



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

MEETING OF THE PARLIAMENT

Thursday 14 November 2013

Session 4

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Scottish Parliament

Thursday 14 November 2013

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

General Question Time

Police Stations (Opening Times)

1. Ken Macintosh (Eastwood) (Lab): To ask the Scottish Government what impact it considers reduced opening times at police stations such as Giffnock will have on residents' feelings of safety and security. (S4O-02582)

The Cabinet Secretary for Justice (Kenny MacAskill): Policing in Scotland is performing excellently. The latest crime statistics show that crime is at a 39-year low, 1,000 more police officers are on our streets now compared with 2007 and confidence and satisfaction in the police are high. The Scottish Government shares with Police Scotland the top priority of keeping people safe across all communities in Scotland. Operational policing is a matter for Police Scotland and it will continue to be delivered from local stations. The impact is on the provision of front counter services, which are rarely used. The review of public counter provision aims to help deliver a more consistent, professional service to the public and enable more officers to be deployed in our communities where and when they are needed the most.

Ken Macintosh: Does the minister realise that, following the loss of the local court in Giffnock and then the loss of the ability to phone the local Giffnock police station directly, the severe cutting back of the station opening hours will reassure residents of nothing other than that their service is being reduced?

Kenny MacAskill: Let us address the factual situation regarding Giffnock police station. The public counter is currently open 24 hours a day, seven days a week. The proposal is for it to be open from 7 am until midnight, seven days a week, so it will close between midnight and 7 am. That is after a Police Scotland review showed that, over a nine-day period, there was a total of 162 visits to the public counter by members of the public in Giffnock, which is an average of approximately 18 people per day. Data analysis throughout the day highlights that public demand is minimal after midnight, when 999, 101 and access to a police officer are available. Mr Macintosh should look at the factual evidence and recognise that the proposal is reasonable and will maintain the visible police presence that delivers

an outstanding service to our communities in Giffnock and elsewhere.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): Does the cabinet secretary recall my reference, in a recent debate on the counters proposal, to the established use of diary cars in, for example, Midlothian? Police take non-emergency 101 calls and fix an appointment, at a time and place suitable to the caller, to take a statement. Is that happening in other parts of Scotland? It seems a very good idea.

Kenny MacAskill: That is a matter for Police Scotland, but I have just come from an international policing conference, at which the chief constable spoke and mentioned matters such as diary cars, which provide a convenient option that allows members of the public to arrange an appointment with officers at their own home at a time of their suiting and of convenience to the police. It ties in with the use of social media, telephone and other aspects. There are issues as to whether diary cars are practical in some rural areas, because of the size of communities, but in many areas they will provide an option that will be greatly appreciated by members of the public, and an improvement and enhancement to the current excellent service.

Fuel Poverty

2. Claire Baker (Mid Scotland and Fife) (Lab): To ask the Scottish Government what discussions the Minister for Environment and Climate Change has had with the Minister for Housing and Welfare regarding the environmental benefits of measures to tackle fuel poverty. (S4O-02583)

The Minister for Environment and Climate Change (Paul Wheelhouse): I regularly hold meetings with my ministerial colleagues to discuss portfolio contributions to meeting our world-leading climate change targets, which have provided opportunities for constructive and productive discussions. In fact, I had a scheduled meeting this morning with the Minister for Housing and Welfare. Our conversation included a focus on the multiple benefits that are being delivered by our energy efficiency programmes, which directly impact on tackling the scourge of fuel poverty and make a significant contribution to reducing our greenhouse gas emissions.

Claire Baker: Although measures such as shine on Fife and the green deal are welcome, they do not suit every household or property type. Speaking to energy action groups, I have found frustration that there is a lack of funding for smaller measures, such as energy-efficient light bulbs, draft excluders or chimney balloons. Such measures do not cost much but can be beyond the means of low-income households. Will the minister

consider giving greater flexibility to the use of the climate challenge fund, so that people in need can access small measures that can make a big difference?

Paul Wheelhouse: I certainly understand Claire Baker's point with regard to the climate challenge fund. We are doing a lot of good work through organisations such as Eco-Congregation and indeed individual communities to put in place projects that help people understand what energy efficiency measures can help with their domestic properties. I would be interested in looking at any proposal that the member wishes to make on the use of other technologies, LED bulbs and so on and am certainly happy to discuss the matter with her.

Jamie McGrigor (Highlands and Islands) (Con): How is the Government targeting its fuel poverty measures on the most hard-to-reach groups such as the very elderly who live alone in remote rural areas?

Paul Wheelhouse: The delivery of such measures is a matter for the housing minister, Margaret Burgess, but, to help the member with his question, I can say that we are clearly aware that this is becoming more of an issue as we come to harder-to-treat properties and, as I am sure the member will know, it is a bigger challenge in a rural area such as the Highlands and Islands. The Government is committed to making available funding of up to £200 million a year, which includes money from energy companies, and, as a result, the resource available is in line with the investment in energy efficiency measures that the Economy, Energy and Tourism Committee had asked for. However, we are getting into harder-to-treat properties, and the focus of my colleague Margaret Burgess and her team is on implementing measures on this kind of scale in hard-to-treat properties such as solid-wall properties in rural areas.

Scottish Prison Service (Pensions)

3. Angus MacDonald (Falkirk East) (SNP): To ask the Scottish Government what training and advice the Scottish Prison Service gives staff regarding pensions entitlement and contributions. (S4O-02584)

The Cabinet Secretary for Justice (Kenny MacAskill): The civil service pension schemes are a reserved matter and the responsibility of the United Kingdom Cabinet Office. All new Scottish Prison Service staff receive a pension starter pack that advises on the available options, including pension entitlement and contributions, and, as part of their initial training new recruit prison officers attend a session on pensions at the SPS training college. All SPS staff who are members of a civil service pension scheme are advised on an annual

basis of their pension entitlements with an explanation of how those are calculated and, in addition, are advised through internal staff notices of any pension changes made by the UK Government.

Angus MacDonald: I have received an inquiry from serving prison officers in my constituency, who have indicated their frustration at not being given proper information following changes to their pensions despite assurances that information sessions would be rolled out to prison establishments. I realise that this is a reserved matter but, as those sessions do not seem to be on the SPS's agenda, will the cabinet secretary undertake to ensure that a programme advising SPS staff in all prison establishments is rolled out in the very near future?

Kenny MacAskill: I understand the member's concerns and think it appropriate that he has raised them. I am aware of the Prison Officers Association's anger and frustration at the implementation of the UK coalition Government's proposal for prison officers at Barlinnie, Cornton Vale, Polmont or wherever to be required to work until they are 68. Frankly, I find the proposal ridiculous.

As I have said, pensions are reserved, but the chief executive of the SPS, Colin McConnell, has confirmed that SPS staff receive information about their pension from MyCSP Ltd, a private sector company that administers civil service pension schemes on behalf of the Cabinet Office. Staff in the SPS human resources department have sufficient pensions knowledge to provide pensions awareness sessions to new recruits and assist existing staff with pension inquiries through liaison with MyCSP. In addition to the pensions sessions for new recruit prison officers that are already being delivered, the SPS is committed to providing additional awareness-raising sessions ahead of the introduction in 2015 of the new civil service pension scheme. Work to design an SPS approach is at a very early stage.

I am happy to discuss the matter further with the member and can also assure him that the SPS is happy to discuss it with his constituent, with him or indeed with the POA. Sadly, the most harmful of these matters are being forced on us and the SPS because of the coalition Government's proposals.

Detect Cancer Early Programme

4. Jim Hume (South Scotland) (LD): To ask the Scottish Government what progress the detect cancer early programme has made. (S4O-02585)

The Cabinet Secretary for Health and Wellbeing (Alex Neil): We know that the earlier a cancer is diagnosed, the easier it is to treat. That is why the £30 million detect cancer early

programme, which is initially focusing on breast, lung and colorectal cancers, aims to increase by 25 per cent the proportion of Scots diagnosed in the earliest stage of cancer.

To support the programme, we have launched four detect cancer early social marketing campaigns. Although the initial evaluation of the campaigns that have been run so far has been encouraging, it is still too early to assess what impact the programme has had on early diagnosis. Capital and revenue have been made available to support an increase in diagnostic and treatment capacity. In addition, we have introduced a new two-year primary care initiative to support uptake of the national bowel screening programme. Health Improvement Scotland is also undertaking a refresh of the “Scottish Referral Guidelines for Suspected Cancer”.

Jim Hume: Unfortunately, the fact remains that the Scottish Government is meeting the 62-day target for only four of the 10 cancer types. In some areas, such as Lanarkshire, only 75 per cent of cervical cancer patients are being treated on time, while in the Highlands the figure is only 60 per cent for patients with ovarian cancer. In Grampian, one colorectal cancer patient waited for 128 days, a urological cancer patient waited for 139 days, and a patient with melanoma waited for 140 days. Does the cabinet secretary agree that it is unacceptable for some cancer patients to wait more than twice the stated wait for treatment and that the problem is linked to an increasing number of consultant vacancies? Will he commit to investigating the circumstances behind why some boards are underperforming in certain cancer types and pledge to resolve the situation as soon as possible?

Alex Neil: There are two cancer waiting time targets: the 31-day target and the 62-day target. We are meeting the 31-day target overall, and we have been doing so consistently. In recent months, there has been a slight underperformance in meeting the 62-day target, one of the reasons for which is an acute shortage of specific oncology specialists, which is affecting not just Scotland but the entire United Kingdom. The northern area, and Grampian in particular, has been adversely affected by the shortage because of retirements and people relocating. We are addressing the situation as a matter of urgency because it is our intention to ensure that both the 31-day target and the 62-day target are met throughout the country and, ideally, in relation to all 10 cancers.

Crimes of Violence and Indecency (Dumfries and Galloway)

5. Elaine Murray (Dumfriesshire) (Lab): To ask the Scottish Government what its position is on the increase in crimes of violence and

indecency in Dumfries and Galloway in the period April to September 2013 compared with the same period in 2012. (S4O-02586)

The Cabinet Secretary for Justice (Kenny MacAskill): Recorded crime in Dumfries and Galloway is at a 34-year low, having fallen 44 per cent since 2006-07, thanks to the support of the 1,000 extra officers in our communities that have been provided by the Government. The number of sexual offences has fallen from 150 in 2011-12 to 133 in 2012-13, which is a decrease of 11 per cent. Provisional management figures for Dumfries and Galloway show an increase in the number of violent crimes, including two homicides, in the six-month period from April to September 2012-13. However, to put those figures into context, there was a total of 62 recorded homicides in Scotland in 2012-13, which is the lowest number since 1976, the first year for which comparable homicide records are available.

Every homicide in Scotland is a tragedy. The Scottish Government continues to listen to and work with Police Scotland and other partners including the no knives, better lives campaign, the medics against violence project, the mentors in violence prevention project and local communities in its efforts to tackle crime and violence. Ultimately, we want to make Scotland a safer place in which to live and work.

Elaine Murray: Since Police Scotland came into being, reported crimes of violence have risen by 25 per cent, murders have risen by 200 per cent, petty assaults have risen by 30 per cent, domestic abuse has risen by 29 per cent, dangerous driving has risen by 55 per cent and crimes of indecency have risen by 60 per cent. The cabinet secretary says that crime is at a 39-year low in Scotland. Is it at a 39-year low in Dumfries and Galloway?

Kenny MacAskill: I wish that the member had gone—as some of her colleagues did—to the international policing conference that was held earlier today, at which the chief constable was adamant about and full of praise for the support and efforts of his members. Crime is at a 39-year low and we have the lowest recorded homicide statistics since 1976. We have seen a halving of youth crime and a reduction of 60 per cent in knife-handling offences since 2006-07. Nevertheless, there are difficulties, and every murder is a tragedy. It is unacceptable that there have been two murders in Dumfries and Galloway, and Police Scotland is acting. However, all members of the Parliament have an obligation and duty to support the outstanding public service that is Police Scotland, not to talk it down when its record is impeccable and unimpeachable.

Orkney Fish Producers Organisation

6. Liam McArthur (Orkney Islands) (LD): To ask the Scottish Government whether it has dropped plans to withdraw recognition from the Orkney Fish Producers Organisation. (S4O-02587)

The Cabinet Secretary for Rural Affairs and the Environment (Richard Lochhead): The Orkney Fish Producers Organisation provides valuable support to the fishermen of Orkney, and the Government strongly supports the work that the organisation does to manage community quotas and to encourage new skippers into fishing. There are a range of issues on which the Government is in dialogue with the organisation and we will continue to work with it during 2014 to develop ideas on how we can support fishermen and deliver a number of initiatives locally. In the meantime, we will maintain the Government's recognition of the producers organisation as those discussions continue.

Liam McArthur: The cabinet secretary has acknowledged that the Orkney PO performs a valuable role, but his letter to me of 9 September confirms that

"the PO was advised formally that recognition will be withdrawn on 31 December 2013".

That move is strongly opposed by the PO, the local council and others. As he will be aware, the PO holds two community quotas and helps to deliver Government policy in assisting new entrants into the industry, which is a key priority of the Government. In addition, the new rules that will come into play in January downplay the issue of size as a criterion for recognition, which reflects the fact that smaller groups are often more active on behalf of their members.

Given all those factors, can the cabinet secretary lift the lingering threat hanging over the Orkney PO or, at the very least, ensure that a formal decision to continue recognition of the PO is taken as soon as possible after the new common market organisation rules are put in place from January next year?

Richard Lochhead: As I said, constructive discussions are taking place between the Scottish Government and the Orkney fishermen to ensure that a valuable role continues to be delivered by the Orkney Fish Producers Organisation. Of course, we need to have that dialogue with the producers organisation because we are under an obligation to monitor these issues and that is why the discussions are important. As I said, we recognise the very valuable role that the PO carries out and we will maintain recognition.

China (Economic Opportunities)

7. Fiona McLeod (Strathkelvin and Bearsden) (SNP): To ask the Scottish Government what discussions the Cabinet Secretary for Finance, Employment and Sustainable Growth has had with the First Minister regarding the economic opportunities arising from his recent visit to China. (S4O-02588)

The Cabinet Secretary for Finance, Employment and Sustainable Growth (John Swinney): The First Minister has reported to the Cabinet on the considerable economic benefits arising from his visit and the opportunities for the oil and gas and construction missions that he led to China. A showcase of innovative Sino-Scottish partnerships was announced in Beijing that is set to be worth more than £40 million to Scotland over the next decade.

The announcements included the signing of a memorandum of understanding between Unmanned Production Buoy, which designed the world's first unmanned offshore oil platforms, and Offshore Oil Engineering Co Ltd; the announcement of a partnership between AppleGreen Homes and the Vanke group, which is one of China's largest property developers, to develop a "home of the future" to showcase innovation and design from Scotland; and—even the national game was involved—the signing of an agreement between the Scottish Professional Football League and Chinese partner PPLive TV to screen Scottish league matches in China to an audience of 60 million people.

Fiona McLeod: With that impressive list, I presume that the cabinet secretary will agree with me that encouraging trade and investment links with China will be a boost to the Scottish economy.

John Swinney: It is important that we establish connections between Scotland and external markets. As a Government, we spend a great deal of time ensuring that the international ambitions and objectives of the Government's economic strategy are fulfilled. That involves ensuring that we motivate more and more companies in Scotland to participate in international business activity and trade. That is an improving picture, and I welcome the fact that the visit to China by the First Minister and the different delegations has contributed to the development of the Scottish economy.

Review of Expenses and Funding of Civil Litigation in Scotland

8. Roderick Campbell (North East Fife) (SNP): To ask the Scottish Government what its response is to the report of the review of expenses

and funding of civil litigation in Scotland. (S4O-02589)

The Minister for Community Safety and Legal Affairs (Roseanna Cunningham): Sheriff Principal Taylor published his comprehensive report on 11 September 2013. The report makes extensive recommendations on a range of proposals regarding expenses and civil litigation. The Scottish Government is considering the detail of the report and will publish its intentions in due course.

The Presiding Officer: Briefly, Mr Campbell.

Roderick Campbell: What further consultation is the Scottish Government planning on the proposal to introduce a qualified one-way costs shifting, which would apply to all personal injury claims and would be a departure from the traditional expenses-follow-success rule?

The Presiding Officer: Briefly, minister.

Roseanna Cunningham: I appreciate the member's interest in the issue. The wide range of detailed recommendations is being looked at carefully by the Government. When decisions are made about which will be pursued, appropriate further consultation will be undertaken.

First Minister's Question Time

12:00

Engagements

1. Johann Lamont (Glasgow Pollok) (Lab): In a week in which I know that we are, across the chamber, mourning the loss of our friend and fine parliamentarian, Helen Eadie, I ask the First Minister what engagements he has planned for the rest of the day. (S4F-01670)

The First Minister (Alex Salmond): I thank Johann Lamont for the opportunity to express my personal condolences—which I know are shared by every single person in the chamber—on the passing of Helen Eadie. She was Johann Lamont's party colleague, but she was the parliamentary colleague of us all. I understand that the Parliament will be given a chance next week to express its appreciation for Helen's contribution.

In terms of Government business, we will be carrying forward the Government's programme for Scotland.

Johann Lamont: I thank the First Minister for those kind words. I know that across the chamber there has been great comfort from the kind words that people have expressed at the loss, particularly for Helen's very precious family.

On 20 March, a spokesperson for the First Minister said:

"The cast-iron position is that an independent Scotland will continue to use the pound".

With less than a fortnight to go before the publication of the white paper, is that still the Scottish Government's position?

The First Minister: Yes.

Johann Lamont: That is interesting, because I thought that we had experienced a historic day in Scottish politics. That is right—it would appear that someone in the Scottish Government has told the truth. Colin McKay, Alex Salmond's chief strategist, told a conference this week:

"We cannot assert as an a priori fact we can achieve a currency union with the UK".

The First Minister's chief strategist is clear: no cast-iron guarantee can be given. Even in Alex Salmond's world it cannot possibly be true that one can both have and not have a cast-iron guarantee. Given that rare moment of candour, what is the First Minister's plan B if he is unable to successfully negotiate a currency union with the rest of the United Kingdom?

The First Minister: The point that was made is quite different from the one that Johann Lamont is

pursuing. The report in today's paper is wrong: the white paper will be definitive on the Scottish National Party Government's policy positions.

The point that was made was entirely different and is illustrated in the newspaper report by the question of the bedroom tax, on which it was said that it is not inevitable in an independent Scotland that the bedroom tax would be repealed. It would be inevitable if there was an SNP Government in an independent Scotland.

The point being made is about the essence of independence; it is about choice. It might be inevitable if there was a Labour Government in an independent Scotland, assuming that they turned up to vote. The essence of the argument for independence is that it gives people in Scotland the choice about what they do. I assure Johann Lamont that, when the white paper is published, it will be definitive about the policy choices of the Scottish National Party on the currency and other matters. In that respect, the argument that was made was about something else entirely. If Johann Lamont will contain herself and wait, she will see that the white paper will give her the information that she desires.

Johann Lamont: That was not so much cast iron as brass neck. The fact of the matter is that if the First Minister knows what his position is he has an obligation to share it not with me, but with the people of this country who are concerned about their pensions and mortgages and whether they will have the pound.

We know that the First Minister is a master negotiator. We saw that during the historic Edinburgh agreement when he went into a room with David Cameron and gave him everything that he wanted—[*Interruption.*]

The Presiding Officer (Tricia Marwick): Order.

Johann Lamont: Alex Salmond will forgive me if I do not share his optimism about negotiating a currency union in the space of 18 months and getting a deal that works for the people of Scotland as well as the arrangement that we now have. Colin McKay, the First Minister's chief strategist, is also concerned about that timeline. He says that it is "impossible" unless the UK Government wants to negotiate a smooth transfer of powers.

Given that Alex Salmond seems to believe that the people of England, Wales and Northern Ireland are so unreasonable that he has felt for all his political life the need to break away from them, how confident is he that he can strike a deal with a Westminster Government in just 18 months?

The First Minister: It was, of course, the UK Government's paid legal adviser, Professor James Crawford, who described the 18-month timetable

for transition as realistic in terms of some of the major issues that would be discussed. Given that that is the average of all negotiations throughout the world, if the UK Government's paid legal adviser—a distinguished professor of international law—describes that timetable as realistic, we are on pretty firm ground in putting it forward.

The essence of the argument for the sterling area is that it is in Scotland's interests because England is our biggest customer and it is in England's interests because Scotland is its second-biggest customer. We might even say that it was logical and desirable, except that I did not say that first: it was Alistair Darling, the leader of the no campaign, on "Newsnight" in January this year.

It takes a brass neck to write as Margaret Curran did to Liberal Democrat MPs—I have a letter here that starts "Dear Alistair"; it is to Alistair Carmichael—asking them to turn up to defeat the bedroom tax in the House of Commons and then for 47 Labour MPs, including 10 for Scotland, to forget to turn up to defeat the bedroom tax. When it comes to brass neck, the SNP will have to go a long way to beat the Labour Party's on the bedroom tax. [*Applause.*]

The Presiding Officer: Order.

Johann Lamont: This is an SNP that could not stay up to support the minimum wage and that would not go through the lobbies to protect people against the energy companies that are ripping them off.

The First Minister says that the UK adviser says that it can be done in 18 months. His own adviser says that it cannot be. That must be the first time that he has taken the UK Government's advice ahead of that of his own advisers.

Alistair Darling has also said:

"But Mr Salmond must have a hidden fallback option because 'no one but a fool would go into a negotiation if they hadn't got a plan B'".

It seems that we have here a fool who has no plan B on the currency.

I must admit some concern about the wellbeing of Colin McKay. Has anyone seen Alex Bell since he appeared on "Newsnight"? Did he get a visit from Shona Robison? Is he in the same gulag as Professor Chris Whatley?

Is the reality not that the First Minister does not want to give the people of Scotland the truth about independence in the debate because his case does not add up? Is the truth not that he cannot stand having a debate with the people of Scotland at all?

The First Minister: The last time that I saw Alex Bell he was appearing on television saying what a

nice person I was, unlike Labour special advisers such as Damian McBride, who make lots of money by revealing the extent of bullying, intimidation and all sorts of other things within the previous Labour Government.

Let us put it this way: the report is wrong and the white paper will be definitive on the SNP policy positions. It will also say—of course it should say—that the essence of independence is choice for the people of Scotland so that they can choose their own Government as opposed to having another Government foisted upon them.

I cannot conceive of a circumstance in which the SNP and other parties in an independent Scottish Parliament would not repeal the bedroom tax. Therefore, that is an argument for independence. That assumes that people turn up for the vote and I really think that we deserve an explanation as to why this week, after appealing to Alistair Carmichael to turn up to vote against the bedroom tax, 10 of Scotland's Labour MPs went missing—absent without leave—and allowed that vote to proceed against the people of Scotland.

Johann Lamont objects to my citing Professor James Crawford and Alistair Darling on the transition timetable and the arguments for a sterling area. I merely put it to her that, if I am able, as I am in this case, to cite them, it will not be the most difficult negotiation that we have ever had, as the people on the other side of the argument think that a sterling area is logical and desirable. It will not be the most difficult transition that we have ever had if even the paid legal adviser of the UK Government, Professor James Crawford, is honest enough to say that the timetable is realistic.

Given that reassurance, I think that we can genuinely say that we can all look forward enthusiastically to the white paper, which will chart Scotland's new future, with the essence of the argument being, "Let's get the future of this country into Scottish hands, and let's make choices for the Scottish people based on the democratic view at election time."

Prime Minister (Meetings)

2. Ruth Davidson (Glasgow) (Con): I add my condolences and those of my party to those of members across the chamber on the passing of Helen Eadie. She will be missed by the Parliament, and our thoughts and prayers are with her family and her colleagues at this time.

To ask the First Minister when he will next meet the Prime Minister. (S4F-01666)

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

Ruth Davidson: Let us return to Professor Chris Whatley. He is a respected academic from the University of Dundee who, a fortnight ago, spoke at a meeting of like-minded Scots. At that meeting, he expressed his support for Scotland staying within the United Kingdom. As thousands of other people across Scotland have done, he gave up some of his free time to debate and discuss the future of our country in a public meeting. We should be welcoming that contribution and the contribution of others to our national debate. Instead, because he disagreed with the SNP's position, a Government minister contacted his employer to question his integrity.

Was Shona Robison right or wrong to contact the principal's office?

The First Minister: I see that the much-beloved "angry, intimidating phone call" that better together has been tweeting all over the place has suddenly been missed out of the question—that is understandable, because no such phone call ever took place.

The issue that Shona Robison was pursuing, in answer to a press inquiry, was not that of Professor Whatley's participation in the no campaign—he is absolutely entitled to participate in it, and I encourage him to do so—but that of his leadership of the 5 million questions project, which says that it has

"the objective neutrality of academia"

and is therefore

"ideally placed as a forum for illuminating discussion."

I am enthusiastic about that project and about Professor Whatley's participation in it. I am enthusiastic about the debates that are being held by that project. Do you know why? Because every time there is a debate on the question, the yes side ends up winning. I have example after example.

Professor Whatley should arrange as many debates as possible. If he can manage to arrange 5 million of them, all the better—let us have the 5 million.

Ruth Davidson: I notice that the First Minister was incredibly specific in denying a phone call, but that he did not deny that there was contact between Shona Robison and the office of the principal of the University of Dundee. That says it all: if you say something that the SNP does not like, you can expect an intimidating contact. That is an example, if any were needed, of the SNP's reaction to something that it does not like to hear.

The First Minister refuses to condemn such tactics and refuses to back free speech. [*Interruption.*]

The Presiding Officer: Order.

Ruth Davidson: Let us contrast Professor Whatley's treatment with that of another respected academic. In August, Dr Elliot Bulmer wrote a prominent newspaper article on behalf of the pro-independence campaign; not only that, Yes Scotland paid him for it. If you are an academic who writes in support of independence, the separatists will put a cheque in your hand, but if you are an academic who speaks in support of Scotland staying in the UK, an SNP minister will collar your boss.

Chris Whatley's treatment by the SNP Government so outraged the academic community that a group of Scottish professors wrote an open letter, in which they said:

"It is unacceptable for a minister to question the integrity of an academic on the basis of his or her political views."

Emeritus Professors Susan Shaw, Hugh Pennington and Ronald Roberts say that the minister's actions were wrong. Can I have the First Minister's guarantee that no member of his Government will act in such a manner again?

The First Minister: The accusation is total and utter nonsense. The words "intimidation" and "Shona Robison" do not sit easily together. *[Interruption.]*

The Presiding Officer: Ms Marra.

The First Minister: The words "intimidation" and "Ruth Davidson" do not sit easily— *[Interruption.]*

The Presiding Officer: First Minister, can you sit down?

Ms McMahon, I will not have an argument with you across the chamber. I ask you to desist.

The First Minister: Thank you, Presiding Officer.

I was just pointing out that the words "intimidation" and "Shona Robison" do not sit easily together. Ruth Davidson lends her argument no favours with the point that she made. If I remember correctly, Elliot Bulmer was subjected to the most vigorous and unfair attacks from Ruth Davidson's political party, but I suspect that he was able to withstand the no campaign's assaults.

I was going to say that Ruth Davidson is trying to make a meal of something, but she is not even making a meal—she is creating a morsel out of absolutely nothing whatever. As I said, I absolutely endorse Professor Whatley's objective and neutral chairing of the 5 million questions campaign and his objective and neutral chairing of the no campaign in Dundee. I endorse Michael Marra, who is one of the directors of the 5 million questions campaign and somebody whom I have still to thank profusely for the decisive role he

played in the 2011 election campaign by guiding Iain Gray into a Subway shop.

I fully endorse the 5 million questions campaign. *[Interruption.]*

The Presiding Officer: Order.

The First Minister: We will attend all the debates that the campaign holds, in the full knowledge that, in the atmosphere of the objective neutrality of academia, the yes campaign will prevail. Given that I have not just endorsed academic freedom and freedom of speech but undertaken to attend 5 million debates, perhaps Ruth Davidson will cease and desist.

Clyde Shipyards

3. Drew Smith (Glasgow) (Lab): To ask the First Minister whether he will provide an update on the Scottish Government's discussions regarding the future of the Clyde shipyards. (S4F-01674)

The First Minister (Alex Salmond): Last week's announcement by BAE Systems of 1,775 redundancies in its shipbuilding business, including 835 redundancies in Scotland, was deeply disappointing and a major blow to the individuals who will be affected.

The Scottish Government's first priority must be the workers who will face redundancy. We have offered BAE employees support through the partnership action for continuing employment—PACE—programme. We will work with BAE and the trade unions to provide a tailored package of support, with the aim of minimising the time for which people are out of work.

Drew Smith: I thank the First Minister for his comments about those who are likely to lose their jobs and I hope that Parliament will have the opportunity to debate the issues further.

On Tuesday, a United Kingdom defence minister repeated the crystal-clear position that the UK Government does not and would not procure British warships outwith the UK. I am not sure whether industrial language was used when the Deputy First Minister met the unions at the yards, but I understand that she was told the same thing in no uncertain terms.

Will the First Minister now accept that, given that the Clyde yards are owned by a UK defence contractor that relies on UK defence contracts and which wants to build UK defence ships in Glasgow, the biggest threat to the Govan and Scotstoun yards building the type 26 frigates is his desire for Scotland to leave the UK?

The First Minister: I gave my first reply deliberately, because I think that some of the focus in the debate has left the 835 people who face redundancy. I hope to follow the issue up with

Drew Smith—and I will do so, because the issue faces people today.

John Swinney and Nicola Sturgeon attended a meeting with the unions and management last Friday. I spoke yesterday to Mick Ord, the managing director of naval ships at BAE, about progress in the discussions with the unions that have taken place this week.

We now have visibility of the timescale for the redundancies, which helps with operating the PACE programme. Given the substantial skill set of many of the people involved, we should be optimistic about even the difficult task of placing as many as possible in gainful employment. We have been assured of full co-operation from both unions and BAE management to achieve that as a priority. I really think that that is the substantive issue that we should talk about.

On the matter that the member raised, I do not accept his interpretation of the evidence that was given in the House of Commons. On the contrary, the claims that article 346 would preclude the rest of the UK from ordering the type 26s from the Clyde were absolutely wrong. That argument, which Alistair Carmichael put forward only on Sunday, was then denied by his colleague in Government in front of a House of Commons committee.

That brings us to the nub of the argument, does it not? Do the workers in the yards have the right to expect that every politician will rally behind them, regardless of the constitutional circumstances, or are there people who are conditionally in support of the workers, depending on their favoured constitutional option? That is why Jamie Webster, the union convener at Govan, said on *Newsnight Scotland* last week:

“If the situation is that Scottish people by democratic vote, vote Yes, I would expect, no sorry, demand, that every single politician of every section supports us to hell and back”.

Perhaps Drew Smith will take those words to heart.

Sandra White (Glasgow Kelvin) (SNP): I thank the First Minister for his reply and I am very grateful to the Deputy First Minister and the cabinet secretary for their meetings with the workforce and trade unions. I have written to them and received replies.

Many local businesses in my constituency serve the workforce in the shipyards and will be affected by the announcement. What help will the Scottish Government offer them?

The First Minister: The PACE programme and the Scottish Government will be looking closely at the heavy interconnection of the Clyde yards with

local businesses. That will be very much part of our planning.

As an indication of that, in an editorial in *The Herald* today Sandra White can read of the substantial success of a similar programme in West Lothian, following the closure in Broxburn last year. Obviously a big challenge will have to be met, but the fact that such a challenge has been met pretty successfully in other areas that have faced significant closures should give confidence that the resolve will be there to do everything that we can do for the workers and, as Sandra White rightly says, the attendant businesses that supply the yards.

The Presiding Officer: Question 5 is from Neil Findlay.

Medical Overtime

5. Neil Findlay (Lothian) (Lab): To ask the First Minister what steps the Scottish Government is taking to address the amount that the national health service spends on medical overtime. (S4F-01673)

The First Minister (Alex Salmond): In this year, £60 million has been invested across NHS Scotland to increase the capacity of the service. It includes, for example, £8.7 million in NHS Lanarkshire, including for recruitment of 54 consultants, nursing and other clinical support staff; £6.9 million in NHS Forth Valley, including for recruitment of new consultant nurses and other clinical support staff; and £2 million in NHS Greater Glasgow and Clyde, for orthopaedics, ophthalmology, neurosurgery, neurology and imaging. Those efforts build on the 23.4 per cent increase in the number of consultants who work in the national health service since this Government took office.

Neil Findlay: Vacancy rates in the NHS are up, and Audit Scotland has highlighted a 62 per cent increase in spending on agency nursing and a 23 per cent increase in payments to the private sector. Now, we find that some consultants are doubling their salary on triple time in the evenings and at weekends. Will the First Minister end crisis management in the NHS? Will he commit to staffing our hospitals properly?

The First Minister: Yes; we do staff our hospitals properly, which is why, even in these stringent financial times, the number of qualified nurses has increased by more than 1,000 under the Scottish National Party Government. The capacity of the NHS is increasing all the time, and patient satisfaction with the NHS is very high indeed.

Even given the real-terms increase that this Government pledged and has delivered to the NHS revenue budget, we all understand the

current and, indeed, pretty much constant pressures on our national health service, which is why we have responded in full measure.

Perhaps Neil Findlay will consider what would have happened if Labour had either continued with its indecisive attitude to a real-terms increase in the national health service budget before the last election in Scotland, or followed practice in Wales, where Labour is in government and there has been a real-terms decrease in NHS funding. Perhaps some consideration of what would have happened under those circumstances will be forthcoming from Neil Findlay.

The Presiding Officer: I thank members for their patience and indulgence. Question 4 is from Rod Campbell.

China

4. Roderick Campbell (North East Fife) (SNP): To ask the First Minister what the consequences are of his trip to China. (S4F-01683)

The First Minister (Alex Salmond): I am delighted to say that the visit cemented Scotland's valuable links with China and Hong Kong. A delegation of 30 Scottish companies in the oil and gas and construction sectors were on the trade mission. Some excellent contracts and deals were signed, and there was engagement with universities; the designation of Heriot-Watt University as another Confucius university is a substantial step forward.

The oil and gas involvement was particularly useful and involved the China National Offshore Oil Corporation—CNOOC—and Sinopec, which are two of the biggest oil and gas companies in the world; Sinopec has 1 million employees. Taking a dozen Scottish oil and gas service companies into the heart of decision making in that huge combine is of huge importance. I think that we will get substantial results from the visit, thereby building on the progress that has been made in economic and trade relationships with China in recent years.

Roderick Campbell: Between 2010-11 and 2011-12, the number of Chinese students studying at universities and colleges in Scotland rose by 22 per cent to 8,075. What steps can the Scottish Government take to ensure that Scotland remains an attractive place for Chinese students to study?

The First Minister: Scotland is a hugely attractive place for Chinese students and other international students to study, which is why we have a record number of international students in our universities this year, as well as a record number of Scottish students.

I have to say that the major obstacle is, of course, the United Kingdom Government's attitude to education visas. We had a spectacular instance of how self-defeating that can be during my trip to China. For some inexplicable reason, the United Kingdom Border Agency decided to order out two Hanban teachers of Mandarin—paid for by China—in Scottish schools. Luckily, we were able to apply pressure to reverse that ridiculous decision, but the threat remains to other teachers and other international students.

Most things in politics and Government have two sides—people just have to take what they think is the best option. However, I cannot for the life of me see any reason why it would be in anyone's interests to restrict the relationship that we have with China through the five Confucius universities that we now have, which is more than any other country in the world per head of population, or the interrelationships and the valuable immediate boost to education and the long-term boost to the Scottish economy of having international students in Scotland. If any member can enlighten me as to what on earth goes on in the minds of the Home Office and the Border Agency in pursuing such a restrictive policy, I would be interested to hear that. Incidentally, that shows one of the big advantages that we would gain from taking control of those things in Scotland.

Gavin Brown (Lothian) (Con): The First Minister was a little less critical of the UK Government when he was in Hong Kong last week, when he said that Scotland is

"in a strong position"

because

"We share a ... regulatory system with London".

Should we continue to share a regulatory system with London?

The First Minister: I am delighted that my speeches are read—although I hope not just *The Daily Telegraph's* unique interpretation of the speech that I made in Hong Kong is read. That policy position has been put forward in a number of papers on these matters. I am sure that Gavin Brown has fully grasped the opportunities. The speech in Hong Kong went down extremely well in extolling the virtues and success of the Scottish financial sector, which was an excellent thing to do. We should not and will not neglect the opportunities that come through the Scottish connection with Hong Kong and the range of global Scots, who are working hard for Scottish business and interests.

Perhaps we should have a more formal arrangement, because I would not want Gavin Brown to miss out on any of my speeches or to

rely on press interpretations of them. Perhaps a direct line of information is called for, so I undertake to see whether that is possible.

HIV (Awareness and Understanding)

6. Marco Biagi (Edinburgh Central) (SNP): To ask the First Minister what steps the Scottish Government and the national health service are taking to increase awareness and understanding of HIV. (S4F-01667)

The First Minister (Alex Salmond): HIV remains a public health priority for the Scottish Government, which is why we have provided £273,000 of funding for Waverley Care in the past two years to deliver the always hear campaign, which seeks to increase awareness and understanding of HIV and to challenge stigma. The Government has also provided £270,000 of funding each year for HIV Scotland, a national independent policy organisation for HIV. We will be working with partners, including national health service boards, to promote world AIDS day on 1 December.

Marco Biagi: The First Minister will be aware of the study that was released this week by Waverley Care, which shows that we as a nation still have some way to go on awareness. That charity, supported by the campaigner Annie Lennox, has identified the on-going stigma that the First Minister mentioned as a particular challenge for people who have HIV in achieving diagnosis and accessing treatment. Does the First Minister agree that stigma is a major problem? Will he continue to ensure that the Scottish Government does everything it can to ensure that there are no obstacles to people coming forward for treatment and medical help?

The First Minister: I am glad that Marco Biagi has taken the opportunity to raise that important subject. Incidentally, it gives us all the opportunity to acknowledge Annie Lennox's first-class work in the area.

Waverley Care's campaign has in recent months distributed resource packs that focus on highlighting the issue to young people. It has also distributed 1,500 resource packs to churches around the country. In addition, in early 2014, the campaign will begin work with health professionals because people living with HIV have reported that they often experience stigma.

I hope that that reassures Marco Biagi that we take the matter extremely seriously. We will continue our support, and I am sure that all members will collectively endorse those efforts and urge us to do even more.

Jackson Carlaw (West Scotland) (Con): On a point of order, Presiding Officer. In his earlier response to Miss Davidson, the First Minister

asserted that Dr Elliot Bulmer had been subject to personal attack and abuse from her and her party. Given the substance of her earlier question, we reject that accusation fully. The First Minister qualified that by saying that it was from memory. In the ordinary course of events, he ascribes the widest possible latitude to that resource, but I say to you, Presiding Officer, that he should either come forward with substantive evidence to support that accusation or correct the record at the earliest possible opportunity.

The Presiding Officer: That is not a point of order, and Jackson Carlaw knows it. As I have said repeatedly, members themselves are responsible for what they say in the chamber.

Edinburgh Zoo

The Deputy Presiding Officer (Elaine Smith):

The next item of business is a members' business debate on motion S4M-07752, in the name of Colin Keir, on 100 years of conservation, research and education at Edinburgh zoo. The debate will be concluded without any question being put.

Motion debated,

That the Parliament commemorates the centenary of Edinburgh Zoo, which was opened by Thomas Gillespie, founder of The Royal Zoological Society of Scotland (RZSS) in July 1913 and which remains the only zoological park in the UK to have a Royal Charter; notes what it considers the varied programme of events planned to commemorate the centenary year, including exhibitions, lectures and interactive events for children and adults; considers that the legacy of Thomas Gillespie has been continued into the 21st century, with Edinburgh Zoo a world-recognised centre of conservation for threatened domestic and international species, undertaking projects such as the Scottish Beaver Trial, the Pantanal Conservation and Research Initiative, the Cairngorm Wildcat Project Nyungwe Ecology Project, African Wild Dog Conservation, Water Vole Conservation, the Budongo Conservation Field Station and the Henderson Island Restoration Project; commends the in-the-field research and what is considered the highly significant international conservation work that the RZSS undertakes, most notably, the China/UK Giant Panda Project, a world-first research project to reintroduce giant pandas into the wild; considers that Edinburgh Zoo has a particular focus on education and has, as such, garnered an international reputation for excellence in the study of animals and their environments both in captivity and in the wild, with teams of experts working at the vanguard of scientific research to further investigate applied conservation genetics, population management, veterinary science, animal behaviour, ecology and nutrition, and understands that the design of the animal enclosures, which were originally based on the idea of the open zoo at Hamburg designed by Carl Hagenbeck, are constantly evolving in line with the continually expanding knowledge of physical and psychological animal welfare.

12:33

Colin Keir (Edinburgh Western) (SNP): I am delighted to have been given the opportunity to introduce this debate.

For 100 years, the Royal Zoological Society of Scotland has maintained a park to the west of the city of Edinburgh, in Corstorphine. The vision for a new zoological park in Edinburgh came from Thomas Gillespie, who was an Edinburgh lawyer. In 1908, after a number of years of thought, Gillespie was inspired to take forward his dream by two events. He read an article that described the fine new animal park at Stellingen, near Hamburg, which was run by Carl Hagenbeck, and then the highly successful Scottish national exhibition of industry, science and art was held at Saughton park, which is in the west of the city, not far from where the zoo is now. That seemed to be

the proof that Gillespie required at the time. He said:

“people here would patronise a place of open-air resort if it were presented to them on attractive lines.”

With the formation of the Royal Zoological Society of Scotland in 1909, Gillespie had the mechanism to persevere with his vision, but it was not always plain sailing. Public subscription was slow to pick up, and help had to be provided by Edinburgh Town Council and others. After an extensive list of possible locations had been drawn up, the estate of Corstorphine hill house was offered to the society for the princely sum of £17,000.

The Deputy Presiding Officer: I am sorry to interrupt, Mr Keir, but I must ask the guests in the public gallery to please desist from conversations as they leave.

Colin Keir: The society did not have the sole purpose of being a zoo. Its purposes included advancing research and education, which has remained as a driving force today.

Although some animals had been acquired, others were loaned out by the owner of a private collection of animals, Mr G H Tyrwhitt-Drake of Maidstone—a fine name, I must say. Stories about the arrival of the animals at Corstorphine railway station are rather funny and I encourage everyone to read the story of Edinburgh zoo by Thomas Gillespie, in which he describes the movement of the animals from the railway trucks to the zoo. The zoo was opened as the Scottish national zoological park to the general public on 22 July 1913.

The zoo has many wonderful stories from the past century, including how it survived two world wars, the depression, the granting of a royal charter, and Luftwaffe bombing. The zoo has had many famous residents: Wojtek, the Polish army bear; Mercedes, the polar bear; king penguin Sir Nils Olav, who is the colonel-in-chief of the Royal Norwegian Guard; and the very famous Tian Tian and Yang Guang, the giant pandas from China. Theirs are great stories, one and all. However, there is so much more to the zoo and the zoological society.

John Muir, the Scots-born naturalist, once said:

“When one tugs at a single thing in nature, he finds it attached to the rest of the world.”

As a leader in science-based conservation, the society works here in Scotland and internationally to support local communities so that they have the chance to live and learn alongside nature. There are flagship international projects such as the Budongo conservation project in Uganda, which deals with forest conservation and primate research. One of the stories from that project is

absolutely wonderful. More than 100 ex-hunters have been given breeding goats as an alternative to snaring animals. Work is also being done in the Brazilian Pantanal, the largest freshwater wetland in the world, which is being threatened by development and change in land management practices. Much of that work is helping conservationists to trace numbers and gain knowledge of the little-known and threatened giant armadillo.

The society and the zoo do not just work internationally. There is also the initiative known as the Caledonian ark, which has the mission of preserving our native species. In Scotland, the society runs the Highland wildlife park, and much of the work that is being done there is part of the nationwide programme to save the Scottish wildcat.

The society is implementing a series of projects that combine the potential for public education and breeding of, reintroduction of and research into native species that have been or are under threat. Among the other highlights, the society is the lead partner in the Scottish beaver trial at Knapdale in Argyll. That was the first licensed mammal reintroduction programme ever to take place in the United Kingdom. The project consists of four beaver families, and its purpose is to assess how reintroduction affects the local environment and tourism. Education programmes are being run alongside the trial with an education officer on site to provide guided tours. As far as I can gather, monitoring of the project will end next May, the Scottish Government will collate the research results, and the results will be known in 2015.

Those are just the highlights of what is happening right now, but there must be ambitions, particularly in education. The creation of a multifaceted nature discovery centre that provides a 21st century visitor experience is the way forward. The society's chief executive officer, Chris West, has had to leave the public gallery but some of his colleagues are still there. He said:

"The discovery centre will be a combination of science centre, mini-zoo, early-learning centre, exhibition space and tropical house, focused upon connecting people with conservation and action."

I wonder what Thomas Gillespie would think of Edinburgh zoo and the society. It is not just a patch of land on Corstorphine hill: it is way beyond that. It is a zoo that is globally respected for its research, conservation and education, and it is second only to Edinburgh castle as a tourist attraction, providing many millions of pounds to the Scottish economy, particularly the Edinburgh economy.

From an Edwardian vision, through some tough times, we have what we have today. The zoo has a great century behind it and many more years

ahead of it. What we require is more education and more conservation, especially if mankind continues to pressurise the natural environment.

The zoo and the society are global institutions—international in outlook with an eye to the local. Their work here in Scotland is every bit as important as their international work. I wish the society team led by chairman Jeremy Peat and chief executive officer Chris West, the staff and members my congratulations. I hope that they have many more successful years ahead.

The Deputy Presiding Officer: Thank you very much, Mr Keir. Once again, I apologise for the interruption to your speech.

12:40

David Torrance (Kirkcaldy) (SNP): I thank Colin Keir for bringing to the chamber the motion to celebrate 100 years of conservation, research and education at Edinburgh zoo. Edinburgh zoo has much to be proud of and its centenary is only one of its many accomplishments. I am proud to rise today in support of the motion to honour 100 years of conservation, research and education at the zoo because of how important its work is to conservation efforts in Scotland and around the world.

When the zoo was opened in 1913 by the Royal Zoological Society of Scotland's founder, Thomas Gillespie, the RZSS was only four years old, but the zoo's reputation and prestige grew over time to make it a prime tourist destination for Edinburgh and Scotland.

In addition to being the only zoological park in the United Kingdom to have a royal charter, Edinburgh zoo prides itself on its size, popularity and leadership in the conservation community. Furthermore, the RZSS uses the zoo's centre of conservation for threatened domestic and international species as a platform for its various wildlife protection programmes.

One of those programmes is the Pantanal conservation and research initiative, which focuses on preserving the Pantanal wetlands—the world's largest freshwater wetlands—which are located in Brazil and parts of Bolivia. The zoo attaches importance to that project due to the rich biodiversity that is threatened by development programmes and changes in land management practices. However, the lessons learnt in conservation practices from the Pantanal wetlands are not isolated to that ecosystem—in fact, they are principles of wildlife preservation internationally.

Of course, the most popular venture by the RZSS is the China-UK giant panda project—a partnership with the Wolong panda breeding

centre in Sichuan province, China, with the goal of reintroducing pandas into the wild. In the collective efforts to preserve, protect and rebuild panda habitats in the area, the RZSS remains active in Sichuan province following the 8.0 magnitude earthquake that hit the area in 2008. In return, China has loaned two giant pandas to the UK—one of only three pairs in all of Europe—which the RZSS can study and research, all with the goal of protecting this wildly endangered species. The project is particularly popular among the 600,000 annual visitors to Edinburgh zoo who flock to see the increasingly rare giant pandas.

Although the RZSS focuses its conservation efforts abroad, it is also concerned with wildlife preservation here in Scotland. One significant project is the Cairngorms wildcat project, which runs in partnership with the RZSS and several other Scottish organisations and seeks to protect and preserve the Scottish wildcat. The Scottish wildcat, which is often called the Highland tiger, is an endangered species for a variety of reasons. Interactions with domestic and feral cats have been devastating to the Scottish wildcat. Activities that are occurring as part of the project include increasing the number of vaccinations and neuterings that are being performed in areas surrounding the Cairngorms national park and working with land managers to ensure that predator control is wildcat friendly.

The RZSS's Scottish beaver trial programme is another conservation effort that is being housed at Edinburgh zoo. The project's aim is to decide whether beavers should be reintroduced into Scotland since being hunted to extinction in the 16th century. Beavers are a keystone species, which means that their presence is an indicator of other kinds of life in their environment. Because of their feeding and damming practices, they are able to create ponds and wetlands that attract other species, develop biodiversity and even improve water quality. However, reintroducing beavers without properly monitoring the process could also be harmful to the environment, so it is important to study the issue carefully.

In order to be closer to wildcats, beavers and many other species of animal that roam the Scottish Highlands, the RZSS opened the Highland wildlife park at Kingussie, right in the middle of the Cairngorm national park. The Highland wildlife park serves as a tourist destination for Highland visitors and an educational institution for schoolchildren of all ages. Lessons range from tours for pre-schoolers to research days and full-on lectures for secondary school pupils and older.

Through various hands-on workshops, such as its touch-and-feel session with the skins and skulls of animals, the park works with students who have

assisted learning needs. The Highland wildlife park's emphasis on education is a testament to the mission of the RZSS, which is:

"To inspire and excite our visitors with the wonder of living animals, and so to promote the conservation of threatened species and habitats."

Edinburgh zoo and the Royal Zoological Society of Scotland have a lot to be proud of. From research and education initiatives to active engagement in worldwide conservation efforts, it is impossible not to see the RZSS's impact in the past century. Happy birthday to Edinburgh zoo and here's to the next 100 years.

12:45

Cameron Buchanan (Lothian) (Con): I thank Colin Keir for bringing this subject to Parliament for debate.

When we consider its origins, it is hard to envisage Edinburgh zoo and its associated conservation projects without the drive and vision of Thomas Gillespie, of whom we have just heard. It is only right that, when celebrating the success of the Royal Zoological Society of Scotland, we record our gratitude and appreciation for his efforts. His determination in setting up the society is quite inspiring, especially when we bear in mind that an earlier zoo that was set up in Edinburgh had failed.

I was interested to note that one of the biggest barriers back then to establishing a zoo was the inclement weather, which was

"considered unsuitable for exotic beasts."

As a not-so-exotic beast who also struggles slightly with the weather, I have some sympathy with their plight. Joking aside, the continued success and scale of work that is done by the zoo is great testament to Thomas Gillespie's efforts.

It strikes me that this 100-year celebration is an opportunity to raise the profile of the Royal Zoological Society and the scale and breadth of the conservation and research work that it carries out. Some of the projects and research that are going on are fascinating and I am sure that they would be of interest to a lot of people. I refer in particular to the strides that are being made in veterinary science.

In preparation for this debate, I read all about minimal invasive surgery on wildlife, which is perhaps more familiarly known as keyhole surgery. It is a significant, ground-breaking area of research. Quite simply, the less invasive the surgery, the easier the recovery and the lower the chance of post-surgical complications. The same applies to humans. That work has led to, among other things, keyhole surgery to remove the gall bladders of Asiatic black bears in south-east Asia.

That is all quite extraordinary when we consider that it was not that long ago that keyhole surgery on humans was pretty cutting edge.

Of course, not all of the work that is done by the RZSS is so far flung and exotic. One of the most familiar projects, which we have just heard about, is the Scottish beaver trial, which is an interesting example of how research can be used. Given that beavers tend to adapt their surroundings, there is the potential to attract more species and provide food sources for other animals. Accordingly, the implications of the trial and what it means for other species and the environment are significant. It also goes to show that the benefits of the RZSS are not limited to Edinburgh or to the species that the project is specifically designed to study. The beaver project will undoubtedly bring tourists and, with them, opportunities for local businesses, all of which I am sure will be very welcome.

All those projects contribute to the Royal Zoological Society's overall mission of raising awareness of conservation—that is what is so important about zoos—and encouraging an interest in rare and endangered animals and an appreciation of wildlife. As members have noted, one of the key success stories in that regard has been the zoo's work with pandas. Why did Edinburgh zoo get the pandas? It was because it was so successful. Many of us are now familiar—perhaps overly so—with the mating rituals of those wonderful creatures. Indeed, Edinburgh zoo's pandas are the only celebrity couple in whose sex life it is acceptable to take a keen interest.

One of the key reasons why the zoo was able to attract the pandas was its reputation in veterinary science. Accordingly, I hope that the Royal Zoological Society continues to capture the interest of the public and encourage a future generation of vets, conservationists and naturalists to come forward. Furthermore, I hope that this debate and the attention that these 100th birthday celebrations bring will deliver some of the recognition that Thomas Gillespie deserves for his incredible contribution to the city of Edinburgh and conservation worldwide.

12:49

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I congratulate Colin Keir on securing the debate and declare from the outset that my speech will be a completely panda-free zone.

I lived just over the hill from the zoo—note that it is “I lived” and not “I am”—and so I was a frequent visitor there in my youth. I commend it for the transition from holding big animals in captivity—the polar bear and so on—to conservation. The Victorian and Edwardian concept of a zoo as a

collection—as if animals were non-sentient objects—has gone, at least from Edinburgh zoo. Perhaps only the colony of penguins, which seem to be as happy as Larry, is a highly visible legacy of that past and of the great whalers who brought penguins to the zoo and who sailed with Christian Salvesen. Indeed, like the penguins, the Salvesen family, which might not thank me for the comparison, still has strong connections with the zoo.

I have connections of an entirely different kind with the zoo. Here is my zoo story, so bear with me. In around 2000, I was a member of the zoo, so when my mother died and my brother Tony and I were commissioned by the family to find a venue for her funeral tea, we bypassed the usual hotels and halls and plumped for the mansion house—the members' house—which is slap bang in the middle of the zoo. My mother's whole life had been devoted to family—children, grandchildren and great-grandchildren—and we thought that the zoo was an appropriate choice for her funeral tea.

The funeral itself, as you would expect, was very hard going, with many tears. To compound that, it was a beautiful and warm late April day, with clear blue skies and blossom everywhere. After the service, to mourners' surprise, we asked them to assemble in the zoo car park and then to go on to the members' gate at the top. There, I announced to the attendant that we were the funeral party. He skimmed his eyes over this troop draped in black and said “I think I worked that out,” which broke through the gloom.

Hearts lightened, we sashayed past the meerkats, who took a good look at us, as did the usual tourists, and we then had a grand buffet in the mansion house, with its splendid view over Edinburgh to the Pentlands. When the children had had enough, their parents took them on a tour of the zoo. “Some funeral party!” I thought; it was inspired and a real tribute to mum's endless kindness, especially to children.

Well, whisky flowed and though one or two people drifted off, the hard core of the family dallied late into the afternoon, finally straggling down the hill past the somewhat startled flamingos. It was, indeed, very quiet except for the sounds of the animals and birds, but for some reason—perhaps it was the whisky—we did not notice. Then a chap flew past us on his bike, almost a blur apart from his checked breeks. We thought nothing of it and dallied even longer in the late sun, admiring the animals on our casual descent. Man on bike reappeared breathless, having pedalled furiously back up the hill. “Are you the funeral party?” he asked. Well, we were used to this and smiled and confirmed, “Yes, we are the funeral party.” “Well, I'm the cook,” he said, “and you're locked in the zoo. It's closed.” Of course, he

fetched some keys from somewhere, but I like to think to this day that it would have confirmed to mum what a daft bunch of folk she had raised.

So, you see, Colin Keir: in the list of events and attractions that you said the zoo offers, funeral teas—and the whisky and consequences thereof—were omitted.

12:55

The Minister for Environment and Climate Change (Paul Wheelhouse): “Follow that”, as they say. Christine Grahame’s speech illustrates the extent to which the zoo is very much part of Edinburgh life and culture. It goes well beyond conservation in its functions.

I am sorry that there is not a larger gathering of members in the chamber to hear the speeches, because they were very interesting. I thank Colin Keir for bringing the subject for debate.

Edinburgh zoo is a fantastic asset for Scotland and it plays a very important role in conservation, which I hope to expand on. First, however, I should wish the zoo a happy anniversary on its 100th year of operation. The zoo is operated by the Royal Zoological Society of Scotland and is one of Scotland’s most successful and beloved visitor attractions, as members have said. Many generations of Scots have enjoyed visits to the zoo in the 100 years since it opened; I count myself and my son among them. No doubt many members of the public in the gallery have also attended the zoo.

The zoo now welcomes more than 600,000 visitors each year and has more than 1,000 animals in its collection, including many rare and endangered species. However, Edinburgh zoo is much more than a successful visitor attraction; it is a leading centre in Europe for conservation, education and research, and has been at the forefront of new approaches that have focused on improving the welfare of the animals in its care. It works collectively with many other zoos and conservation agencies in the UK, Europe and around the world in co-ordinated conservation programmes, to help to ensure the survival of many species that are under threat.

Because Edinburgh zoo’s work is low profile and does not generate headlines, many people will be unaware of its quality and importance, which is why this debate is so important. Last year, for example, the Royal Zoological Society of Scotland received an award from the British and Irish Association of Zoos and Aquariums for its breeding and conservation work with the critically endangered Polynesian tree snail, which I was not aware of, I must confess. The snail, many species of which are sadly extinct in the wild, is being reintroduced to Tahiti. That demonstrates the

zoo’s international role in helping other societies deal with biodiversity issues.

The RZSS was also highly commended for its groundbreaking work on and advances in zoo and wildlife medicine—including the surgery that Cameron Buchanan touched on—which demonstrate the welfare advantages of keyhole surgery to assess and treat gall bladder and liver disease in Asiatic black bears, which result from the illegal bile-farming trade in Cambodia and Vietnam.

Edinburgh zoo and the Highland wildlife park, which is also operated by the Royal Zoological Society of Scotland, are part of a European network of zoos under the European Association of Zoos and Aquaria. With 345 member institutions across 41 countries, the association operates a two-tier breeding programme, a European studbook and a programme for endangered species. Staff at the zoo and the wildlife park manage no fewer than 12 studbooks under those programmes, covering species such as the gentoo penguin and the west African crowned crane.

The zoo supports a wide range of targeted research projects over six key areas: conservation genetics, ecology, nutrition, population management, behavioural research and veterinary research. For example, it carries out applied research and collaboration projects on various aspects of zoo animal nutrition.

My colleague Alex Salmond, the First Minister, recently met Professor Chris West and Professor Jeremy Peat, respectively the chief executive and chair of the board of the Royal Zoological Society of Scotland. At that meeting, the First Minister conveyed the Scottish Government’s support for the society’s work—in particular, its contribution to global giant panda conservation.

In September this year, the Royal Zoological Society of Scotland and Edinburgh zoo, the proud custodians of Tian Tian and Yang Guang, also successfully hosted the giant panda research symposium, which was attended by some of the world’s top scientists and researchers. Those experts came together for the first time to discuss and formulate a five-year plan of action for global panda research and breeding. The plan will have significant implications for how giant pandas are cared for in China and in zoos around the world.

As part of the 10-year loan agreement that brought Tian Tian and Yang Guang to Edinburgh zoo, the society is involved in a programme that will enable comprehensive research on and study of giant pandas to be conducted at Edinburgh zoo by dedicated keepers, researchers and others with expertise across a range of fields. The programme will create a series of joint projects with the zoological society and its China Wildlife

Conservation Association partners, which will cover vital giant panda research areas such as embryology, immunology and veterinary medicine.

At the meeting, the First Minister also discussed the RZSS's commitment to Scotland's native species. The society is a valued member of the national species reintroduction forum, which advises on current and potential reintroduction projects for species that were once part of Scotland's biodiversity, as well as providing a code of best practice for such reintroductions.

The RZSS and the Scottish Wildlife Trust are important players in the partnership that is running the Scottish beaver trial, which members have mentioned. The trial commenced in 2008 and is a five-year project that is being conducted at a site in Knapdale in Argyll. It aims to examine the suitability of the European beaver for reintroduction, on a national level, to the Scottish landscape, given the various challenges that Colin Keir and others have mentioned. I paid my own visit to the trial site at Easter. I was very impressed with the work that has been done there and—best of all—I was lucky enough to spot a beaver kit swimming in the wild in a Scottish loch. That was quite a thrill for me and for all those who were there to witness it.

The RZSS also provides vital support for the work that is going on in relation to the population of beavers that live in the Tay catchment. The society's practical experience in animal handling and its veterinary and genetics work are adding greatly to our understanding and knowledge of the Tayside animals, which are from a different genetic line to those in the official Argyll trial.

The Trossachs water vole project, with which the RZSS is also closely involved, also commenced in 2008, in the Aberfoyle area of Loch Lomond and the Trossachs national park. The project has proved to be a great success, with water voles now breeding throughout suitable habitat areas along the Duchray Water and the Kelty Water and colonising many new sites up to 4km from their original release areas

In addition to its involvement in native species reintroduction, the RZSS is, as has been mentioned, also a key partner in the new Scottish wildcat action plan. Much is riding on the plan to safeguard the future of one of our most charismatic native wildlife species, of which we know far too little. The zoo is playing a huge role in helping us to understand it and the RZSS's involvement has included funding and leading research to monitor Scottish wildcats on estates within the Cairngorms national park, as part of the Cairngorms wildcat project. The project, which is a partnership between a variety of interested organisations, was recognised for its innovation at this year's prestigious nature of Scotland awards.

Moreover, the RZSS has been delivering, through its education team at the Highland wildlife park, a schools outreach programme featuring species such as the native Scottish wildcat. The park itself is a wonderful place for visitors to see that elusive and iconic creature, which is the only free-living native forest cat in the British isles. I understand that the park welcomed two new additions to its resident wildcat population earlier this year, so congratulate it on what is a particularly significant success, given the important role that Ness and Einich may play in future captive wildcat breeding projects for their reintroduction into the wild.

The Scottish Government would like to take this opportunity, for which I again thank Colin Keir, to recognise the many achievements of the Royal Zoological Society of Scotland and Edinburgh zoo, in the zoo's centenary year. I certainly believe that the zoo will continue to meet and, indeed, to exceed its rather modest mission statement, and I hope that it continues to inspire and excite its visitors with the wonder of living animals and—as David Torrance, Colin Keir and Cameron Buchanan all mentioned—to connect people to wildlife and conservation. That is particularly important for children; indeed, I am glad to see so many children in the public gallery for this debate.

Finally, I hope and expect that the zoo will continue its excellent work to promote the conservation of threatened species and habitats both at home and abroad.

13:02

Meeting suspended.

14:00

*On resuming—***Business Motion**

The Deputy Presiding Officer (John Scott): Good afternoon, everyone. The first item of business is consideration of business motion S4M-08297, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, setting out a timetable for stage 3 consideration of the Scottish Independence Referendum Bill.

Motion moved,

That the Parliament agrees that, during stage 3 of the Scottish Independence Referendum Bill, debate on groups of amendments shall, subject to Rule 9.8.4A, be brought to a conclusion by the time limit indicated, that time limit being calculated from when the stage begins and excluding any periods when other business is under consideration or when a meeting of the Parliament is suspended (other than a suspension following the first division in the stage being called) or otherwise not in progress:

Groups 1 to 4: 40 minutes

Groups 5 to 7: 1 hour and 30 minutes

Groups 8 and 9: 1 hour 45 minutes.—[*Joe FitzPatrick.*]*Motion agreed to.***Scottish Independence Referendum Bill: Stage 3**

14:01

The Deputy Presiding Officer (John Scott): The next item of business is stage 3 proceedings on the Scottish Independence Referendum Bill. In dealing with the amendments, members should have the bill as amended at stage 2, the marshalled list and the groupings.

The division bell will sound and proceedings will be suspended for five minutes for the first division of the afternoon. The period of voting for the first division will be 30 seconds. Thereafter, I will allow a voting period of one minute for the first division after a debate and 30 seconds for all other divisions. Members who wish to speak in the debate on a group of amendments should press their request-to-speak button as soon as possible after I call the group.

Members should now refer to the marshalled list of amendments.

Section 12—Inspection of Electoral Commission's registers etc

The Deputy Presiding Officer: Amendment 1, in the name of the Deputy First Minister, is grouped with amendments 5, 22, 23, 26 to 31, 35, 37 to 42, 48, 49 and 51 to 55.

The Deputy First Minister and Cabinet Secretary for Infrastructure, Investment and Cities (Nicola Sturgeon): This group consists of 24 minor and technical amendments to sections throughout the bill. They were identified as being necessary during a review of the bill following stage 2. They make minor changes that are consequential to amendments that were made at stage 2, update cross-references, improve the consistency of wording in the bill and make minor drafting amendments.

I will run through the amendments briefly in turn. I apologise in advance for the length of my remarks on the amendments in the group. I might be about to prove in the next few minutes that not all aspects of passing historic legislation are exciting.

I start with amendment 1. At stage 2, the Referendum (Scotland) Bill Committee agreed to amend the bill to require the Electoral Commission to publish permitted participants' pre-poll donation and loan reports during the referendum period so that voters have as much information as possible about the sources of campaign funding. Section 12 sets out detailed arrangements for the publication of documents that the commission must make public, including the register of

permitted participants and referendum expenses returns. Amendment 1 applies those arrangements to the publication of pre-poll reports on donations and loans.

Amendments 5 and 48 correct erroneous cross-references. Amendments 22 and 23 relate to the security of postal ballot papers. Amendment 26 amends the definition of "postal ballot paper" to ensure that it covers ballot papers before they are issued to voters and during the issuing process. Amendment 49 adds a reference to that definition to the list of defined expressions in schedule 8, for ease of reference and to ensure that the definition can, where necessary, apply to references to the term elsewhere in the bill.

I turn to amendment 27. Paragraph 54(8) of schedule 2 applies the provisions in paragraph 53 of that schedule, which require secure destruction of documents, to the marked polling list. Amendment 27 ensures consistency by bringing the wording of paragraph 54 into line with Government amendments to paragraph 53 at stage 2.

I turn to amendments 28 and 29. When a voter asks for their ballot paper at the polling station, the presiding officer may ask them a set of questions to ascertain that they are entitled to vote. In certain cases, a voter's name will appear on a notice of alteration to the register of electors rather than on the polling list. Amendments 28 and 29 simply ensure that, in those cases, the presiding officer will refer to the correct document when they ask the voter to confirm their identity and entitlement to vote.

Amendment 30 relates to an amendment to rule 33 of schedule 3 that Annabel Goldie lodged at stage 2, and it might assist members if I explain a bit more fully why a further amendment to that provision is proposed. As Annabel Goldie made clear at stage 2, the intention of the amendment was to clarify that although the counting officer's decision on a ballot paper is final, the decision could be made subject to judicial review. However, the amendment was drafted in such a way as to omit the word "final" from the rule in question, which means that in its current form the rule no longer states that a decision made by a counting officer in respect of a ballot paper is final. Amendment 30 seeks to reinstate the word "final" to ensure that Annabel Goldie's original intentions are delivered.

Amendment 31 has been proposed in light of the changes that amendment 53 will make to definitions in the bill. With regard to amendments 35, 54 and 55, paragraph 23 of schedule 4 requires the responsible person for a permitted participant to declare the accuracy of the permitted participant's referendum expenses return under paragraph 20. Amendment 35 seeks to insert a

definition of "regulated transaction" for the purpose of that declaration in line with the definition of "relevant donation". For consistency and ease of reference, references to the definitions of "relevant donation" and "regulated transaction" are added to the list of defined expressions in schedule 8 by amendments 54 and 55.

On amendments 37, 38 and 39, permitted participants will, as Parliament is aware, be required to report donations and loans that exceed £7,500 in value either individually or aggregated. Amendments 37 and 38 seek to correct a drafting error to clarify that it is regulated transactions that exceed £7,500 that must be reported and amendment 39 seeks to make a small change to the details of transactions required in the statement of regulated transactions to refer to a transaction of a description in paragraph 43(3) of schedule 4 instead of only paragraph 43(3)(a).

On amendment 40, paragraph 57 of schedule 4 seeks to provide for pre-poll reports on regulated transactions that have been entered into by the permitted participant, and the amendment is a very minor amendment to ensure consistency in the provisions on pre-poll reports.

With regard to amendment 41, paragraph 58 of schedule 4 gives the sheriff power to order the position to be restored if satisfied that failure to comply with the transaction report requirements was caused by those attempting to conceal the existence or true value of a transaction. At stage 2, the Referendum (Scotland) Bill Committee agreed to amendments to insert paragraph 57A into schedule 4 to provide for the responsible person to declare that pre-poll transaction reports are accurate. As a result, amendment 41 seeks to extend the sheriff's power to cover those requirements.

The purpose of amendment 42 is to bring the provision in question into line with the equivalent provision under the Political Parties, Elections and Referendums (Civil Sanctions) Order 2010. Paragraph 28A(3) of schedule 6 permits the sheriff to issue a compliance certificate for a discretionary requirement following an appeal against the Electoral Commission's decision not to issue one. The reference should be to the appeal rather than to the initial application to the commission, and the amendment seeks to alter the reference accordingly.

Amendments 51 to 53 are minor amendments to ensure clarity in the definitions of the local government register and register of young voters.

With those comments, it gives me great pleasure to move amendment 1.

The Deputy Presiding Officer: Well done. [Applause.]

Tavish Scott (Shetland Islands) (LD): I found the Deputy First Minister's explanation of all those amendments highly stimulating. I am by no means opposing them but ask her to reflect on the balance of new amendments that are being introduced at stage 3 against amendments that have been lodged to respond to issues raised at earlier stages of the bill's consideration. I was doing some reading last night for this debate and found two very good points of order, one from Bruce Crawford and the other from John Swinney, at stage 3 of the Licensing (Scotland) Bill back in 2005. Indeed, Mr Crawford might remember the occasion well. In fairness, the amendments to which he took very fair exception were manuscript amendments, which, of course, the Deputy First Minister has not lodged. However, I wonder whether in the Parliament's consideration of stage 3 proceedings some thought might be given to the balance between new amendments and those that are consequential on previous discussions on the bill.

Nicola Sturgeon: I am glad that Tavish Scott found my explanation of this group of amendments stimulating. I wish I could reciprocate but we cannot have everything—and before Mr Scott takes that comment too seriously, I point out that it was a joke.

I should also point out that these are technical amendments and it is right and proper that as we go through the process of reviewing the bill any minor tidying-up amendments are made. This is also an appropriate time to make them, as the Parliament has the ability to scrutinise them fully. As is always the case with Tavish Scott's interventions, I will reflect carefully on his comments and feed them back into the process with regard to future legislation.

Amendment 1 agreed to.

Schedule 2—Further provision about voting in the referendum

The Deputy Presiding Officer: We move on to group 2. Amendment 2, in the name of the Deputy First Minister, is grouped with amendments 3 and 4.

Nicola Sturgeon: Amendments 2, 3 and 4 are related to changes that were made to the bill at stage 2 that were designed to allow counting officers to start issuing postal ballot papers before the cut-off date for applying for an absent vote in the referendum. We acted at stage 2 in response to requests from electoral administrators and the Electoral Commission to allow more time for the issue and receipt of postal ballot papers.

Amendments 2, 3 and 4 address concerns that the wording of the bill could mean that postal ballot papers could not be issued to some postal voters

with certainty that they would be postal voters any earlier than the normal 11 days before the poll. The bill as amended at stage 2 linked entitlement for some to an absent vote to being on a list of absent voters at "the cut-off date", which is defined as being the 11th day before the referendum.

The amendments will remove some references to "the cut-off date", which will mean that the counting officer will be able to issue postal ballot papers as soon as it is practicable to do so without the bill specifying when that should take place. That will retain the intention of the amendments that were agreed at stage 2 while addressing the concerns that have been raised about the practical application of the amendments. It is likely that the chief counting officer will issue a direction to counting officers on that subject to ensure consistency.

I move amendment 2.

The Deputy Presiding Officer: As no one else has asked to speak, do you have anything that you wish to say in winding up?

Nicola Sturgeon: No.

Amendment 2 agreed to.

Amendments 3 to 5 moved—[Nicola Sturgeon]—and agreed to.

The Deputy Presiding Officer: We move on to group 3. Amendment 6, in the name of the Deputy First Minister, is the only amendment in the group.

Nicola Sturgeon: Amendment 6 is a minor technical amendment that seeks to remove the maximum signature size limit on proxy and postal vote application forms. It will bring the requirements for the application forms for the referendum into line with those for other elections, and it is intended to ensure that the design of the forms does not have to be changed for the referendum, thereby ensuring consistency and value for money.

I move amendment 6.

Annabel Goldie (West Scotland) (Con): Before the Deputy First Minister has a heart attack, I do not propose to oppose amendment 6. I wish to apologise to the Presiding Officer and the Deputy First Minister for my late arrival. I was misinformed about the time of commencement of proceedings.

The Deputy Presiding Officer: Many thanks.

Deputy First Minister, would you like to wind up?

Nicola Sturgeon: No.

Amendment 6 agreed to.

The Deputy Presiding Officer: We move on to group 4. Amendment 7, in the name of the Deputy

First Minister, is grouped with amendments 8 and 9.

Nicola Sturgeon: In response to comments from electoral administrators and the Electoral Commission, the Scottish Government amended the bill at stage 2 to extend eligibility to make an application for an emergency proxy vote. The bill currently permits emergency proxy applications after the 11th working day before the referendum on the ground of a disability recently suffered, because the voter is likely to be unavoidably absent from home on polling day, or for occupation, employment or service reasons. The bill provides that voters can make such an application at any time between 11 days before the poll and 5 pm on the day of the poll.

To address any security concerns, the bill includes a requirement for attestation for all applications for an emergency proxy vote. However, the Electoral Commission has suggested that that represents an unnecessary inconvenience for voters who apply for such a vote between 11 and six days before the poll. Under the arrangements for local government and parliamentary elections, voters in such circumstances would not normally require to have their applications attested.

As I made clear to the committee during stage 2, there are sound reasons for our amending the bill in the way that we did. That said, I am sympathetic to the concerns that the Electoral Commission and the committee have raised, so I ask Parliament to agree to amendments 7, 8 and 9, which will retain the extension of eligibility for emergency proxy applications that was agreed at stage 2 but will remove the attestation requirements for applications that are made between 11 and six days before the referendum.

That approach will address any concerns about arrangements being consistent with voter expectations about attestation requirements, while maintaining the system's security and flexibility.

I move amendment 7.

14:15

Lewis Macdonald (North East Scotland) (Lab): The Deputy First Minister has lodged amendments that appear to bring the bill closer to the model that applies under the Political Parties, Elections and Referendums Act 2000 and the model that the Electoral Commission prefers. Nonetheless, the approach that is being taken to postal and proxy votes in the referendum is somewhat novel. I have been involved in many elections and a number of referendums in Scotland over the years, but I have never been involved in a poll in which voters could appoint on polling day a proxy to vote on their behalf.

A high turnout can be expected next September, and measures to encourage a high turnout are welcome but, on balance, although the provisions that we have agreed and the amendments will move absent voting nearer to the Electoral Commission's original position, they will create a novel situation. Does the Deputy First Minister agree with the commission's response to the amendments, which is that the complexity created by successive Government amendments at stages 2 and 3 will result in

"a new category of application"

for emergency proxy votes between the 11th and sixth days before the poll, for which new guidance will be required? It might have been easier all round if the Government had followed the existing approach, instead of introducing novel arrangements.

Kevin Stewart (Aberdeen Central) (SNP): Mr Macdonald is wrong on some aspects. On polling day at the Aberdeen Donside by-election, an emergency proxy vote was given at 3 o'clock in the afternoon to a lady who was receiving chemotherapy. His take on what happens at the moment is slightly wrong.

Nicola Sturgeon: I say to Lewis Macdonald that we lodged some of the amendments in direct response to calls for amendments to be made. I recall that, at stage 1, his colleague Patricia Ferguson called for us—rightly—to make some of the amendments. We have listened carefully to the points that have been made.

The Electoral Commission's briefing welcomes amendments to the application procedures for emergency votes, including the removal of the need for attestation for applications that are made before the fifth day before the poll. The commission expects the chief counting officer to issue guidance on the process.

We have tried to meet the concerns. At stage 2, we discussed whether it would be right to bring the proxy vote application timescale into line with that for postal votes. The point was made then that that would not cater for all the concerns that have been raised. The example of the Icelandic ash situation has been given in the chamber. At short notice, people might be unable to come home to vote.

We have struck the right balance and we will have reasonable and robust arrangements in place. In the light of that, I hope that all members will support the amendments.

Amendment 7 agreed to.

Amendments 8 and 9 moved—[Nicola Sturgeon]—and agreed to.

The Deputy Presiding Officer: We move to group 5. Amendment 10, in the name of the

Deputy First Minister, is grouped with amendments 11 to 21, 24 and 25.

Nicola Sturgeon: The bill as amended at stage 2 contains a process that is to be followed when a person has been issued with a postal vote but has changed their mind and wishes instead to vote by proxy. That involves the return of the postal vote papers and the cancellation of the postal vote.

Following discussion with the Electoral Commission, we propose to amend the bill to provide a fuller process for allowing postal ballot papers to be cancelled when people switch between the four methods of voting—in person, by post, by proxy or by postal proxy—or when they change their address after the papers have been issued. The amendments are based on similar provisions that are to be introduced throughout Scotland for Westminster elections under United Kingdom legislation.

I move amendment 10.

Amendment 10 agreed to.

Amendments 11 to 27 moved—[Nicola Sturgeon]—and agreed to.

Schedule 3—Conduct rules

Amendments 28 to 30 moved—[Nicola Sturgeon]—and agreed to.

Schedule 4—Campaign rules

Amendment 31 moved—[Nicola Sturgeon]—and agreed to.

The Deputy Presiding Officer: We move to group 6. Amendment 56, in the name of Lewis Macdonald, is grouped with amendments 57 and 58.

Lewis Macdonald: Amendments 56 to 58 bring us to the heart of the bill, which is the rules that govern those who campaign in the referendum. We have agreed on a cross-party basis on most of the rules about designated organisations, permitted participants and spending limits to ensure fairness and transparency and so that voters can hear both sides of the argument and know who is making those arguments. However, spending limits will be effective only if the rules about who can spend the money are effective. The amendments in this group are intended to ensure that organisations and individuals that are permitted to spend money are open and honest with the voters about who they are.

People who are not seasoned campaigners are of course welcome to take part, and the amendments would not affect that. However, they would make it more difficult to have front organisations or to come up with clever means of registering twice, because they would explicitly

deny access to separate spending limits for any organisation that is not genuinely separate from another permitted participant or designated organisation. No body would be recognised as a permitted participant if it was largely run or funded by another such body or shared with that body a lead officer with powers of representation, decision making or control, nor would the lead officer of a permitted participant be able to register as a permitted participant in his or her own right. Those restrictions would not limit the ability of individuals or organisations to take part in the referendum, but they would ensure transparency about who they are.

At stage 2, the Referendum (Scotland) Bill Committee divided on similar amendments, which were opposed by the Deputy First Minister and rejected by Scottish National Party members. However, I ask the Government to think again, because I believe that the amendments that Nicola Sturgeon has lodged on spending to a common plan make my amendments all the more necessary. We will debate the Deputy First Minister's amendments in a moment when we reach group 7. At this point, I simply note that any reduction in accountability of small organisations for spending under a common plan should be balanced by an increase in transparency about who such organisations actually are. The amendments in group 6 would provide for such increased transparency and would do so in a way that I believe is compatible with the Government's approach. They do not run counter to any of the provisions that are supported by the Electoral Commission; rather, they build on them to address a specific concern. I believe that our amendments would make the bill stronger and give voters greater certainty about just who is seeking to influence their vote.

I move amendment 56.

Annabel Goldie: I am in sympathy with Mr Macdonald's amendments because, usefully, as Mr Macdonald indicated, they would create a specific distinction about who is campaigning for what and under what guise. That would provide an additional and welcome degree of clarity to the bill as well as transparency for the public. That transparency for the public is all important, so I welcome and support the amendments.

Tavish Scott: The amendments are a sensible stab at a genuinely difficult issue. I believe that Lewis Macdonald seeks to improve the bill. Throughout consideration of the bill, the Deputy First Minister has made sensible remarks about transparency and the evidence that the committee took from the earliest stages of our deliberation was strong on that simple principle. Therefore, when a measure is proposed, even at this late stage, after the stage 2 debate, I believe that there

is merit in seeing what can be done to strengthen that transparency for the very reason that the Deputy First Minister has used from day one—and with which I agree—that the bill must command public support. It must be seen to be entirely beyond reproach, and Lewis Macdonald's amendments seek to help with that, so I hope that members will support them.

Patrick Harvie (Glasgow) (Green): A range of principles is involved. During the committee's stage 1 and stage 2 discussions, members recognised that we need to strike a balance between many principles, such as transparency, encouraging people to participate freely, and ensuring that the possibility of the rules being misused is closed down.

When he is making his closing remarks on the group, could Lewis Macdonald go into a wee bit more detail about what he means to achieve with his amendments? In particular, could he talk about the definition of "closely connected" that he offers. Including the wording that

"the body shares ... a person who has powers of representation, decision-making or control in relation to a permitted participant"

might go a wee bit too far. We know that many people are involved in different forms of activism and campaigning in Scotland on a range of issues, and they happen to be members of and actively involved in many different organisations. Is Lewis Macdonald suggesting that two permitted participants or organisations, one of which is represented on the other, would be covered by the provision, or is he simply talking about an organisation that happens to have one or more members in common on its organising committee? The latter would be going too far in inhibiting people from participating freely as members of two different organisations.

Nicola Sturgeon: Lewis Macdonald lodged three similar amendments at stage 2 and they were rejected by the committee. I will set out again the reasons that I gave the committee why the Government was and continues to be unable to support the amendments.

In signing the Edinburgh agreement, the Scottish Government committed to ensuring that the regulations for the referendum campaign should be based on existing legislation for elections and referendums. Lewis Macdonald's amendments would depart from the PPERA regime in a way that is untested and could lead to unforeseen and unintended consequences. Patrick Harvie's question underlines and highlights the complexity that is at the heart of the issue, and the fact that the amendments would give rise to more questions than answers.

At stage 2, the committee agreed a Government amendment that will place a limitation on responsible persons to limit the scope for a single campaigner to attempt to circumvent spending limits by establishing multiple campaign groups. That amendment, which is now paragraph 3A of schedule 4 to the bill, was recommended by the Electoral Commission and based on a similar provision made in the enabling legislation for the referendum on the parliamentary voting system in 2011.

I recognise Lewis Macdonald's concern about the possibility of permitted participants being set up to allow larger campaign organisations or political parties to increase their spending capability by spreading it across multiple campaigners. That would not be within the spirit of the legislation, and I have no doubt that Lewis Macdonald is sincere in trying to ensure that we minimise any potential for that to happen. However, the proposed Government amendments to the common plan provisions, which we will discuss in a few moments, will make the rules in the bill more certain. They will strike a balance in avoiding overregulation for small campaigners at the same time as ensuring that there are safeguards to prevent abuse of the campaign regulations.

The Electoral Commission has made it clear that there is a great deal of advantage in like-minded campaigners working together to put a consistent message to voters. There is absolutely nothing wrong with such activity in itself. We have therefore worked with the Electoral Commission to ensure that the rules for campaigners who are working together are sufficiently robust to prevent organisations or individuals from exceeding their spending limits or avoiding reporting requirements by using smaller campaigners to incur spending on their behalf. We have tried to do that in a way that does not discourage smaller campaigners from participating, and the amendments therefore seek to minimise the administrative burden on unregistered campaigners.

I note that the Electoral Commission supports the Government's proposed amendments, and I will come back to it in my remarks on the next group of amendments.

An important point to stress is that any campaign that is taking the action that Lewis Macdonald is seeking to limit would be likely to be seen to be working to a common plan, and would therefore be subject to the existing controls for those circumstances.

For those reasons, I hope that Lewis Macdonald will welcome the Government's amendments on common plans when we come to them, but I am unable to support his revised amendments for the reasons that I have set out.

Lewis Macdonald: I welcome the support expressed by Annabel Goldie and Tavish Scott, I agree with Mr Scott that Nicola Sturgeon has shown her sympathy for the principle of increased transparency during the passage of the bill, and I welcome the tone of her comments.

However, I think that the issue remains a real one that will not be fully addressed by the provisions for the common plan. Yes, such organisations would be covered by those provisions: that is clear.

In response to Patrick Harvie's question about the definitions in my amendments, the term

"powers of representation, decision-making or control"

reflects language that has been used in other legislation that is under consideration. It essentially means a person who has a lead role in each of two relevant organisations, not someone who is simply a member. The intention is not therefore to prevent campaigners from engaging in the campaign in different ways or while wearing different hats, so to speak. It is to prevent one organisation from effectively acting as a proxy for another. That is a real concern and it should be addressed. On that basis, I will press amendment 56.

The Deputy Presiding Officer: The question is, that amendment 56 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division. As this is the first division of the afternoon, I suspend the meeting for five minutes.

14:31

Meeting suspended.

14:36

On resuming—

The Deputy Presiding Officer: We will now proceed with the division on amendment 56. This will be a 30-second division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Davidson, Ruth (Glasgow) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)

Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hilton, Cara (Dunfermline) (Lab)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Kelly, James (Rutherglen) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Malik, Hanzala (Glasgow) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDougall, Margaret (West Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McMahan, Michael (Uddingston and Bellshill) (Lab)
 McMahan, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Smith, Drew (Glasgow) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Keir, Colin (Edinburgh Western) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)

Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMillan, Stuart (West Scotland) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)

The Deputy Presiding Officer: The result of the division is: For 49, Against 65, Abstentions 0.

Amendment 56 disagreed to.

Amendment 57 moved—[Lewis Macdonald].

The Deputy Presiding Officer: The question is, that amendment 57 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Davidson, Ruth (Glasgow) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hilton, Cara (Dunfermline) (Lab)
 Hume, Jim (South Scotland) (LD)

Johnstone, Alex (North East Scotland) (Con)
 Kelly, James (Rutherglen) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Malik, Hanzala (Glasgow) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDougall, Margaret (West Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McMahan, Michael (Uddingston and Bellshill) (Lab)
 McMahan, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Smith, Drew (Glasgow) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Keir, Colin (Edinburgh Western) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)

MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMillan, Stuart (West Scotland) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)

The Deputy Presiding Officer: The result of the division is: For 51, Against 64, Abstentions 0.

Amendment 57 disagreed to.

Amendment 58 not moved.

The Deputy Presiding Officer: We move to group 7. Amendment 32, in the name of the Deputy First Minister, is grouped with amendments 33 and 34.

Nicola Sturgeon: The purpose of the common plan rules is to allow campaigners to work together to provide a co-ordinated message to voters, and to allow designated organisations to lead co-ordinated activity among like-minded campaigners while discouraging campaigners from working together as a means of circumventing spending limits.

Therefore, paragraph 19 of schedule 4 provides that where campaigners work together without a designated organisation, expenses that are incurred by any of them under the common plan will also be taken to have been incurred by the others. The intention is that where campaigners work with a designated organisation, the designated organisation will be taken to have incurred the total amount and the other campaigners do not need to count any of that spending against their individual spending limits.

The provisions as introduced were based on those that were used for the 2011 alternative vote referendum, with the additional requirement that the rules apply only where there is designated organisation for each outcome.

The Referendum (Scotland) Bill Committee has given serious and careful consideration to the provisions and the issue was discussed in some

detail at stage 2. I said then that the Government would have further discussions with the Electoral Commission about the provisions, including the amendments that were lodged by Patrick Harvie at stage 2, and that I would report back to the committee ahead of stage 3, which I did in the form of a letter to the convener last week.

In looking at possible amendments, we have tried to address the concerns that were expressed by some members about the possibility that designated organisations might try to exploit smaller campaigners in order to get round the spending controls. Concerns were expressed by other members, who wanted to ensure that smaller unregistered campaigners would not be faced with a disproportionate administrative burden that might lead to them inadvertently breaching the rules.

Paragraph 19 (2) of schedule 4 provides that common plan participants should count the total common plan expenditure towards their own expenditure for the purposes of paragraph 17, 18 and 20 to 23. Amendment 33 will remove the reference to paragraphs 20 to 23 so that the rules are confined to paragraphs 17 and 18. That means that participants in any common plan will be responsible for ensuring compliance with the wider reporting and financial controls for only their own spending.

It would be impractical to expect common plan participants to provide, for example, copies of invoices and receipts or to confirm that donations were from permissible sources, in relation to spending that had been undertaken by someone else. Amendment 33, which was recommended by the Electoral Commission, should significantly reduce the administrative burden on campaigners who are working together.

Where a common plan does not include a designated organisation, campaigners will continue to count the total common plan expenditure against the threshold to register as a permitted participant, and against their individual spending limits.

Amendment 34 will do two things. First, it will clarify the intention that where a common plan involves a designated organisation, the designated organisation will be taken to have incurred the total common plan expenditure, and the non-designated participants will be taken to have incurred none.

Secondly, it will provide that any unregistered campaigner who spends more than £10,000 on behalf of a designated organisation will be required to register as a permitted participant. Therefore, unregistered campaigners who spend less than £10,000 on behalf of a designated organisation will be completely exempt from the

common plan rules, but those who spend more than £10,000 will need to register, and although their expenditure will count only against the designated organisation's spending limit, they will still need to ensure that their expenditure complies with the wider reporting and funding controls.

Amendment 32 is consequential on those amendments and will insert in rule 19 a reference to new sub-paragraph (3A) to make clear that paragraph 19(2) will apply with these changes when a designated organisation is involved.

In summary, the amendments are intended to provide greater clarity about how the common plan rules will work in practice, and to achieve an appropriate balance between robust and transparent funding controls and minimising the administrative burden on smaller unregistered campaigners. In particular, they seek to ensure that unregistered campaigners who are working with a designated organisation are not subjected to additional requirements over an unregistered campaigner working alone.

We have had detailed discussions with the Electoral Commission about the amendments, which it supports as an improvement on previous provisions. No legislation can provide for every eventuality or scenario, and it is right that we do not try to do so. Oversight of the rules in practice will be a matter for the Electoral Commission, which has indicated that it will take a flexible and proportionate approach.

I move amendment 32.

Drew Smith (Glasgow) (Lab): As Lewis Macdonald said about the previous group, throughout the passage of the bill Scottish Labour has supported strong common plan arrangements being in the bill and we have consistently argued for the maximum possible transparency in relationships and spending among organisations that may work in partnership at points of the campaign.

The provisions that the Scottish Government is rightly seeking to amend apply to both sides of the debate. We do not wish to see any advantage to one side or another as a result of how the common plans are interpreted by the Electoral Commission, designated organisations or permitted participants.

14:45

Concerns were expressed at stage 2 about the burden of reporting for smaller parties and other organisations, and we understand the motivation behind seeking to remove some of the burdens. We would have preferred that it had been possible to ensure that changes to that provision were subject to further scrutiny at an earlier stage,

particularly as the changes were not recommended by the committee in its report.

However, we recognise the concern about the issue that Patrick Harvie expressed at stage 2. Although we were not convinced by the original amendment, in the light of the comments of the Electoral Commission and others, we are content that the amendments strike a reasonable balance and will reduce the need for double reporting, which we accept would be particularly onerous for smaller parties. We will support amendments 32, 33 and 34.

Patrick Harvie: I record my support for the amendments in group 7. I was concerned at stage 2 that a burden that would be reasonably placed on a large and well-resourced organisation might also be placed on small unresourced organisations or on individuals, and that such organisations, small campaign groups or individuals, who might have no intention, or realistic prospect, of spending anything like the spending threshold, could inadvertently commit an offence, or could be perceived to commit one, by dint of their participation in a common plan. Amendment 32 is a more successful attempt to address the issues that I raised at stage 2. I thank the Deputy First Minister for lodging the amendment.

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

Nicola Sturgeon: I thank Patrick Harvie and Drew Smith for their comments. I think that we have, on quite a complex and difficult issue, found consensus that strikes the right balance, so I am grateful to colleagues for their constructive comments in getting us to this position.

Amendment 32 agreed to.

Amendments 33 to 35 moved—[Nicola Sturgeon]—and agreed to.

The Deputy Presiding Officer: We move to group 8. Amendment 36, in the name of the Deputy First Minister, is grouped with amendment 50.

Nicola Sturgeon: The bill provides for a pre-referendum period during which certain restrictions will apply to the material that can be published by Scottish ministers and other devolved public bodies, as is usual practice ahead of elections and referendums. The provisions have been closely scrutinised over time by the Electoral Commission, the Referendum (Scotland) Bill Committee and the Parliamentary Bureau, and the bill was amended at stage 2 to exempt certain specified material that would be published by, or under the auspices of, the Scottish Parliamentary Corporate Body.

Paragraph 25 of schedule 4 currently provides for the 28-day pre-referendum period to end on

the day before the referendum. The Electoral Commission has pointed out that that differs from the equivalent provision in PPERA, which provides that the 28-day period will end on the day of the relevant referendum itself. Amendment 36 will therefore amend the bill to provide that the 28-day pre-referendum period will end on the day of the referendum. That also means that there will now be only one day during the pre-referendum period when Parliament will be sitting, which is Friday 22 August. In the spirit of the discussion at stage 2, I would hope that the restrictions on Government activity on that last day before recess will be taken into account in scheduling parliamentary business.

As I said during stage 2, it is vital that the referendum be run in a way that reflects the highest international standards of fairness, probity and transparency. The provisions place responsibilities on all of us to ensure that our conduct as public servants is beyond reproach, so that voters can have confidence in a fair result.

Amendment 50 is a minor drafting amendment that will bring the wording of the definition of the 16-week referendum period into line with the wording that is used elsewhere in the bill to define periods.

I move amendment 36.

Amendment 36 agreed to.

Amendments 37 to 41 moved—[Nicola Sturgeon]—and agreed to.

Schedule 6—Campaign rules: civil sanctions

Amendment 42 moved—[Nicola Sturgeon]—and agreed to.

Schedule 7—Offences

The Deputy Presiding Officer: Amendment 43, in the name of the Deputy First Minister, is grouped with amendments 44 to 47.

Nicola Sturgeon: I am sure that it will come as a great relief to all members to hear that amendments 43 to 47 are technical amendments. They will extend existing offence provisions in the bill to cover proxies for votes in the same way that they cover people who vote in person, and they will help to enhance and maintain the integrity of the referendum process.

I move amendment 43.

Amendment 43 agreed to

Amendments 44 to 47 moved—[Nicola Sturgeon]—and agreed to.

Schedule 8—Interpretation

Amendments 48 to 55 moved—[Nicola Sturgeon]—and agreed to.

The Deputy Presiding Officer: That ends consideration of amendments.

Scottish Independence Referendum Bill

The Deputy Presiding Officer (John Scott):

The next item of business is a debate on motion S4M-08239, in the name of Nicola Sturgeon, on the Scottish Independence Referendum Bill.

14:51

The Deputy First Minister and Cabinet Secretary for Infrastructure, Investment and Cities (Nicola Sturgeon):

I am very pleased to open this stage 3 debate on the Scottish Independence Referendum Bill, and I start by thanking everyone who has been involved in the development and scrutiny of this historic piece of legislation.

I thank all three parliamentary committees for their detailed scrutiny of the bill. In particular, I thank the Referendum (Scotland) Bill Committee and its clerks, under Bruce Crawford's excellent convenership—[*Applause.*] I will not turn round to see if he is blushing.

The committee has made a significant contribution to the bill through its careful and balanced consideration. Whatever their political views, committee members have been meticulous in examining many complex aspects of electoral law to ensure that we have a robust legislative framework for a fair referendum and ultimately a result in which everyone can have confidence. The committee's consensual approach is a testament to Parliament's commitment to that aim, and I thank members for their support of the bill to date.

The bill has also benefited enormously from the level and quality of advice received from practitioners in this area. I am indebted to the electoral community in Scotland for its expert advice and guidance.

When the Government published "Your Scotland, Your Referendum" in January 2012, we said that the referendum would be run and regulated in the same way as any Scottish election, to the same standards and with the same guarantee of fairness. As we near the end of parliamentary consideration of the bill, I am confident that the detailed proposals that we have developed will achieve that aim.

By necessity, the bill is large and complex. It has drawn on existing electoral legislation, and we have made improvements where possible on the basis of lessons learned in recent polls. Electoral professionals, including the Electoral Management Board for Scotland, the elections working group of the Society of Local Authority Lawyers and Administrators, electoral registration officers and others have been an invaluable resource to help

refine the provisions and ensure that the bill reflects best practice. We have also listened to and been guided by the views of the Electoral Commission, as we said that we would.

Electoral professionals and the Electoral Commission are the people who will run and oversee the referendum, so I am particularly pleased to note their confidence in the bill's ability to provide them with the necessary framework to deliver a referendum that meets the highest international standards.

I also take this opportunity to thank again the more than 26,000 people who responded to our consultation last year and took the time to share their views on how the referendum should be run. My thanks also go to the independent researchers who undertook a professional and robust analysis of those responses in the face of considerable media scrutiny.

I also place on record my sincere thanks to my own officials in the bill team, who have done an absolutely sterling job not only on this bill but on the Scottish Independence Referendum (Franchise) Bill, which has already been passed by Parliament. They have worked incredibly hard in a very complex area, and I am very grateful to them for their work.

Before moving on to the substance of the bill, I want to say a final thank you to the former Secretary of State for Scotland, Michael Moore, who, through his constructive approach to the Edinburgh agreement negotiations, paved the way for the Scottish Government the way to the point that we have reached today. He did a good job and although we have many differences of opinion, not least on what we want the outcome of the referendum to be, I think that his role in the process should be recorded and I place on record my thanks to him this afternoon. [*Applause.*]

In the year and a half since the Government's consultation closed, the First Minister and I signed the Edinburgh agreement with David Cameron and Michael Moore to pave the way for a referendum that will be what we always said it would be: designed and delivered here in Scotland.

After consideration by both Parliaments, the section 30 order was made, confirming this Parliament's right to legislate for the referendum. The Scottish Government has since introduced two referendum bills: the bill that we are debating this afternoon and the bill that became the recently enacted Scottish Independence Referendum (Franchise) Act 2013, which—let us remember—will enable for the very first time in a national poll 16 and 17-year-olds to vote in the referendum.

The consensual process that has led us to where we are today—with two Governments on

opposing sides of this very important national debate nevertheless coming together in the interests of the people we serve—offers a template for the negotiations that will follow a yes vote in next September's referendum.

With regard to some of the changes that have been made to the bill as it has progressed through Parliament, the Scottish Government has listened carefully to the views of Parliament and stakeholders since we introduced the bill in March and, where it was right to do so, has amended the bill.

At stage 2, for example, we lodged amendments in response to concerns about the deadline for absent voting applications and to enable the children of service voters posted outside Scotland to vote in the referendum. We also supported a number of non-Government amendments that sought to clarify and improve certain aspects of the bill, including Liam McArthur's amendment to the publishing restrictions during the 28-day purdah period.

The amendments that we considered earlier this afternoon are largely technical and drafting amendments to fine tune the bill's provisions and ensure that they are as clear as possible. However, the amendments to the common plan arrangements were more substantial and again we have been mindful of the committee's views in determining our approach.

At stage 2, several committee members raised concerns about how the common plan rules would achieve the desired balance between providing robust controls and transparency and enabling smaller campaigners to participate without undue burdens. Patrick Harvie, in particular, argued that latter point very persuasively. Although we did not agree with all the amendments, the debate was important and, notwithstanding various differences, I believe that the amendments agreed earlier today have improved the bill.

We did our best to respond to concerns expressed by Lewis Macdonald at stage 2 in relation to the attestation requirements for applications for emergency proxy votes by amending the bill to ensure greater continuity with existing arrangements. At every stage in the process, we have sought to adopt a consensual and constructive approach.

We must now turn our attention to the practical arrangements for delivering the referendum. In September, the Electoral Commission published its progress report on the preparations for the referendum, concluding that those preparations are

"currently on track for delivering a well-run referendum ... in the interests of the voter."

The commission also commented that the bill provides sufficient clarity on roles and responsibilities in the referendum and on the rules for the conduct of the poll.

The convener of the Electoral Management Board, who will, of course, be the referendum's chief counting officer, has with the board's support started planning the referendum's delivery, including the governance arrangements, project and performance management, guidance and areas where the chief counting officer might wish to make a direction, for example, in planning an overnight count. I am sure that all of us in the chamber welcome that very much. The Scottish Government will fund that work and will set out the financial resources that will be available to counting officers in a fees and charges order in the new year.

The Electoral Commission has confirmed that it is on course with its preparations for public awareness activities and has circulated draft campaign guidance to prospective campaigners. It is vital that voters have the information that they need to make a considered decision in the referendum. The Electoral Commission will provide factual, impartial information on how to vote and how to register to vote, but it will be for us, as campaigners, to set out the arguments on which the people of Scotland will make their decision.

The Scottish Government has already published a number of papers on how we would realise our vision for an independent Scotland, and we will publish the white paper on Scottish independence on 26 November. That will set out the overwhelming case for Scotland becoming an independent country and our proposals for using the powers of independence to build a Scotland that is more prosperous and fairer than it currently is. We will set out very clearly the choice that people will make in September next year.

I have no doubt that the debate will be passionate and, at times, heated—we have seen that already—but we all have a responsibility to ensure that the debate is of a high quality and that we present informed, constructive arguments to voters. We must continue the ethos of co-operation and consensus that has been demonstrated in our consideration of both referendum bills into a respectful, honest and fair debate from now right up until polling day.

We can be proud that we are today passing legislation that will put Scotland's future into Scotland's hands. I hope that the people of Scotland will seize that opportunity, seize that future and seize the prospect of a better Scotland with a resounding yes vote in September next year.

It gives me great pleasure to move,

That the Parliament agrees that the Scottish Independence Referendum Bill be passed.

The Deputy Presiding Officer (Elaine Smith): I call Drew Smith, who has eight minutes.

15:02

Drew Smith (Glasgow) (Lab): Scottish Labour welcomes the Scottish Independence Referendum Bill and we will vote yes at decision time this afternoon. [*Interruption.*]

The Deputy Presiding Officer: Order, please.

Drew Smith: I fear that, after decision time, the consensus may break down.

I echo the Deputy First Minister's thanks to the various electoral professionals, to all those members of the public who engaged in the consultation and to everyone who has played a part in bringing us to this point.

The time has come for the question to be settled. Scotland's constitutional future has been key to Scottish political debate all my life. I will name no names, but some members have been advocating the end of the union for even longer than that. No doubt, they are as keen as the rest of us to decide the matter once and for all.

The choice is either a separate Scotland or a continuing partnership with our nearest neighbours, the people with whom we share these islands and together with whom we have built the institutions that act as levellers in our society—our welfare state, our national health service and many of the things that people all over Britain are proud of. In many cases, those achievements have been won by a Labour movement across the United Kingdom, and we have no intention of either walking away from our collective achievements or abandoning others to face our collective problems alone.

As I have said before, I respect the right of nationalists to put the case for independence and the referendum provides an opportunity for us to make a positive choice, whether that is for independence from the UK or for partnership in the UK. Following the passing of the bill, it will be our responsibility alongside others to ensure that, while the political arguments are contested as the Deputy First Minister said, we treat each other as fellow Scots, each side pursuing its arguments in the interest of what we believe to be best for our country.

On this side, we believe that Scotland enjoys the best of both worlds. Decisions are made here on many of the day-to-day issues that concern voters most but, alongside that, we can share risk and resources between people to create a better

society not just for Scots, but for all the people of Britain.

Up to now, the debate has concentrated on process issues such as when the referendum will be held, who will vote and even who will debate with whom on television. With the exception of the latter point, we are now past that stage. We all look forward to the white paper, as there is a need for answers on the issues of substance.

What would our currency be? If we are to retain the UK pound rather than, as used to be argued, adopt the euro—or introduce a Scots pound, as I am sure some on the Scottish National Party benches would prefer—how would that work without a pact between London and Edinburgh? On both Europe and pensions, the SNP's position has been asserted many times but then contradicted almost as often. On energy markets, financial regulation, the benefits system, defence and even the monarchy, the SNP's position has changed to such an extent that even the nationalists now argue for partnership with the UK.

John Mason (Glasgow Shettleston) (SNP): Can the member give us a definite position on whether, if the UK continues, its currency will be the pound? If so, how long will it have the pound, or will it adopt the euro?

Drew Smith: I am happy to confirm to Mr Mason, if he is confused, that the best way to keep the pound in the pockets of the people of Scotland is to remain in the United Kingdom.

The 2011 election and the Edinburgh agreement between the UK and Scottish Governments paved the way for this legislation. As an Opposition, despite our different position on the constitution, we have engaged with the Scottish Government constructively.

We have welcomed Nicola Sturgeon's answers to our questions about the position of 16 and 17-year-olds living abroad with forces families. It is to the credit of both the Referendum (Scotland) Bill Committee and the Government that a solution to that issue has been found.

We have raised concerns about the common plan arrangements because we, too, want the campaign to be regulated to the highest international standards. Although we did not quite reach agreement on all the stage 3 amendments this afternoon, I welcome the Scottish Government's acceptance of our stage 2 amendment, which prescribes a role for the Electoral Commission in providing guidance to the lead campaigners on the provisions of the bill.

I understand that the Referendum (Scotland) Bill Committee will meet shortly to consider secondary legislation arising from the Scottish Independence Referendum (Franchise) Act 2013. It would be

remiss not to thank the committee's convener, members and clerks, as well as the Government and its officials, for the work that the committee has done to date.

When the Deputy First Minister responds to the debate, can she perhaps say whether she believes that the committee could have a continued role in scrutinising the white paper? As the white paper will be ministers' prospectus for a separate Scotland, it is vital that the Scottish Parliament has the opportunity to interrogate the issues properly. Does she believe that the Referendum (Scotland) Bill Committee and other committees—or, indeed, a special white paper committee—should lead that task by taking evidence from experts on what the SNP is proposing?

We hope that the white paper will address many issues in more detail than has been the case up till now. One such issue is the situation of the Clyde yards, which to my mind goes to the heart of the independence debate and the Scottish Government's approach to it.

Despite the fact that the nationalists have been campaigning for a separate Scotland for nearly 90 years, they seem to have given little thought to some of the practical repercussions of their position. It seems to me that either they take the view that the jobs involved in building UK defence ships on the Clyde are a price worth paying for breaking up Britain, in which case they should be honest about that, or they believe that those workers can and should be redeployed on some other task, in which case they are duty bound to put forward a plan that is robust and open to scrutiny.

Margo MacDonald (Lothian) (Ind): I may have missed this—I apologise if that is the case—but does Labour have a strategy or policy on shipbuilding on the Clyde? Is its intention that the Clyde should deal only with military orders? If so, who will pay for those, given that the UK is just about bankrupt and cannot afford to pay for the ships that are already on the stocks?

Drew Smith: Actually, the previous Labour Government had a proud record on bringing work to the Clyde. However, we are more than happy to debate the issue of diversification of the order books of the Clyde yards. Given that both the Govan and Scotstoun yards are not only owned by a defence contractor but build defence ships, I would be interested to hear whether the Deputy First Minister put the case to BAE Systems that the yards should diversify their business into other types of ships and what response BAE Systems made to that.

In the wider debate, asking questions should not be viewed as a negative thing to do, so it is

disappointing that, when an academic spoke out this week to express his view, a Scottish Government minister contacted his boss to complain. [*Interruption.*] SNP members may groan about that, but they should be embarrassed by the conduct of that minister.

This debate can and should be better than that. Rules and regulations such as those that we are debating in the bill will not, on their own, ensure good conduct of the campaign; nor will it be of any use for enforcement of those rules to take place afterwards, because this is a vote that no one would wish to see rerun.

I have mentioned that the debate has been central to Scottish politics all my life, which is why I support settling the matter next year. In the meantime, we do not want to see government exist only as a campaign. The Government has the power to change people's lives in the here and now; it should not put Scotland on pause to concentrate only on independence because—[*Interruption.*]

The Deputy Presiding Officer: Order, please.

Drew Smith: In the meantime, people face challenges that are the responsibility of this Government—not after 2014 or 2016 but today and every day leading up to 18 September.

I think that my constituents accept that the Government has a particular constitutional ambition, but they do not accept that their everyday concerns are secondary to it, and neither do they believe in the convenience of every answer to every problem that Scots face just happening to be independence.

The choice facing Scotland next year is one between separation and partnership, independence and union. It does not matter what terms we use, but it does matter that the question that the bill provides for does not crowd out all the other issues to which answers need to be found.

Scotland is an old nation but the United Kingdom is still a young country. There is no inevitability in the progressiveness of one or the limitations of the other. To suggest as the yes campaign has up to now—the Deputy First Minister repeated this suggestion—that the UK is somehow uniquely incapable of change or progress is wrong. I fully believe that the people of Scotland will vote no next year not because they are against change or progress, but because change and progress are achieved not by a constitution but by people working together. On this side, we look forward to the people having their say.

15:11

Annabel Goldie (West Scotland) (Con): When scrutinising the bill as a Referendum (Scotland) Bill Committee member, I was taken back to an experience at my primary school—that is not an allusion to either the Scottish Government or my committee colleagues. The occasion was a primary 7 Christmas party, or, as we liked to style it, dance. We had been learning all these marvellous Scottish country dances, I loved the music—I still do—there were interesting things emerging called boys, and I just could not wait to get to the dance.

John Swinney: Where are we going here?

Annabel Goldie: My mother, on the other hand, was solely concerned with what I was going to wear and whether I possessed any presentable, never mind suitable, shoes. She was right, because that detail required thought and attention or the dance would not work. In a sense, we are in a similar situation: we are all caught up in the debate—the excitement of the referendum and the preparations for it.

Whatever side of the argument we are on, we are out there, taking part in debates and attending public meetings. We advance our views with passion, field the questions with vigour and deal with challenge robustly. There is excitement in the air. I love it—I guess that I am not alone—and I want to be in the thick of it: 18 September 2014 is right at the heart of my unionist calendar.

To happen, the referendum needs its own clothes and shoes; it cannot work without them. [*Interruption.*] John Swinney wants to participate. I will take an intervention.

John Swinney: No, it is okay. [*Laughter.*]

The Deputy Presiding Officer: Order, please. If members want to participate they should request an intervention. If they do not do so, they should not participate from the sidelines.

Annabel Goldie: A taciturn Mr Swinney—I am very glad that he was not at the school dance. [*Laughter.*]

Scrutinising the Scottish Independence Referendum Bill has been an essential and not unenjoyable task. Like the Deputy First Minister, I, too, thank our convener, Bruce Crawford, the clerk, Andrew Mylne, and his team, our advisers and the Scottish Parliament information centre. We may not have done a dashing white sergeant or a gay Gordons round the committee room, but we got there, and that was in no small measure down to our convener's skilful and wise stewardship, together with impeccable guidance and attention to detail from the clerking team. Our SPICe advisers certainly kept us from straying down some cul-de-sacs. Although they may not

have realised it, all of them, in their own way, produced the clothes and shoes to ensure that the rest of us can go to the ball.

The stage 1 report noted:

“The Committee is confident that its Stage 1 inquiry has enabled this important Bill to be subject to a wide-ranging and robust scrutiny process.”

However, it pointed out that

“some aspects of the Bill ... require adjustment ... and ... clarification”.

That was a neat summation of the position then. Stage 2 produced a constructive set of amendments that addressed the need for that adjustment and clarification, and that is how we have proceeded today.

I was sorry that Lewis Macdonald's amendments were not accepted, because they would have enhanced the clarity of the bill. I regret that they failed. However, I welcome the Scottish Government's amendments on the common plan and accept that they provide an important clarification.

The Deputy First Minister might remember that, at stage 1, I mentioned my continuing concern about the behaviour of Scottish Government quangos during the purdah and regulated periods. Indeed, she provided a welcome acknowledgement of those concerns and confirmed that the Scottish Government would issue guidance to relevant public bodies. She offered to provide to the committee a draft of the guidance, and as the committee continues in being even though the bill will be passed this evening, I ask her when that draft guidance is likely to be available.

Although the regulated and purdah periods are naturally the subject of focus, in my opinion—and I am not alone—the sooner that guidance is available, the better. It will provide reassurance to many people that those Government bodies are getting a steer and a framework in which to operate. We also need to know, because there may be some ambiguity about this, exactly which bodies she anticipates the guidance will cover. Perhaps she can clarify that.

Other than that, I support the bill. It delivers a workable mechanism for 18 September 2014. Like Drew Smith, I confidently expect that, on that date, Scotland will overwhelmingly reject separation from the rest of the United Kingdom.

15:16

Bruce Crawford (Stirling) (SNP): I wonder whether I would most enjoy dancing strip the willow or the dashing white sergeant with Annabel Goldie. Perhaps that will happen one day.

Today, I speak not as the convener of the Referendum (Scotland) Bill Committee but as a Scottish National Party back bencher. In saying that, I thank the clerks and all my committee members who helped the scrutiny process. It was done very well.

Reaching the stage 3 debate on the Scottish Independence Referendum Bill—I like that and I will repeat it: the Scottish Independence Referendum Bill—has been a much more positive and encouraging experience than many of us might have predicted at the outset of the process, which began in January 2012 with the publication of the Scottish Government's consultation paper.

Members might recall that, at that time, there were a great many stupid and silly scare stories about how the SNP was somehow hell-bent on gerrymandering the referendum process to fix the result that it wanted. The proof of the pudding is in the eating today. With the passing of the bill at decision time, those stories will have been proved just as silly and stupid as the Scottish Government claimed they were at the time.

Looking back over that period, I am reminded a lot of the hysteria that existed in some political and media circles about the advent of the SNP Government in 2007. Some predicted that the Government would not last a month, that it would certainly never get its budget passed and that it would be inherently unstable. Indeed, the four horsemen of the apocalypse could be seen riding towards Scotland apace.

Just like the silly and stupid scare stories around the referendum, those earlier predictions about the fate of the SNP Government never came to pass. What transpired was a period of stable and effective government that, in the circumstances, was unusual, if not unique, among western democracies. It was certainly unique when set alongside the churn and turmoil of political office that we see at Westminster, no matter whether there is coalition or majority government.

On the referendum, there were silly and stupid claims about the consultation on the bill, the question and even votes for 16 and 17-year-olds and service personnel. The Deputy First Minister rightly reminded the Parliament that the consultation attracted more than 26,000 responses, compared with only 2,857 responses to a similar exercise that the UK Government carried out.

The referendum question was submitted to the Electoral Commission and amended by that organisation, and it is now considered acceptable by all parties in the Parliament, contrary to what some of the doomsayers predicted at the outset.

That was all completed in a reasonable manner and with due regard to process, despite all the daft claims.

There was also much noise about the proposed date of the referendum but I believe, not unsurprisingly, that we will all support that proposed date when we reach decision time.

Of course, many of the scare stories—at least, those on the referendum process itself—ended with the signing of the historic Edinburgh agreement between the Scottish and UK Governments. That mature agreement, which was signed by both Governments, helped to lay the foundations for a parliamentary committee process that I believe was carried out in a highly effective and robust manner.

I acknowledge the significant role that was played by Michael Moore, the then Secretary of State for Scotland, in the drawing up of the Edinburgh agreement. The fact that the agreement was able to come into being was very much down to the constructive and reasonable approach that he and the Deputy First Minister adopted. I always found Michael Moore's approach refreshingly candid and honest. He challenged when he needed to do so, but he always did so with the right tone and attitude. Talking of tone and attitude, I suspect that Michael Moore's removal from office will soon become a matter of regret for Nick Clegg, if the recent performances of his self-styled bruiser are anything to go by.

The Edinburgh agreement has enabled the Scottish Government, the Referendum (Scotland) Bill Committee and the Parliament to have before them a bill that we can all endorse as fit for purpose and in which the people of Scotland can have confidence. As I said in the stage 1 debate, I was pleased to note that the Electoral Commission felt that the bill was

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

I am delighted that, in the evidence that it has provided in advance of stage 3, the commission has confirmed its thoughts at that time.

During the stage 1 debate, I also said that we should ensure that the debate would be devoid of rancour and bitterness, and that

"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".—[*Official Report*, 12 September 2013; c 22411.]

Other members who took part in that debate, including Annabel Goldie, Tavish Scott, Lewis Macdonald, Alex Johnstone and Patrick Harvie, picked up on that theme.

It is obvious, however, that those voices have not been heard, given that a scare story a day emanates from Westminster and project fear. On this historic day, I say, "Keep it coming." That strategy is guaranteed to produce a diminishing return and will serve only to undermine the enthusiasm for the failing structure of the UK of those people who have yet to decide how to vote.

Meanwhile, we will be relentless in sending out our positive message, which is about trusting the people of Scotland by putting them in charge of the huge richness of their resources, both human and natural. Putting the people of Scotland in charge and ensuring that they get the Government that they vote for every time will help to eradicate the unacceptable levels of poverty and inequality that, shamefully, still exist in our nation, while we continue to spend untold billions on weapons of mass destruction.

I will put my money on aspiration and hope winning out over scaremongering and fear, and on trusting the people of Scotland to be in charge of their own destiny.

The Deputy Presiding Officer: For the avoidance of doubt, I reiterate that there is sufficient time available for members to take up to six minutes. Indeed, it would be appreciated if members were able to take six minutes in the open debate.

15:22

Malcolm Chisholm (Edinburgh Northern and Leith) (Lab): My voice is on pause, so the wisest course of action might be not to take six minutes, but this is an important debate, so I wanted to speak in it.

We agree with the objective of the bill, which is to provide for a

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

in the lead-up to next year's referendum, and I was pleased to receive a briefing from the Electoral Commission yesterday that indicated that it has confidence in the process that the bill will put in place.

We welcome some of the developments that have taken place during the bill's consideration. We welcome the fact that the Scottish Government has extended the franchise for the referendum to include children of armed forces personnel living abroad who are aged 16 or 17. We are also pleased that the Scottish Government has responded to some of the concerns that were raised about the bill by ourselves, by other parties and by the Electoral Commission. I am slightly disappointed that there was not unanimity on the amendments that Lewis Macdonald moved earlier.

The result of that is that the only people to vote no during today's stage 3 consideration of amendments were SNP members, on amendments 56 and 57.

We support the bill because it provides the opportunity for the independence question to be settled. It is important that the result of the referendum is clear and accepted internationally so that Scotland can move forward—as part of the UK, we hope—with the question settled once and for all, or certainly for a generation.

We want the referendum campaign to be conducted fairly and transparently, with each side respecting the other. I have a fear, which I think that other people share, that although the procedures are now generally agreed to be right, the tone of the debate is sometimes in danger of going wrong.

Margo MacDonald: I am doing Malcolm Chisholm a good turn. Because I respect him so much, I must ask him the following question. He used the phrase "once and for all" again. Does he believe that it is ever possible to settle any principled question once and for all?

Malcolm Chisholm: I am sure that Margo MacDonald heard my qualification—I said that the question would be settled at least for a generation. I hope that we can agree on the latter, if not the former.

How we conduct the debate will be important not just for the next few months but for the months and years that follow the referendum. It is understandable that there is a great deal of emotion on both sides of the debate. That underlies a lot of the arguments that we use, particularly on the economic questions, which will be central to the referendum.

Notwithstanding the emotions, we should always remember—perhaps particularly on a day such as today, which is an important stage in the process—that the two sides on the question are not enemies. We all inhabit the same country and we share many values. We agree on many policies in other parts of the political debate. That applies in the chamber, where SNP and Labour members can agree in broad terms on the approaches to many aspects of domestic and even international policy but have a profound difference on the constitutional question.

The position is similar in the country. In many families, one member might be voting yes and another might be voting no. It is important that we conduct the debate without losing the friendships and positive relationships that we have in this country and in the chamber. We must say that today, because that will be important, not least to what will happen after the referendum. Whatever the result, we will all have to come together on 19

September 2014. Whatever the people decide, we will have to act on that. [*Applause.*]

We must not create a legacy of bitterness and hatred. We need to have a civilised debate, rather than warfare between two tribes.

The Deputy Presiding Officer: Some time is available in the debate because the previous business concluded earlier than expected, so if members who did not previously indicate that they wanted to speak feel inclined to contribute, they can press their request-to-speak button now.

15:28

Clare Adamson (Central Scotland) (SNP): I am not a member of the Referendum (Scotland) Bill Committee, but I echo the cabinet secretary's sentiments in drawing to our attention the hard work that all members of that committee have done, under Bruce Crawford's stewardship. Everyone who has been involved in the process—whether through working on the Edinburgh agreement or through working on scrutiny of the bill in committee—should be congratulated. We owe them a debt of gratitude for allowing us to reach today's conclusion. I remember that Annabelle Ewing spoke in the stage 1 debate about her great pleasure at being a member of the committee; I think that her mother echoed that pride at being involved in the process.

As I have been on the sidelines, I am glad to speak this afternoon. Like Malcolm Chisholm, I was interested in the Electoral Commission's briefing for the stage 3 debate, which talks about the bill providing

“A well-run referendum which has the confidence of voters and campaigners”

and

“is underpinned by a clear and certain legal framework.”

I think that the bill provides a robust legislative framework that everyone can have confidence in, so I was somewhat disappointed to read in the press this week the suggestion from former forces minister Adam Ingram MP that an attempt might be made to reverse the yes decision in the two-year transition period between the vote in September 2014 and independence in 2016.

I draw Mr Ingram's attention to the response in Glasgow this week to the proposal to raise the plinth for the statue of the Duke of Wellington, to prevent cones from being placed on the duke's head. That demonstrates that once Scottish people have made up their minds on something it is a very brave person indeed who suggests that they cannot have their way. I caution against Mr Ingram's proposed approach.

During the debate on Scotland's independence, Opposition party members have often said that this 300-year-old union is the most successful partnership of nations in the world. Anne McGuire said something similar on “Scotland Tonight” this week when she was debating the issue.

I cannot help but wonder on what basis those members are judging success. We are the most unequal country in Europe and the fourth most unequal country in the developed world. We have the lowest male life expectancy, in parts of the east end of Glasgow. In my home town, after the closure of Ravenscraig, we had the highest male unemployment rate in Europe. We have been drawn into illegal wars. It might have been Anne McGuire's appearance on television that reminded me that we have recently endured the closure of Remploy factories across our country. I do not regard those as measures of success. Scotland deserves and can afford a fairer society, and with the passing of the bill Scotland has the opportunity to choose a fairer society.

The other night on the news, Anne McGuire said that she hopes that the next UK Government will be a Labour Government. My hope for Scotland is that she has a Government that she votes for, which represents the values and choices of the Scottish people, so that we do not have foisted on us a UK Government that does not reflect how we want to be seen as a nation.

I will give an example that demonstrates why the issue is so important, from this week's parliamentary business. On Tuesday, the Cabinet Secretary for Rural Affairs and the Environment, Richard Lochhead, updated the Parliament on the European Union common agricultural policy budget. Had Scotland been a member state, as an independent nation in Europe, Scottish farmers and crofters would have received the full benefit of external convergence. It is clear that the UK's uplift is the direct result of low payments in Scotland. Were it not for Scotland, there would be no uplift for the UK. Therefore, in the interests of justice, 100 per cent of the rebate should have come to Scotland's farmers. The cabinet secretary said:

“During my time in this job, there have been many examples of UK policy undermining Scottish agriculture. I thought that Hilary Benn's decision a few years ago not to compensate sheep farmers for foot-and-mouth disease was a low point, but this is even worse than that. The decision goes against the intentions of the EU, it defies the wishes of the Scottish Parliament and it takes away from Scottish farmers and crofters resources that should be theirs and on which their livelihoods depend. It is no surprise that Scottish farming and crofting leaders are bitterly disappointed by Mr Paterson's decision.”—[*Official Report*, 12 November 2013; c 24261-2.]

That is just one reason why I think that this 300-year-old union no longer works in the interests of Scotland.

I conclude on a personal note. My son will be 17 at the time of the referendum and he will have an opportunity to vote for the first time. The opportunity to work with young people is one of the greatest privileges for me and for all my politician colleagues. Young people who are tackling sectarianism in our society, fundraising for hospitals and international aid, and advocating and supporting fair trade are more than capable of examining the issues around the referendum.

I want all Scotland's young people to embrace the opportunity to ask the big questions. Where is Scotland's place in the world? What values do I want my country to have? What are my priorities for my country's future? I am glad that young people will have that opportunity next year.

15:34

Tavish Scott (Shetland Islands) (LD): Earlier, I met a Government minister from Jordan, who described to me the challenges of providing sanitation, water and food for the million and a half Syrian refugees that Jordan is dealing with, and of educating the hundreds of thousands of new children in Jordan's schools. On days when we bandy round the word "historic", we should probably think about those who are less fortunate than we are and who live in challenging circumstances, wherever they are around the globe.

I thank Andrew Mylne and his clerks to the Referendum (Scotland) Bill Committee, as well as the advisers, who gave the committee trenchant and helpful consideration during the bill process. I also thank Bruce Crawford for the way in which he convened the committee. Fairly, he made a political speech, much of which I enjoyed although not all of which I agreed with. I did not recognise his point about the manner in which the SNP wants to frame the debate. It is entirely fair for all of us who disagree with the proposition of separating Scotland from the rest of the United Kingdom to question that very robustly indeed. Just because people question it does not mean that they are anti-Scottish or anything else. I agree with Mr Crawford's point about raising the tone. Let us hope that that is what happens, rather than what we have seen from some in his party in just the past few days in respect of the current Secretary of State for Scotland.

I thank the Deputy First Minister for the tenor of her remarks and the fair manner in which she has conducted the bill process. I agree with her observations on the introduction of votes for 16 and 17-year-olds. I noted with great interest the

decisive verdict that 16 and 17-year-olds came to in Aberdeenshire in the recent widely held plebiscite in schools. Interestingly, there was full engagement and, more to the point, a very interesting result in terms of what might happen next year.

Like others on the committee, I have raised a number of issues about the way in which the campaign will be fought and conducted. I make no bones about my concerns on the use of taxpayers' money for what are clearly political activities. I think that that will happen and I do not see any way in which it will be stopped. After next September, there might be many deliberations on what happened and how it was done but, in my view, there is not much to prevent taxpayers' money from being used in that way.

Marco Biagi (Edinburgh Central) (SNP): Will the member give way?

Patrick Harvie (Glasgow) (Green): Will the member give way?

Tavish Scott: I will give way to Patrick Harvie.

Patrick Harvie: Will Tavish Scott explain whether his concern about the use of taxpayers' money for political purposes is directed at both Governments or only one?

Tavish Scott: It is directed at both. I made that point in the committee, but Mr Harvie did not support the measure that I proposed, and nor did anyone else for that matter. I hope that the member will reflect that I made that point about both Governments. Clearly, I was in a minority of one, although there is nothing particularly new there.

I also have deep concerns about how much taxpayers' money will be used in the context of the white paper. From what we are told, it is clear that the white paper will be sent to every household in Scotland. I do not think that taxpayers' money should be used—

Jim Eadie (Edinburgh Southern) (SNP): Will the member take an intervention?

Tavish Scott: Let me make this point. The Deputy First Minister said that the white paper will be published shortly and, clearly, it is to be sent to every household in Scotland. I wonder whether it will be announced in the Parliament or to the media. I hope that the Presiding Officers will stand up firmly for the right of this Parliament to hear that major statement of Government policy first, before we hear it addressed to CNN, the BBC and *The Scotsman*, although I rather suspect that the media will be more important than a mere Parliament on a day like that.

I want to mention the historic questions that have been pushed by the Government and its

back-bench members in relation to the alternative. I believe that the onus is on those of us who represent the best of both worlds—the continuance of Scotland within the United Kingdom—to make a strong case for more powers for this Parliament, as I have always done. From the day that I was elected to it, I have believed that the Parliament should be strengthened and its responsibilities augmented, and I hope that those who hold similar views can make that case in the coming months. I entirely concede to Bruce Crawford the point, which he has made to me on many occasions, that the onus is on those of us who make that case to come up with a plan. Personally, I am happy to accept that challenge.

Margo MacDonald: The point intrigues me. The member claims that he has the best of both worlds. Does that mean by implication that the part of the British isles that left the British state has the worst of all worlds? Has Ireland got the worst of it?

Tavish Scott: I was speaking personally, but I take the wider and interesting political point that Ms MacDonald makes.

I hope that in future Scotland can move away from a centralised nationalist state—we have had a centralised state under the SNP—to a decentralised state that encourages local decision making and moves in a much more positive way to an exciting vision in which local people are involved in the decisions that they want to take. That is the Liberal Democrat future that I would like to see across Scotland. I do not and will never support institutions of state such as the centralised police force that we now have. Just yesterday, we saw a report from Audit Scotland that showed why I was right at the time to oppose that bad measure that the current Government introduced. I would rather that we debated those issues and had proper and robust discussions about them than spent all our time considering our constitution.

I finish with Malcolm Chisholm's very fair observation that, whatever the result of the referendum—however our people decide where they wish to go after that determination in September next year—we must all consider that it will be our responsibility to work constructively together on the future of our nation.

The Deputy Presiding Officer: A number of other members wish to contribute. Speeches should be between four and six minutes.

15:41

Jamie Hepburn (Cumbernauld and Kilsyth) (SNP): I did not plan to begin my speech by disappointing Tavish Scott, but I find that I will, because I will bandy about a certain term. I believe that today is a historic occasion. Surely we can all recognise the historic significance of putting in

place the framework in which the people of our country will get to decide their future—whatever anyone thinks about what that future may be— notwithstanding what else is happening in the world and other matters that concern us all.

I have said that I think that today is a historic occasion. It also marks the end of the focus on procedural matters relating to the referendum. There has been some criticism that we have been too focused on procedure, but I suppose that we had to be by necessity. We can now focus by and large on the issues in the debate ahead of us on Scotland's future. I suppose that most of us have already been engaged in that debate, and I hope to say a little bit about that later, but it is probably right to focus a little bit more on the process that we have gone through to get to the place that we are at today.

We must recognise that we were in a different place from where we are now. At stage 1, all members came together to agree the bill's principles. I am not sure yet—indeed, none of us knows yet—what will happen tonight, but I hope that we will all likewise agree to pass the bill so that we all accept that it is right that Scotland has a referendum. There has not always been agreement.

I turn to what the leaders of other parties have previously said. In *The Times* of 3 September 2009, Iain Gray spoke against our having a referendum. Tavish Scott, too, opposed a referendum. In *The Scotsman* of 1 December 2009 he was quoted as saying:

“I will neither vote for independence, nor will I facilitate it.”

In *The Scotsman* on the same day, Annabel Goldie talked about the Scottish Government ditching its attempts to hold a referendum. The anti-independence parties were previously therefore anti-referendum parties. I do not think that any of us should fear putting the question to the people and I very much welcome the change in stance that we have seen. I recognise that those parties continue to oppose independence, but I welcome their support for the referendum.

Another part of the process that I want to touch on is the role of the Electoral Commission. There was concern that the Scottish Government would ignore its findings and there were demands that the Scottish Government sign up to its recommendations before it had even announced what its findings were. We now know, of course, that the Scottish Government has signed up to those recommendations, which are reflected in the bill before us. That ends the nonsense and accusations that were made. I firmly believe that the bill will deliver a fair referendum for the people of Scotland.

The SNP is consistently accused in the Parliament of having an obsession with independence, but I briefly reflect on the fact that the issue of independence is raised most frequently in debates and questioning of the Scottish Government by our opponents. It is somewhat ironic that we are the ones who are accused of having such an obsession. I am certainly not obsessed with independence or the trappings of statehood; I am obsessed with making Scotland a better place for my children. I want a Scotland that can tackle the problems of intergenerational poverty and help those who have the best of no worlds, let alone the best of both worlds. I want us to tackle the problem of young people having to seek opportunities elsewhere and leaving Scotland because the opportunities do not exist here.

I want us to avoid squandering our resources. Ian Macwhirter had an interesting column in today's *Herald* about the consequences of allowing Westminster to continue to use our resources to underwrite its agenda, which we have not backed at the ballot box. I want us to tackle our voicelessness in the world. I want Scotland to be a more confident place. Above all, I want to ensure that Scotland always gets the Government that reflects the priorities and values of its people.

I appreciate and agree with Malcolm Chisholm's point that many of those objectives are shared across the parties, but I and others in the chamber believe that we need independence to achieve the list of ambitions that I have just set out.

If there is a yes vote next year, I firmly believe that my children and my grandchildren, should I have any, will grow up asking what the issue was. For them, independence will be normal just as it is for most countries. I hope that they will grow up in a better Scotland, which depends on who is elected to form the Government of the day. Independence will give us the chance to make a better country.

This week's Westminster vote on the bedroom tax demonstrates why I believe that to be the case. In that vote, 15 of 59 Scottish MPs did not bother to vote. That is almost a quarter of Scottish representatives at Westminster who did not vote on an issue that is causing great concern and is raised here regularly. Can we imagine any circumstances in which a quarter of the members of this legislature would not bother to turn up to vote on an issue of that importance? I cannot conceive of such circumstances.

I agree with Alan Miller, the chair of the Scottish Human Rights Commission, when he says that he cannot conceive of the circumstances in which the Parliament would even have legislated for something as pernicious as the bedroom tax. That

is one reason why power over such matters should be vested with the Scottish Parliament.

I look forward to the debate ahead. Like Drew Smith, I hope that it is well informed and that we get better than we saw yesterday from the Secretary of State for Scotland when he asked how much it would cost to set up a new Scottish state from scratch. We know that independence will not be year zero, as Alistair Carmichael implied.

We also know the difference that devolution has made. If we fully equip this Parliament with those powers that are currently reserved to Westminster, I know that we can make a bigger difference. That will be the essence of our case in the future, and I look forward to making it between now and 18 September. Above all, I look forward to securing that yes vote next year.

15:47

Linda Fabiani (East Kilbride) (SNP): I am absolutely delighted to be standing here after agreeing legislation that will allow us to have a referendum on Scottish independence, because that has been an aspiration for so many people. It is about having the right to elect our Government of choice and thus influence policy and direction, and it is about the decisions about Scotland's future being made by the people who care most about Scotland: the people of Scotland.

In parliamentary terms, it seems like the independence referendum has been a long time coming. However, as Drew Smith said, those of us who believe in independence have been campaigning for it for decades. When someone has a vision and belief that things can be better and fairer, months, years and decades go past and despite the scare stories, the tactics, and project fear, the campaign continues.

During the decades that people have been campaigning, things have changed markedly in relatively recent years. Devolution came here in 1999 and it has been good for Scotland. Gains are made for people, their families and communities when decisions are taken in Scotland. From early on in our reconvened Parliament, and through successive Governments, there have been gains such as free personal care, assistance for veterans, the smoking ban and the rejection of the privatisation of the national health service in Scotland.

The converse of that is that there is a heavy cost when we leave decisions in the hands of Westminster. In the 2010 budget, 76 per cent of Scottish MPs voted against further austerity cuts, but they were still imposed on Scotland. In the Welfare Benefits Up-rating Bill, 81 per cent of Scottish MPs voted against welfare cuts, but they

were still imposed on Scotland. Sixty-seven per cent of Scottish MPs voted against privatisation during the passage of the Postal Services Bill, and we all know what is happening there.

Sixty per cent of Scottish MPs voted against the replacement of Trident in 2007, yet the UK is pressing ahead with new nuclear weapons. The big thing is that only 36 per cent of voters in Scotland voted for the Tories and the Lib Dems, yet we got the coalition in Westminster with all the problems that it has brought for Scotland—and with a lot more yet to come down the line.

That is why I aspire to independence. It is about always getting the Government that Scotland chooses and putting Scotland's future in Scotland's hands.

Our opponents like to go on about it all being about the constitution. They say that we never talk about anything except the constitution. The reality is that it is about so much more than that. It is about using the constitution to have the ability to do more than mitigate the awful effects of welfare reform.

I have the privilege of sitting on the Referendum (Scotland) Bill Committee. However, I do not consider it a privilege to have to sit on the Welfare Reform Committee when the only powers that we have are to scabble about for money to create a Scottish welfare fund to mitigate the excesses of a Government down south. Everything that that Government does is to deal with the problems that it perceives it has in a part of the United Kingdom towards which all the money is drawn down.

Jackie Baillie (Dumbarton) (Lab): Will the member take an intervention?

Linda Fabiani: No, I do not think so.

Independence is about the ability to do so much more. It is about having the ability to create policies to suit those that they most affect. It is about having the same opportunities as citizens of other small, independent, successful European nations that think it is normal to take their own decisions and to look after their own people. I think that is normal. That is the way I want things to be.

This week illustrates perfectly why independence is about not just the constitution, but the issues that affect Scots. Jamie Hepburn referred to this, too. At the start of the week, there was a sense that Labour and its leader down south, Ed Miliband, had grasped the reality of the bedroom tax and was going to take the Government on over it. Apparently, even the shadow Scottish secretary, Margaret Curran, thought that that was the case, because she wrote to the Lib Dems to try to shame them into coming and voting with Labour to get rid of the bedroom tax. On Tuesday, the reality became clear: Ed

Miliband's agenda was just another Westminster game. We have had our fill of Westminster games. A deal had been done, the coalition knew that it faced no threat and back here in Scotland people could only watch in disbelief. I, for one, am sick of it.

Jackie Baillie: Will the member take an intervention?

Linda Fabiani: No, thank you. I have heard enough over the years. I really do not want to hear any more.

The Presiding Officer (Tricia Marwick): You are also in your last 20 seconds.

Linda Fabiani: I will finish, Presiding Officer. As one of Sir Walter Scott's characters said of members of the previous Scottish Parliament—this is written on the Parliament wall—

“we could aye peeble them wi' stanes when they werena gude bairns—But naeboddy's nails can reach the length o' Lunnon.”

That is absolutely true: they play the games down there and we can do nothing but sit and watch and shake our heads in despair.

When we started this journey we wanted a referendum made in Scotland. With the passage of the bill, we have that. Now I want to see us use it to return the full powers that this Parliament needs for Scotland's future and to take us all forward.

15:54

Ken Macintosh (Eastwood) (Lab): I want to make a brief contribution to the debate, really in the form of an appeal about the way in which we conduct ourselves in the forthcoming referendum. Before I do, though, I want to thank all members for their work on the bill. Given the strong views that surround the referendum, it is remarkable that the process has been relatively consensual. It is perhaps the first and only consensual moment in the debate, so we should enjoy the occasion while it lasts.

One of the main purposes of the bill has been to set the regulatory framework around which the referendum campaign will be conducted. In that regard, it has done a good job. In the end, though, more important is our behaviour and the example that we set. The Deputy First Minister put it best in her opening remarks at stage 1, when she called on all sides to conduct

“a debate over the next 12 months that is respectful of one another's deeply held views and devoid of rancour or abuse.”—[*Official Report*, 12 September 2013; c 22411.]

I doubt that any of us would disagree with that statement.

In turn, I hope that the minister would agree that it would not be acceptable for the Scottish Government to use its position to bully those who speak out against it. I raise that because, at the beginning of this week, there was a particularly unfortunate story about a Scottish Government minister who was accused of bullying academics at the University of Dundee because of their views on independence. I was surprised in this case, because I have always found the minister in question to be a decent person.

However, the most important point is that I was not surprised to read the story. Immediately, many other similar allegations sprang to mind. Clearly, all members here, if not necessarily the wider public, are aware of the behaviour of the so-called cybernats, from Mike Russell's infamous researcher all the way through to Iain Gray's treatment at the last election.

It is not just politicians who are subject to personal invective for daring to express their views.

Bob Doris (Glasgow) (SNP): Mr McIntosh used the expression "cybernats" to describe one side of the independence debate, demonising it compared with the other side. Does he agree that there are voices on both sides of the independence debate that are deeply irresponsible? To couch his point in language that suggests that only one side, and not the other, is irresponsible is to take the tribal approach that he said he wished to reject.

Ken Macintosh: I will make that point later in my speech.

It is not just politicians who are subject to personal invective. The Olympic cyclist Sir Chris Hoy and the comedian Susan Calman have found themselves inadvertently in the firing line. The Government has developed an unfortunate reputation for trying to suppress or totally silence those who might hold an opposing view. For those who do not work in politics, it is difficult to deal with what can be vitriolic criticism.

The chief executive of Aggreko—not someone who I would imagine is easily intimidated—complained of unpleasant attacks and said explicitly that leading business figures would not speak out on independence for fear of the SNP pouring

"rains of bile and ire"

upon them.

Ruth Davidson reminded me of the occasion when Jim Wallace was bumped for Keith Brown at a Loganair anniversary dinner after the Scottish Government demanded a change. That last one made me laugh. If the SNP thinks that someone as pleasant and reasonable as Jim Wallace is the

enemy, it really needs to get a new sense of perspective.

The Minister for Children and Young People (Aileen Campbell): I am curious to know when Ken Macintosh will get to the bit when he is consensual in the way that he described at the start of his speech. We are still waiting. It is perhaps not the tone that we would expect from Ken Macintosh.

Ken Macintosh: My point is that it is not the tone that we expect from the Government. There are people on all sides, but the Government holds power, controls the debate and sets the agenda for Parliament. It is particularly important for those who have power not to abuse that position. That is the point that I am making.

I have not had to search hard for examples. Many immediately sprang to mind when I read the story earlier this week.

In the interests of balance, I will not pretend that politicians and supporters of other parties are angels. We are all well aware of how easy it is to move from loyalty to one's colleagues to tribalism and aggression. Presiding Officer, you have corrected members often enough for incorrectly using the term "you" when referring to opposition members in parliamentary debate to know how easy it is to move from objective political discussion to personal attack.

The worries that I highlight matter at all times to this Parliament, but they matter particularly for this referendum because we all want it to be an inclusive discussion. There is already a huge amount of national and international interest in the referendum and the vote is expected to engage the whole of Scotland. The current estimate is that turnout will be far higher than in other elections, so we will engage with people who do not normally get involved in politics.

I speak as someone who supports votes for 16 and 17-year-olds in all elections. One of the main reasons for that is that I worry deeply that so many young people no longer vote. Surely the message that we want to get across is that all views matter—that the political process is a way to engage and is not one to be decided by name calling.

Here is an opportunity to engage a whole new generation in the importance of decision making and in taking control of its own affairs, whether that be through independence or, as I hope, through the powers and benefits of devolution, through the Scottish and Westminster Parliaments.

It is up to all of us to ensure that the experience is rewarding and fulfilling and not one to be fearful or anxious about. If the minister addressed the

point that Drew Smith made earlier, that would be one way of reassuring me. What will be the formal process through which the Parliament can engage with stakeholders, take evidence and test the contentions in the white paper in the coming months?

Nicola Sturgeon: May I put it to Ken Macintosh that that is a matter for the Parliament? It is a matter for the committees. I will welcome maximum scrutiny of the white paper. It is going to be a wonderful document that will set out the overwhelming case for Scottish independence and I look forward to scrutiny of it. However, I cannot imagine Ken Macintosh's reaction if I started to dictate to committees what their business should be.

Ken Macintosh: Despite the terms in which that was put, I actually welcome the Deputy First Minister's comments. They imply that there will be a parliamentary process, and that is something to be welcomed. [*Interruption.*] I do welcome that. I welcome the fact that we will take evidence.

The Presiding Officer: I must ask you to wind up.

Ken Macintosh: Thank you, Presiding Officer.

I thank colleagues and I look forward to a constructive debate over the next 307 days.

16:00

Annabelle Ewing (Mid Scotland and Fife) (SNP): For my part, I am very privileged indeed to have been called to speak in this stage 3 debate on the Scottish Independence Referendum Bill. I say the word "privileged" deliberately, for there are many people who would have given their eye teeth to be standing here in my shoes today: people who did, indeed, till the soil. I pay tribute to each and every one of them, for this is indeed another historic day in the life of our Parliament and our country. How lucky we are to be part of the independence generation.

I too, as a member of the Referendum (Scotland) Bill Committee, pay tribute to the clerks, whose sterling service has ensured that we have been able to progress our work with due diligence and expeditiously. As other members have done, I mention our excellent convener, Bruce Crawford MSP, because the way in which he chaired our committee's weekly proceedings was exemplary. He chaired them with competence, fairness and, importantly—I think that we would all agree across the parties—good humour.

With the Scottish Independence Referendum Bill likely to be passed later today, I believe that we can be assured that we will have a referendum process that is designed in Scotland for Scotland; that is fair and clear and has internationally

recognised democratic best principles at its very heart; that has a clear date agreed—18 September next year—for the holding of the referendum; and that has a clear question agreed:

"Should Scotland be an independent country?"

That, indeed, is the key question each of us faces.

The question is not, "Could Scotland be an independent country?", for the answer to that question is quite clear, as Scotland would be one of the richest countries in the developed world; rather, the question that is encapsulated in the bill is:

"Should Scotland be an independent country?"

The answer to that question—I would submit—has to be yes, for how can we ensure that all our vast resources are put to work for all our people if we do not take control over our own destiny? How can we ensure that we always get the Government that we vote for if we continue to be subject to the discredited Westminster system? How can we ensure that we are not part of the fourth most unequal society in the developed world, to which Clare Adamson rightly referred, if we fail to seize the historic opportunity that we have before us?

This is truly a once-in-a-lifetime chance. I believe that a new dawn indeed beckons for our country and our people. We have to decide: will we be content just to have the same old same old, or will we grasp this opportunity to build a better nation for future generations? I believe that for all those who live and work in Scotland—the people who care most about Scotland—this is indeed the time to be bold and have confidence in yourself, your family, your community and your country. This is the time to vote yes.

Before I close—I know that there are other speakers—I wish, with the chamber's indulgence, to refer to something that I mentioned when I closed my remarks at stage 1. My mother, Winnie Ewing, famously said, further to her sensational victory in the Hamilton by-election in 1967:

"Stop the world, Scotland wants to get on."

The world has been waiting patiently—the world is still waiting—but I truly believe that it will not be much longer now before Scotland rejoins the world and the community of nations.

16:05

Stewart Maxwell (West Scotland) (SNP): Like many others, I thank the convener for his work in chairing the committee so well. I also thank the clerks; the witnesses who gave oral and written evidence to the committee, which was invaluable in our examination of the bill; the committee advisers, who did a sterling job in helping us

through the process; and, of course, SPICe, which was also invaluable.

I want to pay particular attention to my fellow committee members. I think that we did a good job, in which we were full of respect for each other's positions and concentrated on the bill and the work that we had to do, despite our differences on the central referendum question on independence itself.

Many people have said that this is a historic day because we are passing the bill. I agree. It is historic, but I also think that it is not very exciting. I do not mean that in a bad way; I say it because the whole process has been exceptionally well planned. The original bill that was introduced to the Parliament was very well drafted. Of course, there have been amendments to the bill as we have gone through the process and examined it in great detail, but the fact that it is not particularly exciting shows that the bill has been well planned and that the Government has done its job, and the committee has had a reasonably easy time in examining the process and procedures contained in the bill.

What a long way we have come since the 2011 election and the strident voices of the anti-independence parties, who said that they did not support independence and that they would not support a process to bring it about. I am glad that those voices have changed and that those parties have now decided that this is the right thing to do and accepted that the people of Scotland have the right to choose their own future. I am just sad that thus far they have failed to extend that logic to supporting that right across everything else. I cannot understand the logic of those who support Scotland having powers over health, but not welfare; over justice, but not defence; and over local tax, but not national tax. In my view, the arbitrary line that is drawn between devolved and reserved powers makes no sense whatsoever.

I cannot help but reflect on the difference between the relatively constructive and straightforward process that has surrounded the passage of the Scottish Independence Referendum Bill and, indeed, the Scottish Independence Referendum (Franchise) Bill, and the rather long and difficult debates—or, may I say, arguments—that took place around the most recent Scotland Bill. I served on the Scotland Bill Committee as well.

The fight to move us forward by such a small amount—by one inch—that surrounded the second Scotland Bill far exceeded anything that occurred during the passage of the Scottish Independence Referendum Bill. It is interesting that whereas we spent decades trying to get this place established, we spent a relatively short amount of time on the second Scotland Bill—

although it was not the most constructive discussion that I have experienced. Despite the many protestations about support for devolution, more devolution and—among members of Tavish Scott's party—home rule, the fact is that on every occasion that an amendment for additional power was lodged by SNP members, it was voted down by members who now say that they support lots of extra, new powers for the Parliament at some indistinct point in the future when, I suppose, they think that we might be ready.

Some issues around the bill raised questions. The question of purdah came up during the committee's examination of the bill, and I welcome the Deputy First Minister's clarity on that. We had questions about when the purdah period would fall, how long it should be and who it would cover. However, with the slight change that has been made even at stage 3, I think that we are in the right place with the length of the purdah period. It will also cover the right organisations. In short, I do not think that we need be concerned about that part of the bill.

As others have mentioned, there was a great deal of debate about campaign rules and spending limits in particular. Again, we are in the right place in that respect. I think that £7,500 is the right amount and that the level of constrictions on organisations not only allows us to be sure that the process is fair and transparent but lets organisations across the country get involved, take part and be part of this—I use the phrase again—historic process that we are undertaking.

I am very pleased that the question of designation of lead campaigners by the time we reach the 16-week period of the referendum was cleared up at stage 2. After all, it would have been a rather strange state of affairs if those organisations had not been in place that close to the referendum.

I recently had a conversation with a Slovenian woman whom I met on a bus in Vilnius in Lithuania. We got chatting because she recognised that I was not a Lithuanian; when I said that I was from Scotland, she immediately said that she had heard that there might be a referendum on independence here and asked whether that was correct. When I confirmed that it was, indeed, true, she was very excited by the prospect and thought it was an amazing thing to be happening in Scotland. After asking me a number of questions about the referendum—what was happening, who was saying what and what it would cover—she finally asked me what I thought the result would be. "What are the polls saying?", she asked. I asked her what she thought they were saying and, without hesitation and with absolute confidence, she said, "100 per cent yes." I said, "No, I wish it were." When she guessed 90

per cent and then 80 per cent, I had to tell her the poll result that had been released just before I left for Lithuania. She was completely and utterly dumbfounded. She said that in her country it was unimaginable—

Drew Smith: Will the member give way?

The Presiding Officer: I am sorry but the member really needs to wind up.

Stewart Maxwell: I am just concluding, Presiding Officer.

The woman said that it was unimaginable that there would not be near unanimous support for running one's own affairs. The fact that not being independent was unimaginable to that lady shows that, despite the scaremongering, independence is the normal state for peoples around the world. It is time that the people of Scotland took control of their own affairs—and they can do so by voting yes next September.

16:12

Patrick Harvie (Glasgow) (Green): Like others, I begin by once again offering my thanks to everyone who contributed to the committee's work as we moved through stages 1 and 2 of the two referendum bills.

As others have pointed out, the process has been broadly consensual. Although the political tensions between supporters and opponents of independence were not completely absent, they were tempered and constrained enough not to prevent us from carrying out our work effectively. Our convener chaired our proceedings with fairness and charm, and Annabel Goldie always wore highly suitable shoes. [*Laughter.*] She was consistently impressive on that score.

Tavish Scott told us that he was on occasion in a minority of one—all I can say is that I know the feeling. In fact, I would go further and recommend the experience to every member in the chamber. They should try it at least once or twice during their political careers.

The fact that we were able to be broadly consensual in committee has prompted many members to talk about the tone of our debate over the next 10 months and suggest that it should be respectful and of high quality. To be sure, we should be able to disagree respectfully, but we do not always manage to do that in politics and between political parties. However, I hope that we return to that respectful tone as often as we can. Indeed, it is the tone that the yes and no campaigners in this referendum should be aiming for if they are serious about persuading undecided voters because it is that and not some hostile and polarised debate that those voters will listen to.

It is hugely important that we get the legislation and the rules of the game right for the referendum and it is not only desirable but vital that we conduct it with agreed rules to ensure that the side that comes out with the result that it did not want is still willing to accept it. We need a meaningful referendum and, in that respect, losers' consent is going to be very important.

The aftermath—jubilation on one side and feelings of defeat and disappointment on the other—will be a tough enough circumstance for Scottish politics to come together again in, and we cannot afford to add to that complexity with a contentious process. I am therefore very glad that all sides seem happy with the bill. Many of the issues were successfully addressed by the agreement between the Scottish and UK Governments, which set the initial tone that allowed the broadly consensual committee process that followed.

What comes next? The implementation. There was a good degree of confidence among committee members—as I hope there is among all members—in the mechanics and the administration. We have a good degree of confidence that the referendum will be conducted to a high standard and that the process will carry the confidence of the country. We also need compelling political arguments from both sides. I want both sides to bring compelling and testing arguments to the debate. The white paper that the Government will publish soon will, no doubt, set out the Scottish Government's current position in great depth. Perhaps in slightly less depth, the Green Party will tomorrow launch its campaign for a green yes vote. Although I admit that tender heads may still be wondering about our decision to launch the campaign on the day after our work's night out, the Green Party will set out its own case for a yes vote.

The radical independence conference that will take place later in the month will set out a wide range of views on the left of Scottish politics, and perhaps some compelling arguments that are not heard in the chamber will be heard at that conference. I would welcome views of the same breadth, depth and passion on the no side of the argument. I challenge the idea that Scotland is on pause. In fact, this has been one of the most exciting and creative times—not always in the chamber, but in wider political debate—in which organisations, whether or not they are strictly neutral, have been asking questions of both sides and setting out their agendas for the possibilities of independence. This has been one of the most creative times that I can remember in Scottish politics, and we should conduct the referendum campaigns in that spirit so that, whichever result the Scottish people choose, we have the momentum to take some of those creative ideas

forward. I believe that we will be better placed to put them into practice if we get a yes vote, but I want the debate on both sides to be of that standard.

Above all, we must drive up participation. If we have compelling, creative and imaginative argument, we will see a strong turnout. Everybody agrees that the result should not be contingent on an arbitrary, fixed level of turnout, but that is not to say that turnout does not matter. Scotland's political culture will be much healthier if we have all taken part in the decision together.

I close by echoing the sentiments that other members have expressed. The Scottish Independence Referendum Bill Committee should expand its remit and take evidence on the white paper. The subject committees will want to look at certain aspects, but the constitutional transitional questions also need scrutiny and all sides should be willing to have that debate on the record in committee over the coming months.

The Presiding Officer: A number of members still wish to speak. From here on in, we are going to have speeches of four minutes in the hope that we can get through everybody.

16:18

Stuart McMillan (West Scotland) (SNP): I am pleased to speak in the debate on this historic day for the Scottish Parliament. It has been a privilege to be a member of the Scottish Independence Referendum Bill Committee, and I pass on my thanks to my fellow members of the committee, the advisers, the clerking team and all those who gave evidence to the committee.

An issue throughout the bill process has been the need for the approach to the bill to be beyond reproach, whatever the outcome next September. No matter which way members vote tonight, and no matter which way the electorate votes next September, the bill process has been transparent, inclusive and clear. Indeed, the briefing that we received from the Electoral Commission for today's stage 3 debate states:

"Our overall view is that the Bill as amended currently meets this standard and reflects many of the recommendations that we made".

The standard referred to is about having

"absolute clarity on the roles and responsibilities of those administering the referendum".

Today, we will pass the Scottish Independence Referendum Bill. I welcome Labour's commitment to vote yes tonight and I hope that I can encourage Labour members to vote yes next September as well. Tonight's vote will take us a stage closer to the day when, I hope, the people of

Scotland will choose to take responsibility for their own lives and for the future of Scotland.

Like everyone in the Parliament, I will campaign for what I believe in while respecting the fact that others will have their own position, with which I may disagree but to which they are entitled. The challenge for both sides in the debate is to rise to the occasion, to engender debate, to foster a greater understanding of the political process and to take the opportunity to encourage more people to take part both in the referendum and in future elections.

We all need to provide a clearer picture of what Scotland will look like in the event of a yes vote, or even a no vote, on 18 September. I look forward to the publication of the white paper on 26 November and I also look forward to reading the offerings from those campaign groups that will be encouraging a no vote. We need to know what the consequences would be for Scotland in the event of a no vote. On that point, I acknowledge the comments that Tavish Scott made earlier.

The referendum will provide the people of Scotland with the choice to make history. There can be no bigger political decision for electors than to decide on their political future as a nation. I look forward to Friday 19 September 2014 and to watching the rebirth of a nation knowing that I have played a part in that—my six-year-old daughter will have assisted, too—and knowing that many friends and fellow nationalists have helped as well. I will also know that those who are no longer with us have done their part in keeping the independence flame burning through some tough times for the national movement.

The phrase "standing on the shoulders of giants" can be utilised all too freely, but today we on these benches are standing on those shoulders. We have a responsibility to lost friends, as well as to our families and colleagues, to deliver our shared dream of an independent Scotland that can provide a better future and opportunities for our future generations. I will be delighted to vote yes tonight, and I cannot wait to vote yes on 18 September 2014.

16:22

Bob Doris (Glasgow) (SNP): I am privileged to be able to speak in this afternoon's debate on the Scottish Independence Referendum Bill. I am sure that we will come together at 5 pm today to vote for a referendum on Scotland's future that will ask people to choose that most fundamental of democratic principles—self-government. I firmly believe that, when the people of Scotland are asked whether we should be an independent country, they will give a resounding yes.

I welcome the non-tribal and constructive approach that, as we have heard, the Referendum (Scotland) Bill Committee took to scrutinising the bill. I very much hope that all parties—and, indeed, those of no party-political persuasion—will continue to take a non-tribal and constructive approach to the debate that will now follow and intensify.

At First Minister's question time earlier today, in commenting on the future of Scotland when independent, Johann Lamont asked, "What is plan B?" In other words, what will any party do if it does not get its way? When, in the days ahead, the Scottish Government publishes its white paper on independence, there will be certainty and clarity about what an independent Scotland would look like and aspire to if, following a yes vote, an SNP Government is returned in the 2016 elections. As for plan B, without independence, there will be a commitment to continue to stand up for Scotland's interests at every opportunity and, if given the honour, to continue to be a responsible Scottish Government.

However, the need for a plan B cuts both ways. The Labour Party contends that the only way to protect Scotland's interest is to elect a UK Labour Party to a Westminster Government, which rarely, if ever, has Scotland on its radar never mind as a priority. The Labour Party plan A includes nuclear weapons and power, draining our oil and gas and other natural resources and sticking to Tory capital cuts to Scotland. That is a weak and ineffective proposition to put to the Scottish people.

What about plan B? That includes even more welfare reform and sticking to the bedroom tax. I was about to go through a long list of what plan B would mean, but the Labour Party would implement those measures, too, were it elected as the UK Government. Plan A is not satisfactory for the Scottish people and plan B is to play Russian roulette with Scotland's future and to let the Tories loose on Scotland with a future UK Tory Government. That is unacceptable; it is why the referendum bill must be passed and why the people must vote yes in the independence referendum.

I will mention a couple of obvious things arising from my work in the Parliament that tell me on an elementary basis why we need independence. First, as deputy convener of the Health and Sport Committee, I know that every time there is a £1 million disinvestment from the health service in England, our committee is looking at £98,000 less spent on the Scottish health service. That is simply unacceptable.

On a local level, what else is unacceptable is that a wonderful group called Rosemount Workspace, which works with vulnerable young people furthest away from the labour market,

cannot get some young people into education courses because of UK benefit rules. The UK Government will not change the rules; Angela Constance, the Minister for Youth Employment, would if she could. That is why I want independence—not as an end in and of itself but for the future of Scotland's young people. I very much hope that Parliament comes together to take that next step in the journey to Scottish self-determination.

16:26

Margo MacDonald (Lothian) (Ind): The Deputy First Minister said that the bill is large and complex. That is fair enough—but who cares about that? What we care about is the bill's central core, which is the opportunity for Scots to face and to answer the core question that runs through all our politics. The bill gives us a chance to choose a future of which the boundaries, aspirations and achievements of Scots will be determined by the Scots themselves, with no excuse with which to blame anybody else.

Some Scots feel that the future is somehow a barter, and that if we stay a region of the United Kingdom, there will be a safety net—but safety nets can fail, too. If you fall into the safety net at the circus, you are not as big a draw as you are if you try without the safety net. I am for going without a safety net, because we have everything that we need to do that.

Other Scots see Scotland not alone, but certainly alongside and the equal legally of any other country in the world. Independence is important for our self-image because we will change from regionalists and those who are always a wee bit behind the fashion and the times, to being leaders, as other small countries are. That applies not only to the normal small countries that we always cite; members should think also about Singapore and what it has achieved. We may not like how they did it, but members should think about what it did with the numbers and its positioning. There are lots of examples that we can draw from.

I know that I will never regret voting yes. It will be my legacy to my grandchildren—there are 10 of them. We will be expecting them to pick up from where we leave off. We will have given them the opportunity to go for the highest standards of achievement and humanity—just the best. That is what they will aim for, if I vote yes, and that is why I will never regret voting yes.

I wonder how the people whom we call unionists—of course, most of them are not unionist; they just happen to be on the opposite side of the chamber—feel about their legacy? We know what their legacy is: 17 more years of fuel

prices pitched higher than inflation and heaven knows how many more years of austerity. It is a crippling of ambition and it is a squeezing down of what we in Scotland might aspire to. That is the legacy that we take with the union. If they do not want to accept that, let us hear what the alternatives are, because there have been precious few alternatives voiced in the debate so far.

I ask those who are trying to be imaginative about what would happen post independence—the new relationships and partnerships that would be struck—to have a sense of context and timing. It will not all happen at once. Some things can happen the week after and others will take 10 years. They must be sensitive to that because first, they will lack credibility if they do not get it right and, secondly, they will frighten the horses—I mean, the opponents.

People ask whether they should vote for independence or union with their hearts or their heads. Like all Scots, their hearts are in the right place, so their heads will probably dictate that they should not vote themselves into poverty, fuel poverty—which I have talked about—and minority. If people think about it, their heads—not their hearts, which know that they are Scottish and need nothing else to think about—will tell them that. If they think about their future interests and those of their families, they will vote with their heads; they will vote yes and vote for an independent Scotland.

16:30

Sandra White (Glasgow Kelvin) (SNP): I am not a member of it, but I thank all members of the bill committee and the clerks for the excellent work that they have done and the hours that they put into the bill.

I am very proud to be one of the people in Parliament who are able to vote yes on the bill today and to vote yes in September next year. I echo my colleague Stuart McMillan's comments about the many people—too many to mention—who are not here to see this day. We are standing on the shoulders of giants; if not for them, we would not be debating the bill today, so I pay tribute to them. Everyone knows many of the people whom I mean.

Margo MacDonald's speech was excellent. We have all seen what has happened in Scotland; it has flourished under devolution, especially since 2007. No one can deny that the statesmanship of the First Minister and the economics that he has brought to the country are far beyond those of any other Prime Minister, never mind those of any other First Minister or Administration.

For some reason, unfortunately, Labour members in particular—*[Interruption.]* I hear the Labour members from the sidelines. It seems that Labour members just cannot stomach this. They just cannot stomach the fact that someone who does not agree with them—who does not agree with the union—can be so successful for the Parliament and can bring so many people from throughout the world to Parliament; the greatest number of ambassadors et al are coming to visit the Parliament. We should all be proud of that, but Labour members cannot get through the wall of thinking that because it was the SNP that did it, it cannot be good for Parliament or Scotland. Yes, that makes me angry, but it also makes me very sad.

I will tell members one thing that makes me even sadder, which is that what comes out—*[Interruption.]* Duncan McNeil is probably one of the people I mean, along with many others from the Labour benches. When we talk about shipbuilding, the Labour Party tells people to vote no and it says that, if they do not vote no, the yards will disappear from the Clyde. Let us just read what BAE Systems said about that.

Duncan McNeil (Greenock and Inverclyde) (Lab): Will Sandra White give way?

Sandra White: No.

The Ministry of Defence agrees that Glasgow is the most effective location to build type 26 ships. *[Interruption.]*

The Presiding Officer: Order.

Sandra White: BAE said:

“BAE Systems has agreed with the UK Ministry of Defence that Glasgow would be the most effective location for the manufacture of the future Type 26 ships ... the Company proposes to consolidate its shipbuilding operations in Glasgow”.

Do members know why BAE is doing that? It has said that it is because Glasgow has the best workforce—the one with the most experience.

Members should look at all the other countries in the world. We do not need only Ministry of Defence orders; we can build other ships. We can lead the nation but, once again, the people in the Labour Party see doom and failure at every single corner. It is a disgrace.

I will give more time to the one thing that really saddens me. As we speak, a lady in Pollok is being evicted from her house because of the bedroom tax. The Labour Party said that it would protect such people—that it would protect its constituents—but its MPs could not even turn up for a vote. I say to Labour members, shame on you. Shame on you.

16:35

George Adam (Paisley) (SNP): I am not on the Referendum (Scotland) Bill Committee, but I commend it for its hard work on the bill. I welcome today's debate and the debate that we will have in our communities. That debate is all about what we can do for our communities and what independence offers our communities.

I have been involved in politics for longer than I care to remember, but my motivations now are the same as they were when I came into politics. I want to bring about change, to make a difference and to make people's lives better. That is why I support independence.

I believe in having a vision. Vision has been lacking in the speeches of Opposition members. Where is their vision? What is their idea for tackling head on the challenges that we face? Why do they not want us to take on more responsibility and see what we can do? Any daring to hope for a better future has been glaringly absent from their speeches. Is it wrong to work towards making the country better? Is it wrong to offer people in our communities something that can make a difference, instead of having academic debates, as Labour members continue to have in Westminster, when they can be bothered to turn up to vote? We need to do something that will make a difference to real people in the real world. Everything that I talk about relates to the people I represent. Members should believe that that is the way we have to go.

Like Jamie Hepburn, my motivation is to make a better life for our children and our nation. When I look at my own children, apart from feeling old I realise how much I want for them. I want them to have the ambition to be everything that they can be. I want them to look to the future without the Scottish cringe, and I want them to believe that they can achieve anything that they want to achieve. That is what I want.

I think that some Opposition members should start to feel more confident about themselves. We can all do that. It is a question of having the confidence to take on the powers of independence and to have meaningful debates in Parliament. I do not want to have debates such as the one that we are having now, in which members at opposite ends of the chamber are arguing about whether we should be part of a union that is well past its sell-by date, or part of new dynamic Scotland. I want us to debate what we are going to do. We need the powers of independence. The sooner Opposition members think that way and start to have discussions along those lines, the sooner we will be able to move our nation forward. That is what the public want. They want us to discuss Scotland's future and to move things forward, rather than to sit here having academic debates.

What is the cost of Westminster? The cost to us of Westminster is more austerity: 76 per cent of Scottish MPs voted against further austerity cuts in the Finance Bill in 2010, but those cuts were imposed anyway. That is the cost of the union. The real-terms cut in the Scottish Government's budget of 11 per cent over five years and the cut of 26 per cent in capital expenditure are what the union offers Scotland. It does not offer us ambition, nor does it offer us the future that we all want for our children and the children of others. What it offers us is Trident on the Clyde, at a cost of £163 million per year, which alone could pay for 4,500 teachers, 1,500 consultants, 33 primary schools, seven secondary schools—

Jackie Baillie: Will George Adam give way?

The Presiding Officer: The member is winding up.

George Adam: That is what we should be debating. We should be talking about what we should do with that money and how we could build a better Scotland. The sooner Opposition members remember that, the sooner we will be able to say that Scotland is moving forward.

The Presiding Officer: I call Rob Gibson. I can give you three minutes, Mr Gibson.

16:39

Rob Gibson (Caithness, Sutherland and Ross) (SNP): Thank you very much, Presiding Officer.

I am a member of the committee that brought us the bill and the opportunity to debate it.

The Electoral Commission, which I pursued for a detailed plan, has said that it is pleased that the Scottish Government has accepted many of the recommendations that it made in its report following the referendums in 2011. In other words, the bill represents an excellent way forward for a referendum in the eyes of our people and of the world.

Today's debate sums up something of the problem that the country has. Project fear has failed to put up speakers on the side that says no. Most of the speakers have supported the bill and independence. Why will the other side not come out and argue the positive case for what it believes? This is the place where that should be done. I believe that that positive case is not being made because it is the unionists and Westminster rule—not anything that the Scottish Government has done—that have put Scotland on pause. It was the Westminster Government that handled the crash badly; it is unpicking the glue of what was the United Kingdom by dismantling the health service, going for nuclear weapons and deciding

that we will have nuclear power stations, no matter what we want.

All those issues can be debated in the referendum campaign. All those issues are there for us to ensure that people in Scotland have a fair chance. We on our side of the case know that, when the Scots vote yes, they will always get the Government that they want.

As far as I am concerned, Scotland will be an exciting place to come to next year, to see the Commonwealth games, the homecoming, the Ryder cup and a new nation ready to take its place with the nations of the world. I support the bill.

The Presiding Officer: We move to wind-up speeches. Annabel Goldie has four minutes.

16:41

Annabel Goldie: In my opening speech, I raised some questions for the Deputy First Minister—*[Interruption.]* Oh—Mr Swinney is back among us and is having a wee chat. Does he want to intervene?

John Swinney: I am always ready to come to the rescue of Baroness Goldie when she gets into trouble. If she is having difficulty in filling her four minutes, perhaps she can tell us what propositions the Conservative Party will advance to improve the governance of Scotland, given its paltry failure over many years to deliver any form of stronger self-government for the people of Scotland.

Annabel Goldie: The proposition is simple—it is called staying in the United Kingdom.

Members: Aw.

The Presiding Officer: Order.

Annabel Goldie: In all seriousness, I say to the Deputy First Minister that I would be grateful if she responded to the questions that I raised in my opening speech.

The Deputy First Minister referred—rightly—to the Edinburgh agreement, which was historic, pivotal and an exemplar of how a Westminster Government and a devolved Government can work together. The Deputy First Minister says that that reflects what could happen after a yes vote; I say that it is a shining example of how devolution can continue to work in the United Kingdom following a no vote.

Sandra White uttered the memorable phrase:

“Scotland has flourished under devolution”.

Let us all pin that to our lapels and not let it be forgotten.

The Deputy First Minister said that the white paper will present an overwhelming case for independence. Should that case not have been

made by now? It has certainly been a long time coming. I will reserve judgment on the white paper and leave the enthusiasm to the Deputy First Minister.

The Deputy First Minister made an important point about the language and conduct of the debate, to which Bruce Crawford and I, and others, referred at stage 1. I was struck by what Bruce Crawford, Malcolm Chisholm, Ken Macintosh and Patrick Harvie said today. This is not about being consensual. How could it be? That would be an intellectual confusion. There will be passion, robustness, fire, flair and verve—they all have their place. However, intimidation, jeering and sneering do not in any circumstances have a place.

On the merits or demerits of the argument, assertion is not fact and repeated platitudes are not evidence. I know that the public want facts and evidence. I know that the public want clear language and that they want information and explanation, not provocation and confrontation.

Like others, I have attended public meetings. It might be uncomfortable for the SNP that it has emerged that more is known about the partnership that is the United Kingdom than is known about separation. People understand what the United Kingdom is; they understand what it means and what it has done. I have no doubt that that explains the polls to which Mr Maxwell referred.

Some might have no time for the United Kingdom and find nothing good in it, but others see virtues.

Margo MacDonald: Will the member give way?

Annabel Goldie: I am very tight for time, having given Mr Swinney a very generous intervention.

Other people see virtue in the United Kingdom's capacity to influence, whether that is through our permanent membership of the United Nations Security Council, our being in the G7 and G8 groups of countries or our influence on the global stage, which Tavish Scott talked about. People understand that, because they see it happening. People very particularly understand the meaning and significance of our British armed forces. The recent remembrance commemorations poignantly underscore that. They understand what the pound is. They know that that is their currency in the United Kingdom and they want it.

All that means that the separation case and the white paper face a significant challenge. The white paper needs to set out the case for separation. It must not just detail the virtues that those who make the argument maintain are there but produce the blueprint as to how separation would work.

There is a huge sentiment in Scotland, which is shared by me and hundreds of thousands of other people, and which is the polar opposite of the sentiment that was expressed by Linda Fabiani and Annabelle Ewing. It is that people like being part of the United Kingdom and regard that as positive. Contrary to what SNP members argue, there are hundreds of thousands of non-SNP supporters throughout Scotland who want to keep the United Kingdom, and they place that above party politics.

That is why I am confident that next September people will vote for the proven, positive partnership that is the United Kingdom and reject separation.

16:46

Lewis Macdonald (North East Scotland) (Lab): The bill is a procedural bill, and the process has been concluded with a high degree of consensus, as is borne out not least by the record progress on amendments this afternoon. The bill will be passed without substantial division in a few minutes' time.

Of course, that is only part of the story. The price that we have paid this afternoon for our willingness to compromise on amendments has been an endless queue of what I might generously describe as excited SNP speakers. Many made good points; some perhaps made less good points. What was perhaps most surprising was that Rob Gibson, speaking towards the end of the debate, decided to criticise us for indulging those speakers. Perhaps that is a sign of things to come.

Of course independence matters to the SNP. We know and expect that—that is part of the deal. However, for those of us who believe that Scotland's best future is as part of the union, the referendum bill matters too. Next year's vote represents, in our view, an opportunity to reaffirm Scotland's firmest long-standing friendships and, at the same time, to move our country's story on to a new phase.

Whether members think that that new phase is about the maturity of devolution, which has rightly been praised by members of all parties this afternoon, or independence, it is important that we get the ground rules for the referendum campaign right and agreed by all sides. Experience in other referendums shows that the results of the poll will be accepted by all sides, if all parties are engaged in defining who should be asked what and how.

Kevin Stewart (Aberdeen Central) (SNP): On 26 November, we will have the white paper, which will set out the SNP Government's vision for independence. Mr Macdonald talked about the new phase for devolution. Will the Labour Party and other unionist parties put their vision for the

new phase of the union to the people before the referendum?

Lewis Macdonald: I promise Kevin Stewart that Labour's plans for devolution will not be a secret and will indeed be made public at an early date.

Members: When?

The Presiding Officer: Order.

Lewis Macdonald: I am glad to hear that the party of Government recognises the party that created the Scottish Parliament and is looking to us for a lead on the next phase of devolution. That is only as it should be.

We have agreement on how we go forward on the referendum, and what we have broadly agreed is to follow the Electoral Commission's approach in ensuring fairness and transparency in elections and referendums across the UK.

At stage 2, I was reminded that in my submission to the Scottish Government's consultation I said that we should follow the Electoral Commission's lead on the rules that govern the conduct of the referendum. The bill, as amended, largely does that, with the one exception of the approach to absent voting. I expressed concern about that earlier this afternoon, and although Nicola Sturgeon did not accept my point I am glad that I did so. I am, after all, as interested as any other member is in how to get the vote out at elections, and not just at the referendum. It was a unique experience to be advised by Kevin Stewart on how to do that better. I am of course grateful and I will bear his advice in mind for future reference.

On absent voting, the genuinely novel aspects of the voting system will require specific guidance and impose new burdens, but I believe that the counting and electoral registration officers will be well able to meet those demands.

The other area of debate has been on spending to a common plan, on which we thought that the bill could reasonably be strengthened to ensure transparency and to avoid campaigning by proxy through organisations that are invented for that purpose. Again, the issue is one of balance, this time between enabling participation by as many campaigners as possible and ensuring that no one seeks to mislead voters. Ministers have acknowledged the importance of getting that balance right although, unlike others, they believe that the bill achieves that as it stands. It will now be all the more important that the Electoral Commission builds on the framework that is provided by the bill and brings forward clear guidance on how campaigners should account for work that is done as part of a common plan. That way, the letter of the law will be clearly understood and, I hope, its spirit will be respected, too.

So the stage is set and the rules are clear, and those who are charged with ensuring a fair and transparent process know what tools they will have to hand to carry out their tasks. Now the country will decide and the world will be watching.

Mark McDonald (North East Scotland) (SNP): Will the member give way?

Lewis Macdonald: Nobody who has been involved at any stage in the process could doubt its significance, which is why, as many members have said, the debate should be conducted in a respectful manner.

Mark McDonald: Will the member give way?

The Presiding Officer: The member is in his last minute and he is not giving way.

Lewis Macdonald: It is important to say that Scottish men and women who take part in the debate should not lose the right to that respect on the basis that they are elected members of the Westminster Parliament. Those rules apply there, too.

It is not enough for Parliament to set the stage; it is also our job as members to scrutinise legislation, as we have done, and the wider policies and actions of the Scottish Government. That is why, at stage 1, we raised the issue of scrutiny of the white paper. Now that we have come to the point at which the referendum rules have been settled, decisions must soon be made about scrutiny of the white paper. There is a case to be made for that to be done by a committee of Parliament, constituted in a similar way to the Referendum (Scotland) Bill Committee. If ministers do not support that, I hope that they will tell us how they wish to proceed, so that the Parliament as a whole can come to a view.

The people of Scotland have a momentous decision to make, which we have enabled through the proceedings on the bill. Over the next few months, Parliament will have a role in ensuring that the proposals on which people will vote have been examined and interrogated, as we would do for any other measure. After all, that is what a Parliament is for, and it is through Parliament that the people of Scotland will continue to hold ministers to account, before and after the referendum.

16:52

Nicola Sturgeon: The debate has been interesting and, in the main, good natured. It is fair to say that it has had its surreal moments. Annabel Goldie transported us back to her first primary school dance and the awakening of her awareness of the male of the species. Unfortunately, she returned to talking about the bill

and we did not get to hear how that evening ended, but perhaps we will on another occasion.

Annabel Goldie also raised a serious question for me about the timing and extent of pre-referendum guidance. She will recall that I wrote to the Referendum (Scotland) Bill Committee on 22 June setting out the list of public bodies that are subject to the 28-day pre-referendum restrictions. The exact timing for the issuing of that guidance is yet to be decided, but it will be issued in good time to allow staff to familiarise themselves with it. As I have said previously, we will send a copy of the guidance to the Referendum (Scotland) Bill Committee. I hope that that answers Annabel Goldie's point.

Bruce Crawford made a fine speech, setting out in simple but powerful terms the case for Scotland becoming an independent country. I take the opportunity to again place on record my gratitude and that of the Scottish Government to Bruce Crawford for the enormous role that he has played in the process. Many fine speeches have been made, including by Malcolm Chisholm, Stewart Maxwell, Patrick Harvie, Stuart McMillan, Bob Doris, Margo MacDonald, Sandra White, George Adam, Rob Gibson, Clare Adamson and Linda Fabiani—they made wonderful speeches. Some of the speeches have been of the highest quality, and I want to single out two.

The first was by Annabelle Ewing, who spoke about her mother. When I press my button to vote in a few minutes' time, there will be many people in my mind who have contributed much to bringing us to the point that we are at today. One of them will be Annabelle Ewing's mother: the fine, fantastic Winnie Ewing. When Winnie Ewing opened the Parliament, she reminded us that we lost our independence back in March 1707. If we vote yes next year, we can regain our independence in March 2016. I know that nobody will be happier on that day than Winnie Ewing. We pay tribute to her and others today.

Mark McDonald: I had hoped to speak in the debate. Brian Adam, who was elected in 2011, is one of the people who ought to have been here with us today to press their voting buttons. I am sure that the cabinet secretary would want to record her wish that Brian were still with us today to be able to vote for the bill at 5 o'clock.

Nicola Sturgeon: I dearly wish that Brian Adam and many other people were with us today, but I am sure that we all, in enabling the people of Scotland to vote in a referendum, will do them and their memories justice.

The other speech that I want to highlight is that by Jamie Hepburn. I thought that he made a profound point and spoke for all SNP members in doing so. He said very clearly that, for us,

independence is not an end in itself; it is a means to an end, and that end is a better Scotland. As he was speaking, it struck me that those who can be accused of being blinded by constitutional arguments in the debate are, in fact, Labour members. In truth, there is more that unites the SNP and Labour on many social and economic issues than divides us, but Labour is so wedded to the Westminster system that it would rather have a Tory Government dismantling our welfare state than have an independent Government doing something about inequality. I think that that position will fall apart over the next few months under the weight of its own absurdity, as more and more Labour voters realise that the way to achieve their political aspirations is not to remain with Westminster but to vote yes and have Scotland become an independent country.

That takes me to Drew Smith's contribution. He started very well with the proud declaration that he will vote yes at decision time this afternoon. I think that he might find that he will get a taste for voting yes; I am sure that, in his heart, he would rather be there than where he went with his remarks. After that proud declaration about being a yes voter, it was downhill for him, because he characterised the debate as a choice between Scotland becoming a separate country or staying with Westminster. I ask him to look around the world. There are no separate countries in the world these days; there are independent countries—some 200 of them.

Drew Smith: Will the Deputy First Minister give way?

Nicola Sturgeon: Stewart Maxwell made an excellent speech about Lithuania. Those countries govern themselves. They look after their own interests and co-operate with their neighbours when that is appropriate. The choice that we face is between being like that—normal and independent, in charge of our own destiny, and getting Governments that we vote for—or continuing to be governed by a Tory Government at Westminster. If Drew Smith wants to defend that, he can be my guest.

Drew Smith: I actually referred to independence and separation and made a point about language, but the main thing that I tried to cover in my speech was the tone of the debate. As to how I could ever be persuaded by the Deputy First Minister's case, does she regret referring to her fellow Scot Alistair Carmichael as

“the Secretary of State against Scotland”?

Will we hear more of that in the campaign?

Nicola Sturgeon: If there was any doubt at all that Westminster does not work for Scotland, that doubt was surely dispelled this week. Scottish Labour MPs at Westminster are so used to being

outvoted that they do not even bother to turn up to vote on something as important as scrapping the bedroom tax. There we have it: the price of Westminster government. The Tories impose the bedroom tax and Labour does not even bother to try to protect Scotland from it. We need powers over welfare in this Parliament.

The vote next year is a choice. If we vote no, nothing changes. The Tories will continue to dismantle our welfare state. If we vote yes, we express confidence in ourselves and in future generations. We will take our future into our own hands. We will chart a new future and better direction for our country. That is what I believe people in Scotland will vote for and when that happens, no longer will the Tories impose the bedroom tax. This Parliament will be responsible for building that better Scotland that we want to see.

That is why I take so much pleasure in asking members across the chamber to pass the Scottish Independence Referendum Bill.

Business Motion

17:00

The Presiding Officer (Tricia Marwick): The next item of business is consideration of business motion S4M-08299, in the name of Joe FitzPatrick on behalf of the Parliamentary Bureau, setting out a business programme.

Motion moved,

That the Parliament agrees to the following revision to the programme of business for Tuesday 19 November 2013—

delete

Tuesday 19 November 2013

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Scottish Government Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business—[*Joe FitzPatrick.*]

Motion agreed to.

Decision Time

17:01

The Presiding Officer (Tricia Marwick): There is one question to be put as a result of today's business. The question is, that motion S4M-08239, in the name of Nicola Sturgeon, on the Scottish Independence Referendum Bill, be agreed to.

Motion agreed to,

That the Parliament agrees that the Scottish Independence Referendum Bill be passed.

Meeting closed at 17:01.

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