach out to all individuals, groups and organisations across Scotland. If the referendum process does not meet those two essential criteria, it will not have the credibility that it requires in trying to achieve its aim of involving all sectors of Scottish society.

Scotland is about to embark on a journey that will last just over 12 months. That journey will be of vital importance to every child, young person and adult in this country.

The key elements that are essential to ensure a fair, just and credible referendum process are transparency, fairness in current spending limits, and the Electoral Commission having the requisite powers to monitor and take action against any breach of the rules. I cannot overstate the importance of the role that those elements will play in ensuring that the referendum process is conducted with integrity and inclusiveness.

It is vital that the rules in the Political Parties, Elections and Referendums Act 2000 are strictly adhered to. Fairness and transparency are of the utmost importance in the process, and a level playing field must operate for all parties that are involved in the debate. It is essential that the rules that are set out in the bill are followed, and I fully trust that the Electoral Commission will ensure that.

I reiterate my commitment to allowing 16 and 17-year-olds to vote not only in the referendum but at subsequent elections. I firmly believe that that will encourage teenagers to become active citizens who value democracy, if they are not already, and I hope that the measure will reinvigorate our politics. I remind the Government that it has a duty to govern for all the people of Scotland over the next 12-plus months and not to become preoccupied with the campaign.

The referendum is Scotland's referendum. It is not the SNP's or the yes campaign's referendum but everyone in Scotland's referendum. I look forward to the debate.

15:56

Stewart Maxwell (West Scotland) (SNP): I join other members of the Referendum (Scotland) Bill Committee in thanking the clerks, witnesses and advisers and parliamentary colleagues for their efforts in ensuring that we have reached this stage. We are in good fettle, not only in relation to the drafting of the bill but in relation to the stage 1 report, and I thank all those who were involved in producing it.

I am delighted that we have reached this stage of the process. The bill is a robust one that I believe will deliver a referendum on independence that is beyond reproach, which I am sure is what we all want.

I welcome the Government's positive response to the committee's stage 1 report, but before I jump into some of the detail of the main issues on which the committee took evidence, it is worth pausing to reflect on another step forward in Scotland's democratic revival.

Some years ago, the European football championships were held in England, and I am sure that many members remember with great fondness the accompanying song with the words "Football's coming home". The passing of the bill will mean that people will have the chance to bring democracy home to Scotland. I know that anti-independence parties will say that the Scottish Parliament proves that democracy is already here but, of course, devolution proves that some democracy for Scotland is here—but only some.

It has been a long journey from a Scotland with virtually no say over its affairs to one that is on the brink of deciding whether to rejoin the family of nations. Of course, some parties and people have always opposed Scotland gaining democratic control over its affairs and have predicted disaster at every turn. The Conservatives have fought against Scottish democracy every step of the way, but they are not alone. Many senior members of the Labour Party have also been implacable opponents.

Neil Findlay (Lothian) (Lab): Can the member tell us how the proposal for a currency union would increase democratic control?

Stewart Maxwell: I am delighted that Mr Findlay has popped into the debate so late on, although I know that he has missed all that has happened until now.

Neil Findlay: I wish I had missed your speech.

The Deputy Presiding Officer: Order.

Stewart Maxwell: Democratic accountability means that the people of Scotland will get the Government that they vote for every single time and not just some of the time, which is what Mr

Findlay supports. Indeed, we know that Labour's leader voted against devolution in 1979 but then changed her mind because, apparently, Scotland needed some protection—but just some—from the worst excesses of Thatcherism and the Tory policies that Scotland's people did not vote for.

Drew Smith: Will the member give way?

Stewart Maxwell: No, I will not.

It is unfortunate that not all of us in the Parliament believe that Scotland should get the Government that it votes for all the time and instead are working night and day to ensure that Scotland gets the Government that it votes for some of the time. I do not think that that is acceptable or democratic.

I turn to some of the details in the bill. Many members have already spoken about the purdah period. I welcome the Scottish Government's clear response on the issue in relation to itself and the public bodies for which it has responsibility. However, a question remains about asymmetry in the arrangements, whereby the Scottish Government is governed by legislation while the Westminster Government has no such strictures placed on it.

I acknowledge what has been said about the Edinburgh agreement, and I have heard the Westminster Government's assurances. However, if the Westminster Government is as determined to abide by the purdah restrictions as the Scottish Government is, why does it not legislate in the same way as we are doing so that the issue is beyond doubt?

As far as I am aware, we have yet to receive an assurance from the Westminster Government that it will issue guidance on purdah to the public bodies over which it has responsibility. Given the reassurance that the Scottish Government has given, I hope that it will provide such an assurance without delay.

The purdah overlap with parliamentary business, which members mentioned, affects the Westminster Government and the Scottish Government, but if both Governments abide by the rules there should be no problem.

The committee agreed on the desirability of lead campaigners being designated before the 16-week period begins. I am pleased that the Deputy First Minister has accepted our recommendation and will lodge an amendment on the matter at stage 2.

Members who are not on the committee might not be aware that in the Wales referendum of 2011 a lead campaign on one side could not be designated if the lead campaign on the other side did not apply for designation. That was used as a tactic for blocking designation in Wales, so I

welcome the fact that the bill does not allow that to happen in our referendum.

On spending limits, I think that all members acknowledge the necessity of clear and robust rules, which can give the public confidence in the transparency of the process. We also acknowledge the need for freedom, to allow a diverse range of individuals and opinions to be seen and heard in the campaign. The bill has got the balance just about right.

An important issue is the declaration of results. I welcome the approach in that regard. I think that members are unanimous in support of the earliest possible declaration of not only the national result but the local results. It is in everyone's interests—particularly those of the people of Scotland—to find out the result as soon as it is available. I hope that there will be no delays in the process.

I will vote yes at decision time, because the bill is robust and will enable Scotland to decide on its future. I will vote yes in 2014 because the people who are best placed to take decisions about Scotland's future are the people who live here and because it is time to bring democracy home to Scotland.

The Deputy Presiding Officer: I remind members that we are discussing the detail of the Scottish Independence Referendum Bill—*[Interruption.]* That reminder was for all members.

16:02

Patrick Harvie (Glasgow) (Green): I am pleased that we have dispensed with the ritual of declaring an interest in a bill, because if we had not done so we would be here all day, given that almost every member is in a political party or wearing one badge or the other.

Presiding Officer, you will be pleased to hear that my speech is about the bill and not about why I have chosen one badge rather than the other.

Neil Findlay: Will the member give way?

Patrick Harvie: I ask the member to let me get under way a wee bit, please.

Like Bruce Crawford, I thank everyone who contributed to the process—witnesses, advisers, officials and all members, including the outgoing committee members. I welcome the new members who will join the committee for stage 2.

When we consider that the bill is technically complex and that this is a debate in which feelings run high on both sides and which in many ways is part of an unprecedented political dynamic, I think that a committee report with just three notes of dissent—on points of detail and not on the basic principles of the bill—is not bad going. We have managed to achieve more consensus than people

might have expected us to do on such a high-profile issue.

There are two areas in relation to which I want to explore remaining doubts and uncertainty: campaign rules and purdah. In my exchange with James Kelly about organisations that work together, I did not intend to generate more heat than light. I agree with James Kelly that there are areas that we need to explore further. That is not necessarily a criticism of the bill; these are issues that the Electoral Commission will have to resolve and give clear guidance on.

Referendum expenses that are incurred as part of a common plan—when individuals or organisations, who will not necessarily meet the threshold for declaring expenses or registration as a permitted participant, are working together—will have to be declared as common expenses in both sets of declarations. We will end up with the appearance of twice as much money having been spent.

Therefore, the same amount of money being spent only once would have to be declared in both organisations' expenses. For example, the radical independence campaign might be dishing out leaflets for a Jimmy Reid Foundation public meeting. Does that mean that everything spent on arranging that public meeting would have to be declared by both organisations? We could be in a situation in which individuals and small organisations that do not expect to meet that threshold do so accidentally without realising that they have to declare it as such.

The Electoral Commission, in producing the guidance, needs to strike a proper balance between allowing small organisations and individuals to campaign in the referendum as they see fit and taking account of James Kelly's proper concerns about organisations perhaps co-operating too closely and being, in effect, a single organisation. I do not expect that to happen, but the rules have to strike a proper balance.

It is less relevant in the case that James Kelly mentioned because the provision in the bill that deals with referendum expenses states:

"this paragraph does not treat any expenses incurred by or on behalf of a permitted participant that is a designated organisation as having been incurred also by or on behalf of any other individual or body."

Therefore, for Yes Scotland and Better Together, the rule about common plans does not apply in the same way. My concern is about small organisations and individuals.

There is very often too much power in money in our politics. A very wealthy person gets a vote. A very wealthy person can go out and pound the streets like everybody else or take part in public debate like everybody else. Very often in our

politics in this country, big money talks a wee bit too loudly and we need campaign rules that prevent that from becoming problematic.

On the purdah issue, I had initial concerns about the idea of Parliament having its normal recess dates but meeting in the run-up to the referendum. I think that the Government's proposed solution was a reasonable one. I regret that it was not acceptable to both sides; I think that it should have been.

Late on in our stage 1 process, we discovered that mismatch between the dates and I think that that issue still needs to be resolved. Removing the SPCB from the bill is one way of doing so. Other caveats in the bill might be possible to achieve that resolution. We really must expect that, in the last days before we break and go out to campaign, anything will be turned into a proxy for the independence campaign. In our *Business Bulletin* today we have subordinate legislation on everything from photocopying fees to fish labelling. I doubt that any member would find it difficult to turn any such legislation into a fight about independence in the last week before the referendum if they chose to do so. We therefore need to ensure that nothing is constrained.

I would like to reflect on a debate that I took part in last week in Glasgow, which was organised by the Equality Network and looked at LGBT equality in the context of the referendum. There were three speakers on one side, three on the other and a very neutral chair. It was a very well-organised meeting. It was passionate, it was really well informed, and it was a lively, sparky debate from the audience as well as the panellists. However, every single one of them managed to conduct that debate in a spirit not just of respect but of good humour and friendship.

That spirit is what we need to aim for. It is not always easy, and sometimes the first instinct of a politician or an activist is to sink to the lowest level of the people who are attacking them. We all need to resist that if we are going to have the debate that Scotland deserves. Come what may, once the people have decided and chosen whether they like the yes Scotland badges or the better together badges best, we are all going to have to move on and implement the will of the people in whatever way they have chosen. We should be able to do that in the same spirit of respect, good humour and friendship.

16:09

Patricia Ferguson (Glasgow Maryhill and Springburn) (Lab): I do not think that anyone could object to the objectives of the bill because for all of us, regardless of our views on separation, the provision of a

"fair, open and truly democratic process which is conducted and regulated to the highest international standards"

must be our aim, and Scotland deserves no less.

The committee, with some exceptions on individual points, was broadly content to recommend the bill at stage 1. We also flagged up a number of areas where we thought that clarification was needed or a change to the current proposals was required.

In the Deputy First Minister's 8 September letter to the committee, she accepted that she needs to lodge a number of amendments at stage 2—that is to be welcomed.

In the time that is allowed, I will not be able to cover all the issues that concern me, so I will limit myself to just a few.

During debate on both the Scottish Independence Referendum Bill and the Scottish Independence Referendum (Franchise) Bill, the issue of whether the 16 and 17-year-old children of armed forces personnel based overseas would be able to vote was raised. I understand that that is likely to be an issue for a relatively small number of young people, but it is important that we make every effort to ensure that they can vote. I welcome the fact that Ms Sturgeon is now having discussions with the Electoral Commission and the electoral registration officers on the issue. It is an issue that I will continue to watch with interest.

On the issue of the deadline for proxy voting, if we are as serious as we say we are about ensuring that as many people as possible can exercise their franchise, the Deputy First Minister must think again about the deadline for proxy votes. As the bill stands, the deadline for postal and proxy votes will be the same: 5 pm on the 11th working day before the poll, not—as is usual—5 pm on the sixth day before the election. The committee was not clear why that change was being made, but we very much hope that the Deputy First Minister will change it when she lodges amendments at stage 2.

In the committee's reading of the draft stage 1 report, we identified that the dates when the Parliament will be in recess and those when purdah applies were, as we have heard, not exactly synchronised, with a two-day period when the Parliament can in theory sit, but when purdah rules would be in force. As purdah applies to the Parliament as well as to the Government, that seems to be problematic.

Mark McDonald: Perhaps the member can clarify the point that her colleague Drew Smith could not as to why Labour members voted for the Parliament to sit for almost the entirety of purdah rather than merely the first two days.

Patricia Ferguson: I was going to go on to say that the committee took that matter very seriously. The Deputy First Minister advised the committee that, were Parliament to sit during purdah, it

“would undoubtedly mean that we would sit with enormous constraints on what the Parliament and the Government could do ... it would be difficult to imagine how a normal First Minister’s question time, for example, would proceed in a way that is consistent with the law.”—[*Official Report, Referendum (Scotland) Bill Committee*, 13 June 2013; c 556.]

If the Government takes the issue of purdah and the Parliament being in session that seriously, that surely raises the question of how the error occurred. Given that the Government’s business manager sits on the Parliamentary Bureau and is therefore the only person with an overlapping responsibility, should he not have noticed that particular problem?

Putting that aside, the more important point is how that will be fixed and whether it will be fixed? Whether it is the Government or the Parliament that wants to alter the dates does not really matter. Regardless of views on whether or not the Parliament should sit, if we are to have what is proposed—and the Parliament has voted for it—the two dates must coincide. It is crazy not to make them do so.

On the issue of purdah more generally, I have been intrigued by the comments that SNP members have made throughout the discussion. The whole matter arises because the Scottish Government signed what has been called a gentlemen’s agreement—the historic Edinburgh agreement—with colleagues at Westminster. By doing so, the Scottish Government accepted the UK Government’s assertion that it would abide by the purdah principles. When she came to committee, the Deputy First Minister reiterated that that was her view. However, the Scottish Government has decided to legislate to ensure that it has to abide by those principles. That is a matter for the Scottish Government: if it wishes to do that, that is entirely up to it. It is a bit strange, however, that SNP members cannot accept the good will and good faith that the Deputy First Minister seems to have accepted by signing that agreement and by her words in committee.

Linda Fabiani: Will the member take an intervention?

Patricia Ferguson: Not at this moment.

In the course of our discussions, I have been reassured that every effort will be made to ensure that disabled, blind and partially sighted voters will be able to participate. There had been some fears that partially sighted people might have some difficulty. Although they can be provided with a large-print version of the ballot paper for explanation purposes, they would be required to

cast their vote on a ballot paper that did not have large print. I am grateful to the Deputy First Minister for agreeing to consider further whether any clarification is needed as to how the rules relating to disabled people would apply.

As one of the members who has recently left the Referendum (Scotland) Bill Committee, I thank SPICe and the committee clerks for their efficiency and support over the past year. They have had to work to a very tight timescale for this bill and its predecessor. I also record my thanks to all the witnesses and advisers, who provided us with some very interesting viewpoints and whose contributions were so important to the committee’s consideration of both bills. I genuinely wish all my colleagues on the committee well as they take the work forward. I congratulate Bruce Crawford, the convener, on keeping us to schedule and on his good humour throughout.

To reassure Ms Fabiani, I will make one final point. There is one party operating in the Westminster Parliament that has demonstrated that it can put the priorities of Scotland ahead of those of anywhere else, and that is Scottish Labour and the Labour Party in the UK. [Interruption.]

The Deputy Presiding Officer: You must conclude, please.

Patricia Ferguson: In case Ms Fabiani has any doubts about that—[Interruption.]

The Deputy Presiding Officer: Order. The member is concluding.

Patricia Ferguson: I draw Ms Fabiani’s attention to the fact that we prioritised a referendum and the delivery of a Scottish Parliament in 1997, having inherited myriad problems—

The Deputy Presiding Officer: Ms Ferguson, you must finish.

Patricia Ferguson: —from 19 years of Tory rule. That was a demonstration of good faith, and one that I hope Ms Fabiani will accept.

16:16

Gil Paterson (Clydebank and Milngavie) (SNP): The Parliament should record its thanks to the Referendum (Scotland) Bill Committee for how it has gone about its business and for the recommendations that it has provided us with, which are plans that will allow public understanding of the bill. No matter what side of the independence argument committee members are on, their work has shown the highest levels of legislative and democratic standards.

It is a credit to both sides of the argument that the bill has been shaped and informed in Scotland

for the people of Scotland and that differences have been set aside for the benefit of the Scottish commonwealth. That is a lesson on how those with shared interests can come together and present to the Parliament measures that bring credit to the Parliament. It is something that we should keep fresh in our minds, no matter what the result of the referendum, because the day after the result each of us will need to be prepared to engage for the wellbeing of our people. The example of our colleagues on the committee and that of members in this debate, for the best part, shows us the way.

I was never in any doubt from the way in which the committee worked that the outcome of the work would be in any way different from what has been presented to us. I was confident that the made in Scotland stamp on the bill meant that it had received the highest standard of scrutiny. Of course, the ability to do that for all matters that affect Scotland and its people is something that I dearly wish to see. I am also confident that if the members of the Referendum (Scotland) Bill Committee were requested to sit on a committee that was charged with dealing with a bill on Scottish defence or Scottish social security, they would be more than up to the task and that the made in Scotland stamp would be applied with the same level of confidence.

It is safe to say that the Scottish public have a higher regard for the Scottish Parliament's ability to look after Scotland's interests than that of the Westminster Parliament to do so. Poll results suggest that there is a massive difference between the levels of trust with regard to the Westminster Parliament and the Scottish Parliament: 60 per cent of our people trust the Scottish Parliament to make important decisions that affect them, compared with only 16 per cent who trust Westminster to look after Scotland's interests. We should therefore trust ourselves more and celebrate the fact that the majority of our people have faith in us to do the right things for them.

Being a tail-end Charlie in the debate, I have deliberately steered away from the bill's content, which has been more than adequately covered. However, it is worth repeating the words of the Electoral Commission, which stated:

"this is a strong piece of legislation that ... will provide us with the necessary foundation and the time to deliver a referendum that ... puts the voter first and puts the voter at the centre of the planning."—[*Official Report, Referendum (Scotland) Bill Committee*, 23 May 2013; c 421.]

That is a fairly comprehensive statement to make. It should be remembered that the Electoral Commission comes under the jurisdiction of Westminster, which makes the statement even stronger.

One area that needs further clarification is the issue of purdah. The bill spells out rules for the Scottish Government on purdah. When it passes into law, those rules will be imposed on it. It is inconceivable that the Westminster Government would be other than limited to purdah to the exact same extent as the Scottish Government. I would expect all members of the Parliament, without exception, to agree that democratic standards be observed UK-wide with regard to purdah.

I am pleased that, across the political divide within the committee, that view was held with regard to the call to both the Scottish Government and the UK Government to issue guidance to the public bodies for which they are responsible with regard to the application of purdah. It is fairly certain that it is a case of rights under democracy; the two Governments should be equal.

I pay tribute to the committee, which has produced a great piece of work. That should be recorded in the Parliament in this very important debate.

16:21

Jean Urquhart (Highlands and Islands) (Ind):

I, too, am delighted to speak in favour of the general principles of the bill. We should take encouragement from the fact that the Electoral Commission has expressed such confidence in the robustness of it. I commend the work of the committee, which has clearly spent many hours scrutinising the legislation that will provide the basis for the referendum on Scottish independence.

I support the committee's decision to support the Political Parties, Elections and Referendums Act 2000 as a framework for the referendum. Although the act might not be perfect, it is a useful starting point and helps set the referendum up to mirror past Scottish and UK referendum arrangements and procedures. That includes the provision to give the Electoral Commission the role of independently setting campaign spending limits for the 16-week period before the referendum.

I also welcome the long lead-in time for the referendum legislation, allowing ample time for evidence to be presented and gathered and for detailed scrutiny to take place. In addition, I welcome the principle that dates of birth are not to be shown on the polling list in order to protect young people's details.

The bill must put the voter first. I think that Willie Sullivan of the Electoral Reform Society in Scotland said that we must ensure that in this referendum we get to as many people as possible.

As policy makers, we must make conscious efforts to do our utmost to ensure that people are

as engaged as possible with the independence referendum, which includes the 16 and 17-year-olds who will be able to vote for the first time in their lives.

All in all, the bill is a solid piece of legislation and I welcome it. However, there is one issue that needs more attention, which Rob Gibson and Tavish Scott have already mentioned: the use of Gaelic on the ballot paper. The committee concluded:

"We don't consider that a persuasive case has been made for a bilingual ballot paper."

Others have made the case, but I would add that we have 60,000 people speaking Gaelic in Scotland. This Parliament and previous Administrations have given Gaelic its real status in the country. It would be normal practice to have a bilingual ballot paper, as happens in Wales and other countries around Europe.

Angus MacDonald (Falkirk East) (SNP): Does Jean Urquhart agree that, given that Gaelic is an official language, there will be greater opportunity to deliver the stated aims of the national Gaelic plan following a yes vote next year?

Jean Urquhart: Yes. It is easy to support Angus MacDonald on that.

If the bill is to be truly inclusive, there should be further consideration of Gaelic speakers in Scotland and the fact that Gaelic is an official language of our country.

Scottish independence is something that I have long supported, and the Edinburgh agreement was a critical watershed in that it has given the people of Scotland the opportunity to make a life-changing decision to take power into their own hands. By voting yes in September 2014, people in Scotland will not only reject remote and unaccountable rule from Westminster but give themselves a chance to build a progressive new Scotland. The consensual nature of the Edinburgh agreement particularly struck me, and it bodes well for future relations between the UK and Scottish Governments should there be a yes vote.

The progressive vision of Scotland includes a possible constitution written by the people. Those who live in Scotland will, for the first time, have the opportunity actively to determine how Scotland is governed, based on the principles that they decide upon. That is an exciting prospect and it will be a vast improvement on the arrangement at the UK level, where no such constitution exists.

I know that we are talking about the bill and the bill process, but it is too exciting a moment in history to ignore the possibility of Scotland being an independent state. Scotland can be a more equal society where tax is redistributed in a fair and progressive way. That is critical as we need

economic policy that prevents the gap between rich and poor from increasing, as it has done over the past 30 years. It is not acceptable that the wealthiest households in Britain are 273 times richer than the poorest, and according to Oxfam's "Our Economy" report, that gap is likely to widen. How can that be possible? We can do something about the inequality if we vote yes in 2014. I am sure that that is true.

The success of the bill and the desired outcomes will be evidenced by the turnout at the polling stations. There are many firsts here, including the first vote for many thousands of young people and the first vote for everyone in Scotland to vote on the future constitutional status of their country. I refute the often-quoted statement that this is the first time for the people of Scotland since 1707, or in 300 years. It is not; it is the first time ever. They never had the chance 300 years ago.

I hope that all those who are actively promoting participation in the referendum will do all that they can to ensure that all who can vote do so. It is our job to ensure that that is the case, and, as Stuart McMillan said in his speech, we must inspire them to vote.

The Scottish Independence Referendum Bill gives those living in Scotland the opportunity to vote yes and thus create a new, better future for themselves, their families and their country based on equality, fairness and peace. I am delighted to support it for that reason.

16:28

Margo MacDonald (Lothian) (Ind): I, too, congratulate Andrew Mylne and the drafting team. I have become quite close to them while my proposed bill has been going through, so I know the amount of dedication that exists in the team. Sometimes, we overlook it.

There is a fair and clear bill before us. I cannot understand why Mrs Butler—[*Interruption.*]—why Ms Ferguson said that we should not have a change in the timing for proxy voting. Does it matter? I wonder why it matters.

Patricia Ferguson: Mrs Sillars might be happy to know this. [*Laughter.*] I say to Margo MacDonald on that point that if she had ever met Mrs Butler, she would know that there was only one Mrs Butler. [*Laughter.*] God rest her.

The point that was made to us in evidence is that, when the Icelandic volcano erupted, people were unexpectedly prevented from coming home from holiday, for example. For them to have had a proxy vote, it was necessary for the time frame for that to be as close as possible to the date of the election. What is proposed is that the date would

be further from the election, so the opportunity for people to have a proxy vote would be diminished. That is why I think the issue is important.

Margo MacDonald: I thank Ms Ferguson for her reply, but I still do not understand her reasoning, to be honest.

I think that 16 and 17-year-olds who are living abroad with their parents should, of course, have the vote if their cousins who are living here and happen to be still at Redford barracks have a vote. That is not worth arguing over.

People are worried about purdah. I am not much bothered about it because if the Governments want to say something, they will say it, in or out of purdah. Do we really think that folk only listen to what we say because we say it in here? I do not think so. It does not really matter all that much, so I suggest that the people who are handling the bill should not get too upset about it.

I also say is that it is excellent that an attempt has been made to introduce a fair and equitable bill. We have heard, as usual, that a level playing field would be the order of the day. However, I asked about the sanction because if parties break the rules in a general election, candidates might be disqualified and parties might be fined, but if someone breaks the rules in a one-off referendum, what is to be done about it afterwards?

Nicola Sturgeon: Margo MacDonald raises an important point, but she might be reassured to know that the bill gives investigatory and enforcement powers, based on PPERA, to the Electoral Commission, which can be used where there is a breach of statutory spending limits. Such a breach could also be a criminal offence, so clearly there are sanctions.

Margo MacDonald: I thank the Deputy First Minister for taking the issue seriously because I am quite serious about it. I believe that there is a different temper entirely to a one-off referendum where everything that people have—heart, soul and body—is committed one way or the other, and they are not going to be bothered too much if someone breaks a rule that was man-made to try to ensure that the process runs smoothly.

Do not imagine that we can control money; all sorts of money is fed into campaigns. If either side wants it, money can be fed in in kind, in all sorts of ways. I have been there and I have seen it happen. In the Europe referendum campaign in 1975, the people who wanted to get into Europe had 10 times the budget of the people who did not want to get into Europe; the establishment was for Europe, so that is where the money was and nobody bothered to question it.

The same thing happened in the last referendum in Scotland. The establishment was

not really on the side of a yes vote at all—even though it was the then Government's policy—so all sorts of things were done to ensure that its side of the argument was boosted. Foreign contributions came in the value of what was said by foreign visitors, if they were distinguished enough or well-enough known here. Those comments were donations in kind. They were not counted in the campaign's financial statements but—by God—they added to its value. We have to bear that in mind when we are talking about a referendum, rather than a general election.

The last thing I will say is that the security services that protect the integrity of the British state will not stop doing what they do because of anything that is written in a bill, no matter how good the bill is. We are battling against that. The people in the better together campaign know that they have that going for them, but I hope that they eschew it. We are all Scots, and the security services do not exist to protect the Labour Party in Scotland, but to protect the British state in Scotland. I hope that we can all agree on that.

The Deputy Presiding Officer: We move to closing speeches. I remind everyone that members who spoke in the debate should be present for the closing speeches.

16:34

Alex Johnstone (North East Scotland) (Con): I am not, and never have been, a member of the Referendum (Scotland) Bill Committee. However, I am the member who moved on to the Equal Opportunities Committee so that Annabel Goldie—who has just entered the chamber—could become a member of the Referendum (Scotland) Bill Committee. My posting to the Equal Opportunities Committee has been an education, and remains so. I thank my fellow committee members for their forbearance.

The nature of the debate has been twofold. Some members have spoken at length about the bill; others have seen it as an opportunity to begin the campaign a year in advance. Both types of speech have contributed to the good nature of the debate. I am as bad as anyone. I was dragged into politics at a very early age, back in 1974, when it looked as though the SNP was going to get its way at that time. My motivation to speak up in favour of the union drew me into this argument when I was very young—in fact, by next summer I will have been participating in the campaign for a full 40 years. The sooner it is over, the better.

The debate has been enlightening in some respects. We have a common agreement around the chamber that the bill that is before us is the bill to achieve the objective that we want, although reservations have been voiced, including

complaints that have been made about purdah arrangements. Surely we can deal with a two-day overlap, as men and women together, through the systems of the Parliament, thereby perhaps avoiding some of the difficulties to which it could give rise.

Spending limits have also been raised by a number of contributors to the debate. It is important that spending limits be set and adhered to, and there will be plenty of opportunity during stages 2 and 3 to ensure that any concerns that still exist are addressed. I am reassured by the fact that the Scottish Government's response to the stage 1 report already contains a significant number of proposals for changes to be made to fine tune that element of the bill.

Some members chose to make the debate the start of the campaign—not least the Deputy First Minister, who was determined that separation could be a means by which to avoid many of the difficult decisions that many western democracies face at the moment. During the campaign we may see that difficult decisions cannot be avoided, and one or two others will become relevant as the process continues.

There were some light-hearted moments during the debate. Tavish Scott and Shona Robison appeared to get themselves involved in a debate over how we might bring the Commonwealth games into the campaign. I was reminded of seeing on television that scene from the Olympic games in which a number of leading politicians, including Boris Johnson and Ed Miliband, could be seen dancing during the opening ceremony. There, at the back of the box, was a certain Shona Robison. If there is anything positive to be said about that, it is that she was at least the best dancer in that box.

As we move towards the referendum, it is important that we have a basis on which we can progress, and I believe that the bill, in its current form, provides that basis. As a consequence we, with others around the chamber, will support the bill at stage 1 tonight.

I will close by talking a bit about Bruce Crawford's conduct at the Referendum (Scotland) Bill Committee. It has been said by many members, including my colleague Annabel Goldie, that he has done a sterling job in ensuring that the committee has been conducted properly and fairly and that it has produced a report that is fair to all those who contributed. I would have expected nothing less of Bruce Crawford. It is no surprise that he has been able to achieve that. *[Applause.]*

Bruce Crawford talked about the nature of the campaign; I would like to close by saying a little about that subject. We are all Scots and we are all passionate about Scotland's past, its present and

its future. As a result of the bill, in a little over a year's time we will have made a decision, and some of us will be extremely disappointed. Therefore, it is essential that we have legislation in place that allows us to conduct the campaign with courtesy and decency and in circumstances that allow us to express our passion. When this is over, we will all be in Scotland together and we will have to make it work, whatever the outcome. I am grateful that the bill provides a sound basis on which to have a fair campaign; I only hope that we are all able to work together to make that so.

16:40

Lewis Macdonald (North East Scotland) (Lab): Most of us will never cast a more important vote than the one that we will cast next September. A vote that Scotland should be an independent country, which would be a decision to leave the United Kingdom, would be final and irreversible; a vote to reject that option would be equally momentous, although perhaps not in quite the way that Linda Fabiani vividly imagined.

Members from across the chamber have said many times that all sides must be able to accept the referendum result, whatever it is. The referendum on devolution in 1997 demonstrated the settled will of the Scottish people, and it may be that the 2014 referendum will do the same. I hope that members on all sides of the chamber will be able to accept the result, whatever it may be.

Margo MacDonald: Will Lewis Macdonald give way?

John Mason (Glasgow Shettleston) (SNP): Will the member give way?

Lewis Macdonald: I would be delighted to give way to Margo MacDonald.

Margo MacDonald: Can Mr Macdonald explain why he thinks that people who believe heart and soul in a change, such as the nationalists do, will stop campaigning for that change? What is the difference between that and socialists in the Labour Party who are still campaigning for socialism?

Lewis Macdonald: I would not expect Margo MacDonald or anyone else to stop campaigning for what they believe in, but the proposition that voting no will be Scotland voting itself out of existence is one of the most extraordinary things that I have ever heard in this Parliament.

Our job for now is to ensure that the rules of engagement are agreed in advance, that no shadow of doubt lingers over the fairness of the process and that there is no opportunity for anyone to bend the rules in ways that might affect the final outcome. That is why members of the

committee must continue to be vigilant and rigorous in scrutinising the bill to ensure that there is no uncertainty about whether the result truly represents the will of the Scottish people.

The question about what to ask has been settled. The question about whom to ask has largely been settled, too. Although we might have great sympathy with Scots outwith Scotland who will not be able to vote next year—including, for example, most of the Scotland football team—we are agreed that there must be a clear and consistent basis on which people do or do not have the right to vote. Using the Scottish Parliament and local government franchise is the best way to achieve that clarity.

However, as Patricia Ferguson said, one franchise issue that is still not settled is that of 16 and 17-year-old children of UK armed forces personnel who are serving abroad. Those young people should have the same right to vote as others of the same age. The worst outcome of extending the franchise to 16 and 17-year-olds would be to give the vote to some and not to others. Therefore, we welcome the fact that ministers are consulting on the matter. I ask the Deputy First Minister to indicate whether she expects that we will know the outcome of that consultation before stage 2.

Bruce Crawford: I happen to agree with much of what Lewis Macdonald has said about ensuring that the vote is extended to as many 16 and 17-year-olds as possible. Does he agree with me that, in that discussion and in the effort to try to achieve that outcome, the Ministry of Defence has a key role to play?

Lewis Macdonald: I certainly agree with Bruce Crawford that all those with an interest or concern in the matter should work together to get the outcome that we have described.

As we have heard, the main focus of the bill is not so much on what to ask, when to ask or whom to ask—in the main, those issues have been settled—but on how to ask and, in particular, on the rules governing the actions of the Government and of participants in the referendum campaign. There are a number of questions that arise about purdah, including which organisations will be covered. Although it is clear that ministers are following the general approach of the Political Parties, Elections and Referendums Act 2000, it would be helpful if Nicola Sturgeon could clarify whether there are any public bodies that will not be subject to purdah under the bill, but would be subject to purdah under that act, and if so, which ones and why.

The Government's plans for Parliament to meet during purdah are also an issue. As we have heard, Thursday 21 August 2014, which is at the

beginning of purdah, is scheduled to be a sitting day, and Friday 22 August is similarly covered.

Mark McDonald: Will Lewis Macdonald give way?

Lewis Macdonald: No, thank you.

It is not clear whether that is simply an error on the Government's part or whether ministers intended the overlap to arise. As Nicola Surgeon said in committee, it is hard to imagine a question time on the last sitting day before polling day in which ministers would not seek to influence the outcome, yet apparently Parliament would be unable to publish their words. It was concerning to hear SNP members respond so negatively to that issue being raised. The question is simply whether the issue can be sorted out at stage 2—whether it happens at the initiative of the Government or Parliament is of little importance.

There is also the question of what will happen if the purdah rules are breached. This debate is not the occasion on which to rehearse the on-going issue of the application of purdah in the run-up to a parliamentary by-election, even though that remains an important and topical question. Suffice it to say that a regulated period is effective only if it is effectively enforced. I suspect that how to secure that is a matter to which we will return at stage 2.

Even more important than the purdah issue is who is allowed to spend what to influence the outcome. We know that the designated lead campaigners will be Better Together and Yes Scotland. We look forward to seeing the Government's amendments to include those designations. Perhaps the Deputy First Minister will say what date she has in mind for the coming into force of the designations.

The bill sets limits for spending by political parties and other permitted participants. What the bill does not do is ensure transparency about the relationship between spending by designated lead campaigners and other permitted participants—an issue that was raised by James Kelly and Patrick Harvie. We do not want a situation in which a lead campaigner could be tempted to delegate its spending to other permitted participants on the basis that that spending would not count against its permitted spending limit. It is interesting to note how sensitive that issue has been for some members in the debate. That reinforces the proposition that the matter needs to be addressed at stage 2. Permitted participants will register as participants on one or the other side of the vote. Perhaps their spending should be subject to an overall limit on permitted campaign spending by each side.

Ministers have so far resisted the committee's sensible proposal to reduce the threshold for

reporting donations from the current level of £7,500. Clearly, a large number of small donations can be worth as much as a small number of large donations, so I encourage ministers to think again about the threshold before stage 2.

I also draw ministers' attention to the provision that the identity of donors of less than £500 need not be disclosed and simply ask whether ministers have considered whether that might create a loophole that would allow donations from outwith the UK that are not otherwise permitted in the process. Margo MacDonald said that there are those who will seek ways around the rules, so it is essential that we take whatever measures may be necessary to prevent that.

As Richard Baker mentioned, we await the Government's white paper on the subject matter of the referendum. Parliamentary scrutiny of the document will be essential if the propositions that are in it are to be tested properly before people cast their votes. I hope that Nicola Sturgeon will tell us how that parliamentary scrutiny will be done.

It is a noble aspiration to aim for a

"fair, open and truly democratic process, conducted and regulated to the highest international standards."

Scotland will fall short of that aspiration if anyone seeks to find ways to evade the spirit of the limits that are agreed by Parliament or, indeed, if members continue to declare that a result that they do not like is somehow a denial of democracy. This Parliament and the bill cannot force people to behave in the right spirit, as Bruce Crawford said they should, or in the spirit of the law. However, clear legal requirements and protections can be put in place, and those can be backed up with effective enforcement measures. That is what we must seek to do today.

16:49

Nicola Sturgeon: I thank all the members who have participated in the debate—it has been lively, constructive and, generally, consensual. I hope that that augurs well for the main event over the next 12 months.

It struck me that I should have started my opening speech by congratulating Drew Smith on his new appointment. I am not sure whether this is his maiden speech in his new post, but I welcome him to that position.

We are, of course, discussing the contents and detail of the Scottish Independence Referendum Bill, not the arguments for and against independence. For that reason, I will not comment too much on the obvious touchiness that Drew Smith displayed in his opening remarks given the growing number of Labour supporters and voters

who are now backing a yes vote in the referendum.

I suspect that that trend will continue in the months to come because Labour supporters and voters know, as I do, that a no vote means keeping power over matters such as welfare in the hands of Westminster even if that means keeping them in the hands of the Tories. That is not so much support for pooling resources as acquiescence in the cruel and callous pulling away of resources from the most vulnerable in our society, all at a time when billions of pounds are being invested in weapons of mass destruction on the River Clyde.

Most Labour supporters, when they consider the matter in those terms, will see the advantage of a yes vote and independence for our country.

Drew Smith: Is the Deputy First Minister's definition of a Labour supporter mutually exclusive of SNP councillors?

Nicola Sturgeon: Yes. I know the Labour supporters who are backing yes, and it is a growing band of people, let me tell members, as Drew Smith himself knows.

Neil Findlay: Will Nicola Sturgeon give way?

Nicola Sturgeon: Not at the moment. I may take an intervention later. I am not sure that Mr Findlay was here for much of the debate, so perhaps he could be in future.

Patrick Harvie was right when he said that it was a real tribute to the committee that it has produced a report with so much consensus in it on an issue as contentious as the independence referendum. I absolutely agree with that comment.

At the risk of making Bruce Crawford blush again—he is more prone to blushing than any man I have ever met—I say that he has deserved all of the praise that has been lavished on him. He made a significant contribution to the Edinburgh agreement and has chaired the Referendum (Scotland) Bill Committee with real expertise, which has been reflected in the comments that we have heard from across the chamber.

I turn to some of the specific points that have been raised in the debate. Some of them are points more for the Electoral Commission, the Electoral Management Board or, in some respects, the Scottish Parliamentary Corporate Body.

First, I will reflect on *purdah*—or the pre-referendum period, as it is technically known in the bill. As members know, that period covers the 28 days before the referendum, during which time the Government and Scottish public authorities are under a statutory obligation not to publish information that might promote or benefit a

particular outcome. Those provisions are based on the PPERA equivalents. I say to Lewis Macdonald that there is no difference between the Scottish public authorities that are covered by the bill and those that would be covered for a normal general election.

I say to Patricia Ferguson that, as a signatory to the Edinburgh agreement, I never have referred to it, and never will refer to it, as a gentlemen's agreement; I will stick to Edinburgh agreement. In that agreement, the UK Government has committed to act in accordance with the same PPERA-based provisions. That commitment does not have a statutory basis and we have always been clear about that. I note that members of the committee have asked the UK Government whether it would be prepared to legislate. That is a matter for the UK Government to respond to and I will be interested in its response.

As members are aware, Parliament has moved four weeks of the normal summer recess next year to the period before the referendum to prevent the restrictions from causing difficulty with parliamentary business. The committee has noted that there will be a two-day overlap between the pre-referendum period and parliamentary business. I have to say that it was a bit rich to hear Labour members complain about that given the fact that they wanted Parliament to sit throughout the entirety of the purdah period. However, I am sure that the parliamentary authorities will take account of that nearer the time and, as minister responsible, I would, of course, be happy to give due consideration to any sensible amendments lodged at stage 2.

Secondly, I turn to children of service personnel. As has already been commented on, through my officials, I am consulting the Electoral Commission and electoral registration officers on proposals to enable such young people to register and vote. I am committed to finding a solution that allows that to happen and I undertake to report back to the Referendum (Scotland) Bill Committee as soon as possible.

On spending limits, Patrick Harvie was right to caution James Kelly about his language. The rules on the allocation of spending will be clear, and both sides have an absolute obligation—a legal as well as a moral obligation—to comply with them.

Patrick Harvie raised a number of specific issues that are worthy of further consideration. He made some important points about the need to strike a balance between allowing smaller permitted participants to contribute and the need for proper expenditure controls. We are continuing to consider that in discussions with the Electoral Commission and we will lodge amendments to the bill at stage 2. The Electoral Commission will also publish guidance on that issue.

The issue of Gaelic was raised, and Rob Gibson made some very important points to which we will give due consideration. The Scottish Government's aim and objective is to ensure that the referendum is run in a manner that is already familiar to voters and to those who are responsible for administering the referendum. It is for that reason, and not because of any preconceptions about the English-language abilities of Gaelic speakers, that the bill follows established practice by providing for the ballot paper to be in English, but for translations and voter information to be available in Gaelic and other languages where that is required.

I take the opportunity to stress the Scottish Government's absolute commitment to promoting the use of Gaelic. We will continue to work with Bòrd na Gàidhlig, as its main funder, to ensure that ministerial objectives for Gaelic are being met throughout the country.

Patricia Ferguson raised the issue of proxy voting. When she started talking about volcanoes erupting, I thought that we were about to hear the latest project fear scare story, but it turned out to be a slightly more serious point. I say to her that the Government is considering a range of issues relating to absent voting and that we intend to lodge a number of amendments on the subject at stage 2. We will advise the committee of them before the deadline for stage 2 amendments.

Some members mentioned discussions between the Scottish and UK Governments about what will happen post-referendum, which the Electoral Commission called for. Such discussions are on-going, and I hope that we can reach a sensible agreement, just as we did, through constructive discussion, in the Edinburgh agreement.

Margo MacDonald: Does the Deputy First Minister agree that that is more important than we might think? We will be keen—obviously—to know the result, but there will be a period of uncertainty following the vote, in which all sorts of things could happen, as the Cabinet Secretary for Finance, Employment and Sustainable Growth could undoubtedly recount. Having to wait too long can have international repercussions.

Nicola Sturgeon: I completely agree with those points. The Electoral Commission specifically called on the UK and Scottish Governments to work together to provide a statement on that. I hope that we can do so.

I think that Margo MacDonald was also raising issues to do with counting; Annabel Goldie raised similar issues. I do not have time to go into those at the moment, but I am sure that we will look at them in future stages of the bill's consideration.

In the time that I have left, I want to talk about the Government's white paper, to which Richard Baker, Lewis Macdonald and others referred. I am always delighted when I hear that members on the no side are looking forward to publication of the white paper just as much as I am. I will warmly welcome parliamentary scrutiny of the white paper. It is for committees to decide what scrutiny of it they want to undertake as it becomes the focal point for the next phase of the referendum campaign.

Just as, through that white paper, we will answer comprehensively the questions that have been posed to us, it will be incumbent on parties on the no side to say exactly what a no vote will mean for Scotland. It will mean that we will get Governments that we do not vote for, the dismantling of the welfare state, and new Trident weapons on the Clyde; and we will get no guarantee of new powers for the Parliament. That is what a no vote will mean. Let us have a debate on the two futures that Scotland can choose between. When we put it like that, I have no doubt that the yes side will prevail. The referendum matters to me because it is, as Annabelle Ewing said, the key to bringing home the powers to build the kind of country that we want Scotland to be.

I will end by echoing—as other members have done—Bruce Crawford's call for the debate to be worthy of the decision that Scotland is being asked to make.

We will campaign and debate with passion, vigour and rigour, but let us also do so with respect and civility, whether we are online, offline, in television studios, on doorsteps, in communities or in workplaces. On 19 September next year, whatever the outcome, we will be, as we are today, one Scotland. I hope that the bill that we pass at stage 1 today provides for a campaign that can allow Scotland to take that decision and move forward to a better future.

Point of Order

17:00

Stewart Maxwell (West Scotland) (SNP): On a point of order, Presiding Officer, under rule 7.3.1 of standing orders. During today's First Minister's question time, Johann Lamont said:

"how does the First Minister justify buying a piece of land for £840,000 and then selling it back to the person he bought it from for just £50,000?"

That is entirely wrong. Indeed, neither the First Minister nor the Scottish Government bought the land in question from the businessman Johann Lamont referred to.

Members: That is not a point of order.

Stewart Maxwell: Just wait. The fact is that the land was bought by the Strathclyde Partnership for Transport, which, as we know, is Labour controlled. What actions can the Presiding Officer take to encourage Johann Lamont to reflect on that and on her besmirching of a leading Scottish businessman without any evidence whatever? Will Johann Lamont issue an apology and an immediate correction to the *Official Report*? [Applause.]

The Presiding Officer (Tricia Marwick): As I have said on many occasions, members are responsible for what they say in the chamber.

Johann Lamont (Glasgow Pollok) (Lab): Just to clarify, the land was bought on behalf of the Scottish Government for the Glasgow airport rail link project and was sold by Transport Scotland, the agency of the Government over there. We are well aware of the due diligence in handing it over to Transport Scotland from SPT, but the Government took over the project and it is still accountable for the decision that was subsequently made—£50,000 it was sold for. [Applause.]

The Presiding Officer: Order.

Scottish Independence Referendum Bill: Financial Resolution

17:02

The Presiding Officer (Tricia Marwick): The next item of business is consideration of motion S4M-07569, in the name of John Swinney, on the financial resolution for the Scottish Independence Referendum Bill.

Motion moved,

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Scottish Independence Referendum Bill, agrees to any expenditure of a kind referred to in Rule 9.12.3(b) of the Parliament's Standing Orders arising in consequence of the Act.—
[Nicola Sturgeon.]

Decision Time

17:02

The Presiding Officer (Tricia Marwick): There are two questions as a result of today's business. The first question is, that motion S4M-07610, in the name of Nicola Sturgeon, on the Scottish Independence Referendum Bill, be agreed to.

Motion agreed to,

That the Parliament agrees to the general principles of the Scottish Independence Referendum Bill.

The Presiding Officer: The next question is, that motion S4M-07569, in the name of John Swinney, on the financial resolution for the Scottish Independence Referendum Bill, be agreed to.

Motion agreed to,

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Scottish Independence Referendum Bill, agrees to any expenditure of a kind referred to in Rule 9.12.3(b) of the Parliament's Standing Orders arising in consequence of the Act.

Meeting closed at 17:03.

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