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Pàrlamaid na h-Alba

Official Report

MEETING OF THE PARLIAMENT

Tuesday 16 June 2015

Session 4

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Scottish Parliament

Tuesday 16 June 2015

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

Time for Reflection

The Presiding Officer (Tricia Marwick): Good afternoon. Our time for reflection leader today is David Strang, the guest speaker of the national prayer breakfast for Scotland and Her Majesty's chief inspector of prisons for Scotland.

Mr David Strang (National Prayer Breakfast for Scotland and Her Majesty's Chief Inspector of Prisons for Scotland): Presiding Officer and members of the Scottish Parliament, thank you for the opportunity to lead time for reflection this afternoon.

This morning, more than 7,500 men and women woke up in their cells in prisons across Scotland. Most of them have been convicted of a crime and are serving a sentence as a result.

You and I have chosen to come here today; we are free to make decisions about where we go, what we do and even what we wear. People in prison are not free to make those most basic decisions about their lives—the sentence of the court is the deprivation of their liberty and choices.

Many victims of crime have been damaged by what has happened to them. In a civilised society, we do not want imprisonment to cause further damage and harm. On the contrary, we want the experience of prison to be an opportunity for rehabilitation and a fresh start. The vast majority of men and women in prison will at some point be released and will return to the community from which they came. What all of us want is that when they return, they do not commit further offences.

All our prisons in Scotland strive hard to work with prisoners to prepare them for a successful return to the community. As chief inspector of prisons for Scotland, when I inspect a prison I take a particular interest in two aspects of prison life: safety and relationships. First, is the prison safe, with minimal levels of violence and bullying? Secondly, what is the relationship like between prisoners and staff? I have been impressed with the efforts that Scottish Prison Service staff make to work constructively with prisoners in preparation for their return to the community and to encourage positive relationships with their families.

We should also be encouraged that there are fewer young men in the young offenders institution at Polmont—the number has come down by more

than half in the past eight years. That gives grounds for hope for the future.

At the national prayer breakfast for Scotland this morning, the gathered group, including some MSPs, prayed for all victims of crime; we prayed for all those involved in the criminal justice system in Scotland; we prayed for the marginalised and vulnerable in our society; and we prayed for the members of the Scottish Parliament and all who work in this building.

Our prayer is that your work will be fruitful and your decisions wise and compassionate.

Business Motion

14:03

The Presiding Officer (Tricia Marwick): The next item of business is consideration of motion S4M-13536, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, setting out a revision to the business programme for this week.

Motion moved,

That the Parliament agrees to the following revisions to the programme of business for—

(a) Tuesday 16 June 2015

after

followed by Topical Questions

insert

followed by Ministerial Statement: Scottish Government Report on the Operation of the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012

(b) Wednesday 17 June 2015

delete

7.00 pm Decision Time

and insert

8.00 pm Decision Time

(c) Thursday 18 June 2015

after

2.30 pm Parliamentary Bureau Motions

insert

followed by Ministerial Statement: Scottish Government Response to the Vale of Leven Inquiry

followed by Ministerial Statement: Provisional Outturn 2014-15

followed by Topical Questions—[Joe FitzPatrick.]

Motion agreed to.

Topical Question Time

14:04

Headteachers (Black and Minority Ethnic Backgrounds)

1. Liam McArthur (Orkney Islands) (LD): To ask the Scottish Government what its response is to figures suggesting that there are no head or deputy headteachers from black or minority ethnic backgrounds. (S4T-01060)

The Minister for Learning, Science and Scotland's Languages (Dr Alasdair Allan): The Government is committed to equality. We want to see a diverse education workforce that reflects Scottish society. Statistics indicate that around 2 per cent of the teaching workforce and around 1 per cent of individuals in promoted posts are from a black or minority ethnic background. As employers, local authorities have the responsibility of ensuring that their recruitment practices are fair and inclusive, and the Scottish Government is committed to working with local authorities on this matter.

Liam McArthur: Last week, the Scottish Government said that it was ensuring that the masters qualification for headship, which is due to be in place in 2018-19, is fully impact assessed. I think that the minister would agree that that is not good enough.

The Government is rightly proud of its record on the number of women who hold Cabinet positions and on its work on gender equality generally. Does the minister not agree that it is time to widen the Government's equalities work to give greater opportunity to those from BME backgrounds? If so, what specific further steps does the Government propose to take to remove barriers for those from BME backgrounds to reaching the top of the teaching profession?

Dr Allan: The member is, of course, right to say that we need to promote equalities and diversity in all aspects of the teaching profession. The new masters qualification to which he refers—the masters qualification for headship, which will be mandatory from 2018-19—will be fully equality impact assessed by the Scottish College for Educational Leadership so that it is fair and accessible for all.

As the member indicated, we have put some effort into ensuring that there is more of a balance between the genders in the future, particularly in primary school, and into encouraging men to come forward for the teaching profession. The member is right to say that, equally, we need to ensure that our teaching workforce is reflective and

representative of Scotland's population as a whole.

There are one or two points that I could point to in the statistics that are referred to in the question, but suffice it to say that we all want to improve the situation and to make it clear that people from all ethnic minority backgrounds are welcome in the teaching profession and are equally likely to be promoted.

Liam McArthur: Teaching unions have also raised concerns about the overall number of teachers from BME backgrounds in the profession. In order to establish ways of making the progress to which the minister has alluded, has the Scottish Government undertaken any analytical work on the reasons for the lack of diversity in our schools workforce, particularly among those in senior management positions, that might inform future decisions about how to remove the obstacles that exist?

Dr Allan: I am very willing to work with Education Scotland and others to establish some of the reasons for that. Anecdotally, there are many possible reasons for it. It might be that other professions and other parts of our public life are, for whatever reason, more diverse and more representative than the teaching profession is. Another possible reason might be to do with the progression of teachers in their careers.

It is worth saying that the data is slightly complex and is capable of being interpreted in a couple of different ways. I do not say that to get away from the member's central point. For example, there are some people who would define themselves as minority ethnic who would fall within the "White: Other" category. Across all publicly funded sectors, the number of individuals in promoted posts—principal teacher, deputy head and headteacher—who fall within non-white ethnic groups is 102. I say none of that to take away from Liam McArthur's central point, which is that we should be encouraging much more diversity in our schools.

Mark Griffin (Central Scotland) (Lab): I would have thought that one of the first steps in increasing the number of members of the black and minority ethnic community who hold senior management posts in schools would be to increase the pool of available candidates in the general teaching workforce. Has the minister had any discussions with the Scottish Further and Higher Education Funding Council or teacher training institutions on the percentage of their intake who come from BME backgrounds?

Dr Allan: Notwithstanding the point that the member makes, the Government is not in a position to dictate to the General Teaching Council for Scotland, which is an independent body, or

others on such matters. Obviously, we do not operate a system of quotas. However, we need to get to the bottom of why the teaching profession might not be as attractive to people from black and minority ethnic backgrounds as perhaps other professions are. We need to work with the GTCS and, indeed, the universities that are providing initial teacher education in order to examine the issues, which is what I intend to do.

Caledonian MacBrayne (Workforce Concerns)

2. David Stewart (Highlands and Islands) (Lab): To ask the Scottish Government how it is responding to the concerns of the CalMac workforce, who have recently been balloted for strike action. (S4T-01065)

The Minister for Transport and Islands (Derek Mackay):

CalMac's ferry services play a crucial role in the daily lives of our island communities, and the Scottish Government has made clear its commitment to the continued delivery of a safe and reliable ferry network. We want to protect CalMac employees by ensuring that a fair, affordable and sustainable pension scheme is written into the next ferry service operating contract. I encourage CalMac and the unions to continue with the current process of engagement on proposed changes to the pension scheme and to work together towards an outcome that avoids the need for industrial action. I have had two constructive meetings with the CalMac unions and the Scottish Trades Union Congress in recent weeks, and I have offered to continue that dialogue.

David Stewart: The minister will be well aware that more than 90 per cent of members of the National Union of Rail, Maritime and Transport Workers at CalMac voted for industrial action as they have genuine and heartfelt concerns over job security, conditions and, particularly, pensions. The Scottish Government owns CalMac. What specific actions is the minister going to carry out to resolve this very unsatisfactory and worryingly poor climate of industrial relations?

Derek Mackay: We will ensure that the processes that we are responsible for are carried out competently. I repeat that we want to give the assurance to CalMac employees that we continue to support the services by investing in them. We will conduct a procurement exercise that is in keeping with the legislation—the same legislation that the previous Labour Administration would have had to comply with in procuring services—and our guarantees around the pension.

To put the issue in context, we are aware that there is an identified pension deficit, which is up to £59 million following the revaluation of the pension. The trade unions are not resisting reform, and I am very mindful of what their issues are.

That is why continued dialogue and meetings undertaken in a constructive and positive fashion are necessary and right. I will do everything that I can as minister to support those discussions. However, our support for this public service is absolutely resolute.

David Stewart: Does the minister share the views of the RMT general secretary, who said:

"RMT members on CalMac feel that they are caught in the crossfire of an unnecessary and damaging tendering battle that leaves jobs, conditions and pensions hanging by a thread"?

Surely the Scottish Government has learned the lessons of the fiasco of the northern isles contract award, when Serco axed a crossing and sacked staff.

Derek Mackay: I certainly understand why employees would feel nervous when their jobs are subject to a procurement exercise, which is of course the same procurement exercise that a Labour Administration would have to undertake and one that, under the legislation, we cannot escape. That is why we set a very robust specification for the services that we want. We are investing in the ferry network with new vessel provision as well, and we will support employees through the process.

Can I be clear about what is being procured? Regardless of the ownership status of the successful bidder, the ferry services are not being privatised. What is being tendered is a public service contract to operate lifeline services on behalf of Scottish ministers. The operator will have to comply with a service specification defined by Scottish ministers that will, as now, be subject to stringent contract management conditions. All the vessels and ports that are currently in public ownership will remain in public ownership and, together with the Clyde and Hebrides services, will remain under public control by Scottish ministers throughout the contract. This is therefore not privatisation, as some elements of the Labour Party are suggesting.

Alex Johnstone (North East Scotland) (Con): Shame!

Derek Mackay: I can hear that that is much to the regret of the Conservatives who are to my right, both literally and politically.

We will protect our public services and conduct the current procurement exercise in a manner that is in keeping with European and other relevant legislation, and we will arrive at the right decision by which to protect the lifeline services. We will also support employees through what I accept is a difficult process.

Alex Johnstone: Will the minister give a guarantee that, in reacting to the action of the

trade unions at CalMac, he will also have as his highest priority through the tendering process value for money for the taxpayer and a quality service for the fare-paying passenger?

Derek Mackay: These issues are about balance. It is a matter of fact that there was a deficit in the pension fund and the Scottish Government has been supporting that. We will look at the assessments and the revaluation once again and, through the employer's dialogue with the trade unions, continue that discussion, but we will do it in a culture of positivity and a constructive approach in which we encourage CalMac and the unions to talk and to work together so that we can all avoid any industrial action. As I said, I am sure that that climate will lead to a positive outcome in keeping with all the necessary considerations.

Neil Findlay (Lothian) (Lab): Let me get this right. A service that is currently run by the public sector may be run by the private sector, and that is not privatisation. The reality is that the northern ferries have gone to Serco, the sleeper has gone to Serco and ScotRail has gone to the Dutch company Abellio. Is it any wonder that the RMT and its members have no confidence in the minister's handling of what is going on at the moment?

Derek Mackay: I say to Neil Findlay that I recall what privatisation looks like as delivered by the Tory Government and it is the ripping apart of public services and leaving them to the private sector. That is not what is being proposed. We are talking about public services and the provision of services as specified by ministers, and they will remain in the ownership of the Scottish ministers and under their direction.

Neil Findlay, as is not unexpected, uses intemperate language. He would do well not to try to stoke up grievance and create a toxic situation for the employees. We should be looking after the employees of CalMac—[*Interruption.*]

The Presiding Officer (Tricia Marwick): Mr Findlay, stop heckling.

Derek Mackay: —and working in partnership with the trade unions to arrive at a positive outcome so that we can continue to provide these public services in the interests of the communities that they serve, and we will continue to do that in keeping with the law. Does Neil Findlay suggest that we should break the law? Does he think that that would leave us in a satisfactory position? No—it would lead to challenge, and the people who would suffer if we did not deliver the procurement exercise in keeping with the necessary procurement legislation would be the communities and the staff.

Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012

The Presiding Officer (Tricia Marwick): The next item of business is a statement by Paul Wheelhouse on the “Scottish Government Report on the operation of the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012”. The minister will take questions at the end of his statement. There should therefore be no interventions or interruptions during it.

14:17

The Minister for Community Safety and Legal Affairs (Paul Wheelhouse): Last Friday, we published our “Scottish Government Report on the operation of the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012”. In doing so, we have fulfilled the requirement in section 11 of the act for us to report on the operation of the offences in sections 1 and 6 by 1 August this year.

Since June 2013, researchers at the University of Stirling and ScotCen Social Research have been carrying out an extensive evaluation of the act, and they have heard evidence from a wide range of stakeholders including fans, match commanders, police, prosecutors and football club representatives. The resulting independent evaluation covers section 1 of the act, on offensive behaviour at regulated football matches, and it is one of the pieces of supporting evidence that is central to our report.

The second piece of evidence that our report is founded on is an evaluation of section 6 of the act, on threatening communications, which was produced by the Scottish Government’s justice analytical services division.

Although the act is a high-profile and important piece of legislation, it is by no means the only measure that the Government has deployed to tackle offensive behaviour and crimes that are associated with different forms of hatred. However, I hope to set out why I believe that the act is a tool that should remain available to the police and the courts. I will also set out where I believe there is scope for improving the implementation and operation of the act. I am keen to work with all partners to do that.

The basis for moving forward is the evaluation’s recommendations and suggested improvements in how the act is applied and used. However, I am keen to supplement that by hearing from those who have an interest in the legislation, who want

to respond to the recommendations and who have ideas for improving operation of the act. Our ongoing aim is to learn from the evidence and improve implementation.

The work that has been undertaken by the independent research team indicates that the majority of the people of Scotland, including football fans, have had enough of football being used as an outlet for offensive, bigoted and abusive behaviour. Scotland is moving on from the prejudices of the past, and I believe that a clear majority supports the sentiment that Scottish football needs to move with the times.

The evaluation shows that hateful and offensive activity has been a declining phenomenon at football matches in recent seasons since the act was introduced, in terms of the number of charges that have been reported to prosecutors by the police. Updated hate-crime figures that were published last Friday indicate that such activity has fallen even further than was reported in the evaluation, with offences under the act having fallen by 28 per cent since the first year of operation.

I whole-heartedly welcome the decline in offences under the act. That decline reflects opinion that we have observed through other work that we have been doing, in particular in relation to tackling sectarianism: the public tell us time and again that they are tired of the worn-out rhetoric of bigotry, which has no place in modern Scotland.

The act has some harsh critics. Since taking on responsibility for my portfolio, I have been keen to understand the basis for that opposition and to consider how legitimate concerns can be addressed in order to improve implementation and operation of the act.

The act was not created in a vacuum; it resulted from circumstances that simply could not be tolerated and which needed a strong policy response. Members may recall that during the 2010-11 football season we saw an unacceptable level of sectarianism on Facebook, on internet forums, in blogs and on other social media, and that we saw a number of high-profile figures being targeted with parcel bombs and death threats, alongside increased patterns of violence and disorder at some football matches. When Parliament legislates, it chooses to communicate important messages. In response to those events, the act stated that bigotry, prejudice and the celebration of loss of life and of terrorist activity are unacceptable.

There is no question but that the vast majority of football supporters are well behaved and simply wish to support their teams and enjoy the match-day experience. I acknowledge that good behaviour and self-policing where it occurs—I

have seen it at work. That positive behaviour is absolutely central to creating the atmosphere of friendly rivalry that allows everyone to enjoy our national sport without feeling abused, threatened or intimidated.

It is therefore unsurprising that the evaluation highlights findings from surveys of supporters of Scottish football clubs that were conducted as part of the research and which show that a majority of football fans hold views that are broadly in line with the act's objectives. Football is not in itself responsible for giving rise to sectarianism or other forms of hatred that exist in society—to suggest otherwise would be wrong—but it is, regrettably, a means by which such hatred, abusive behaviour or sectarianism can manifest themselves. For example, recent research from a Scottish social attitudes survey by ScotCen Social Research found that 88 per cent of people identified football as a contributing factor to sectarianism in Scotland, and that 55 per cent highlighted it as the main contributing factor to sectarianism in Scotland.

In developing their evaluation, the University of Stirling and ScotCen Social Research consulted a wide range of stakeholders. That included an online supporters survey at the end of the 2012-13 season and a further survey at the end of the 2013-14 season, which attracted a total of 4,130 responses. The surveys sought views about match-day experiences since the legislation came into force, and supporters from all 42 professional league clubs were involved. The strongest representations came from Celtic, Hearts and Rangers fans. The results, which were validated through focus group work, demonstrate that 90 per cent of respondents to the fan survey found songs that glorify or celebrate the loss of life or serious injury to be offensive; that 82 per cent found songs in support of terrorist organisations to be offensive; and that 75 per cent found songs, chants and shouting about people's religious background or beliefs at football matches to be offensive.

We have never promoted the view that societal problems can be eradicated through legislation alone; they are complex problems that can be addressed only through a range of activities. That is why the act is part of our broader work to tackle abusive behaviour and why it has never been intended as a single fix. However, I recognise that there are areas in which improvements could be made. After all, the legislation is still new, and it is important that we consider where it is not working so effectively, and that we take the appropriate steps to address that.

For example, although policing at football matches is an operational matter for Police Scotland, the evaluation's finding that the relationship between the police, football clubs and

fans could be improved is acknowledged. I am keen to see that happen and to work with all parties on positive engagement and on improving levels of trust. I know from my discussions with Police Scotland that it shares that ambition.

I was delighted to be able to announce last Friday that I have extended the diversion from prosecution programme—which is run by Scotland's leading organisation for reducing offending in communities, Sacro, as an alternative to prosecution. I know that that chimes with concerns that have been raised by football clubs and other groups, including fans against criminalisation. Sacro's programme, which will cover all Scotland, will ensure that, when appropriate, people will be kept away from the criminal justice system and given appropriate alternative education programmes to make them understand the impact of their actions; to steer them away from getting caught in a downward spiral in the criminal justice system; and to give them opportunities to make positive life changes. Clearly, it would be desirable to change behaviour, where possible, rather than giving first time and low-tariff offenders a criminal record.

Another area that I will be looking into is the application of football banning orders, their effectiveness as an intervention and what improvements can be made to the procedures to ensure that they remain an effective tool for dealing with a wide range of negative behaviours that are associated with football. That will be done in conjunction with the Scottish Court Service and the Crown Office and Procurator Fiscal Service. A short-term banning order may be an appropriate alternative in some cases, and prosecutors may want to use those as an alternative disposal.

The Lord Advocate will be updating his guidelines on the act to ensure that prosecutors are aware of the diversionary programme and are able to use it in all suitable cases. He will also be highlighting precedents that have been established through case law in order to clarify interpretation of the act and to achieve a more consistent approach to its application.

As well as taking the actions that I have mentioned, I am keen to hear more from people who have been critical of the act, so that I can identify and understand the legitimate concerns that they may have, and how best to address them.

Clearly, actions must be evidence based. Therefore, I am also committed to monitoring the act's operation and the effectiveness of Sacro's diversion from prosecution programme.

Other issues are highlighted in the evaluations, such as that 60 per cent of fans perceive that they have not yet seen an improvement in behaviour;

the act's comparatively low usage; and the duration of court cases, which is a concern of fans' representatives. The implications of all the findings must be fully considered and, where appropriate, acted on.

I am satisfied that the evaluation meets our commitment to report to Parliament on the act's effectiveness, and that it presents a strong, diverse and representative set of views, reflected through a robust and independent evaluation process. We have a thorough and robust understanding of the act's impact in its first two seasons of operation. I thank the University of Stirling and colleagues in the justice analytical services division for providing a good basis for further progress.

Tackling all forms of abusive behaviour, including abusive behaviour in and associated with football, is a Government priority. It is central to building an inclusive Scotland where all can live and raise their families in peace without fear of threats, abuse or prejudice. The act remains an important tool for helping us to achieve that goal.

The Presiding Officer: The minister will take questions on the issues raised in his statement. I intend to allow around 20 minutes for questions. It would be helpful if members who wish to ask a question were to press their request-to-speak button now.

Hugh Henry (Renfrewshire South) (Lab): Sectarianism and offensive behaviour are unacceptable no matter where or when they occur. Indeed, I am surprised and disappointed that it was not 100 per cent of those surveyed who found such behaviour unacceptable. The question is what to do about it.

The act is controversial, and not just with football fans. It has been criticised by sheriffs and other legal experts. Many have questioned whether most of the convictions under the act could have been obtained using the legislation that was in place before the act was passed. The act creates a culture of mistrust between football fans and the authorities, which is not helped by fans being arrested at home in controversial circumstances.

The research, while highlighting that football-related offences are down, concludes that that could possibly be attributed to other factors. Therefore, it is impossible to determine whether some or, indeed, any reductions are attributable directly to the act. The research does not make clear whether the act is effective. The minister is being disingenuous. A promise was made to review the legislation. This work should be the start of that review.

We all know that bigotry and intolerance are not confined to football matches. Will the minister

commit to enhancing the investment in education? Will he commit to having a thorough review of the flawed legislation? We can do better than this. Scotland deserves effective action to tackle this age-old scourge.

Paul Wheelhouse: Mr Henry makes a couple of points that I am in agreement with. I am disappointed that 100 per cent of fans and 100 per cent of the population do not agree that such behaviour is offensive and should no longer continue. We are where we are. We must recognise the very strong support, which we should all welcome, among fans and the general public about tackling all forms of offensive behaviour. The focus will inevitably be on sectarianism, but there are other forms of offence, such as homophobia and racism. That support is very welcome.

We have never said that the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 is the only tool in the box. We have continued to invest £2.3 million in the current financial year in community-based activities—38 projects throughout Scotland—that will, I believe, help to tackle the problem from another angle. I hope that all members support their doing so.

I recognise the point that Hugh Henry makes. We have never claimed that the act will be the only thing to solve the problem. I take on board the messages from the researchers about the difficulty in isolating the impact of a specific measure such as the act in tackling sectarianism. Nevertheless, we should welcome the reduction in the number of charges and the fact that there is strong support for tackling the issue among fans and the wider public.

As I said in my statement, I intend to engage with those who have criticisms of the act on how we can implement it better. I will also listen to the specific concerns of clubs and supporters about how such issues can be policed. Police Scotland has operational responsibility for dealing with these matters in the grounds as well as among those travelling to and from the grounds. It is willing to engage with fans on the issue and is looking to improve relations.

There is a good basis on which to go forward, and I give a commitment to keep an eye on the implementation of the act and to continue to review its effectiveness.

Margaret Mitchell (Central Scotland) (Con): I thank the minister for advance sight of his statement, the gist of which appears to be a reaffirmation of what we already knew about the attitudes to offensive behaviour at football matches and a broadly upbeat assessment of how the legislation is working in practice, in terms of

the decline in the number of football-related charges. However, I point out that the report states that it is impossible to determine whether any of that reduction is attributable directly to the act. What is evident from the minister's statement is that there is an emphasis not on continuing to make use of the act but, rather, on improving relationships, using diversion from prosecution, considering the use of banning orders and—crucially—looking at guidelines to clarify the interpretation of the act. Is it not simply time to repeal this ill-conceived legislation?

On the concerns that have been raised by the police, can the intensive use of police resources to implement the policy at the expense of policing more violent risk groups be justified? At the very least, can the minister cite any examples that the review looked at, specifically in terms of the prosecution process, that show how inadequate the act has been so far and why it is necessary to clarify its interpretation?

Paul Wheelhouse: I will address the member's final point first. I disagree with Margaret Mitchell. The offences that are being committed under the act have contributed to a wider situation in which people fear for their safety. More specifically, I recognise the debilitating effect of sectarianism and other hatred-based offences that are being committed in our society, which makes people's day-to-day lives difficult.

The act makes a clear statement to the wider population that Scottish society in the 21st century does not support any form of discrimination or hatred that causes offence to people, such as that which has, in the past, led to acts of physical violence and abuse in parts of Scotland. I appreciate the points that Margaret Mitchell makes, but I believe that it was important for the Parliament to send a strong signal to the Scottish population that the problem needed to be tackled.

The YouGov survey indicated that 80 per cent of the public support the act specifically—that is not just support for legislation to tackle offensive behaviour, but specifically support for the act. There is strong support out there for the act.

I appreciate the concern about Police Scotland's resources. The focus unit that was set up to improve the policing arrangements in and around football matches has been successful and has been welcomed by clubs and some supporters groups. The focus unit is working effectively to finesse and fine-tune the policing approach, but we stopped funding it as a stand-alone project at the end of 2012-13. Thereafter, the costs have been borne by Police Scotland, which believes that it is important to tackle the issue.

The Presiding Officer: I advise members that we will be very tight for time all afternoon. Twelve

members wish to ask questions of the minister, and I intend the item to finish no later than 2.50. I urge members to keep their questions brief and urge the minister to keep his answers brief, too.

Roderick Campbell (North East Fife) (SNP): What further information can the minister provide regarding the expansion of the diversion from prosecution programme?

Paul Wheelhouse: As I have mentioned, the Sacro programme, which will cover all of Scotland, will ensure that, when appropriate, people will be kept away from the criminal justice system and given appropriate alternative education programmes—that chimes with the point that Mr Henry made—to make them understand the real impact of their actions, to steer them away from getting caught in a downward spiral in the criminal justice system and to give them opportunities to make life changes.

As I mentioned in my statement, and as was recognised by Margaret Mitchell, the Lord Advocate will update his guidelines to ensure that it is clear when it is most appropriate to apply that programme.

Michael McMahon (Uddingston and Bellshill) (Lab): First, I ask the minister to withdraw his claim that his views on the extension of diversion from prosecution chime with those of fans against criminalisation. Nothing could be further from the truth. He should not have made that claim. Fans against criminalisation see no succour in those who should not be facing prosecution in the first place being diverted away from any prosecution.

Secondly, what efforts has the Scottish Government made to follow up on its commitments on a further equality impact assessment to assess the impact that the legislation is having on people of different races and ethnicities? In particular, how has the Government engaged with Scotland's multigenerational Irish community?

Paul Wheelhouse: On Mr McMahon's first point, I have had a full and frank discussion with fans against criminalisation about their views. It was very helpful. [*Interruption.*] I see Mr McMahon pointing—I am aware that members of fans against criminalisation are in the public gallery. Mr McMahon was not at that meeting, but we discussed with fans against criminalisation—[*Interruption.*] Perhaps I could carry on without gesticulations from Mr McMahon.

The Presiding Officer: Continue, minister.

Paul Wheelhouse: Fans against criminalisation and I had a full and frank discussion, and I am fully aware of the group's criticisms of the act. I understand their perspective. However, we also discussed whether the group would be supportive

of alternatives to prosecution. Members of the group certainly gave me the impression—I appreciate that Mr McMahon was not there—that they were supportive of that. The clue is in the name—“fans against criminalisation”. If we can avoid criminalising fans unnecessarily, I would hope that the proposed measure would be something that they would support.

On the other issue that Mr McMahon raised regarding the strength of links with the Irish community, I fully recognise that members of the Irish community in Scotland have a proud heritage, and I am entirely supportive of their promoting their heritage.

The courts have done work on this through case law, and we have to recognise that certain songs and acts can constitute an offence. That is for the courts to determine, not ministers, but there are clearly strong sentiments. I recognise the strong views of fans against criminalisation in that respect, but we will continue to have discussions with them about how we can improve the policing and implementation of the act.

Alison McInnes (North East Scotland) (LD): I welcome the funding for the diversion from prosecution projects. The Government will know that I have raised concerns about the dangers of disproportionate criminalisation, particularly of young men. I welcome the step that the Government has taken.

What assessment has been made of how many people, particularly young people, might have been disproportionately criminalised as a result of the act? How many people does the minister envisage will benefit each year from the diversion from prosecution?

Paul Wheelhouse: I will be happy to write to the member with some further detail about the underpinning of the financial figures that we have used for funding the programme, which will probably help to explain the estimates of the numbers involved.

I have had some informal discussions with Sacro, as have my officials, about the effect of the measures. We believe that they are highly effective, with a 100 per cent reduction in offending among those who have been going through the process.

I very much welcome Alison McInnes’s support for the measures, which I know she has herself espoused. I am very grateful for her warm words on the subject today. We will ensure that she gets the detail of the underpinning assumptions regarding the numbers of people going through the scheme.

John Mason (Glasgow Shettleston) (SNP): I note from the report that the main victims of

offensive behaviour—some 84 per cent—seem to have been Catholics, who have traditionally suffered from discrimination in Scotland. Does the minister therefore consider that the main beneficiaries of the act are likely to be Catholics and football supporters from a Catholic background?

Paul Wheelhouse: It is certainly an important point. A number of different facets of hate crime are covered by the act, but discrimination on the basis of religion is one that the debate inevitably focuses on.

It is true that 84 per cent of all the charges in the most recent year were in relation to behaviour derogatory towards Roman Catholicism. That was a welcome reduction on previous years. There were six charges for behaviour that was derogatory towards Protestantism—12 per cent of all charges—and one charge for behaviour that was derogatory towards Judaism and Islam. The vast majority of offences at the moment involve people abusing Catholics, and I hope that people of that faith will welcome the act tackling that issue. I stress, however, that there has been a welcome reduction in crimes against both Catholics and Protestants.

Neil Findlay (Lothian) (Lab): The appalling murders in France following the publication of cartoons in the *Charlie Hebdo* magazine saw politicians from all parties declaring “Je suis Charlie” in defence of freedom of speech. At the same time, working-class football fans in this country are hauled before the courts for singing songs or wearing T-shirts that I and the minister may not like—

The Presiding Officer: Do you have a question, Mr Findlay?

Neil Findlay: What does the minister think of the double standards that are at play in relation to freedom of speech?

Paul Wheelhouse: The act does not forbid freedom of speech in Scotland; it regulates behaviour within regulated football matches, including travel to and from those matches or situations that might prove inflammatory, such as a public bar where the match is being shown. We do not say that people are not entitled to hold such views; they are entitled to hold views, but they are not entitled to purvey them in a situation where that may cause offence or lead to violence or hatred.

At football grounds, there are two teams and two sets of fans—we must accept that a football ground will not contain a homogeneous group of people. The work that the University of Stirling did showed that 47 per cent of Celtic fans supported tackling offensive behaviour such as singing in support of terrorist organisations and of the loss of

life. Those fans outnumbered the Celtic fans who were against tackling such things through legislation.

We must get this into perspective. The majority of fans support tackling offensive behaviour and support the act.

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): Will the Scottish Government provide a briefing on the outcome of the review to the British-Irish Parliamentary Assembly, of which I am a member, so that it receives a balanced view of the act's implementation?

Paul Wheelhouse: I accept that there are sensitivities around such issues, particularly with the Irish community in Scotland, which Mr McMahon mentioned. I am more than happy to ensure that all material on the evaluation of the act, the Government's response to the report, the YouGov survey, and any material that we feel would be helpful will be sent to the assembly for it to deliberate on at its leisure. We strongly support the Irish community in Scotland. The act is about tackling behaviour that could lead to disorder.

Paul Martin (Glasgow Provan) (Lab): I hope that the minister agrees that offensive behaviour is not exclusive to football fans. The second element of the legislation is about threatening communications. That includes online activity that has been extremely hurtful to a number of individuals, as has been well publicised recently. How many of those crimes have been recorded over the past year?

Paul Wheelhouse: As Mr Martin may be aware, there have been a relatively small number of offences under the act. Perhaps he is asking whether it would be a measure of success if more cases were recorded under the act, but I hope that the legislation has sent a strong signal that people must behave themselves on social media and not issue threatening communications. It is difficult to say—I am not attributing any views to Stirling university or to our justice analytical services division, which did the work for the Scottish Government—that those bodies are saying that the act has been responsible for a decline in such cases. However, we should welcome the fact that there are not more offences under the act, which I hope means that people are observing the correct behaviour.

James Dornan (Glasgow Cathcart) (SNP): The evaluation found that, in 2013-14, 22 per cent of supporters attending away games heard negative references to a person's sexuality, yet the number of offences relating to sexuality under the act is low. What work is the Government taking forward to tackle homophobia in sport and the underreporting of homophobic offences?

Paul Wheelhouse: We should note that point, and I have emphasised that the act covers behaviour that goes well beyond traditional sectarianism and into homophobia, transphobia, biphobia and other offences. Mr Dornan raises an important point. The Scottish Government has funded Leadership, Equality and Active Participation in Sports Scotland, which has worked for the greater inclusion of lesbian, gay, bisexual, and transgender people in sport and against homophobia in a sports context since 2012. The Government is funding that to the tune of £38,800 in this financial year. One of LEAP's objectives is to promote equality and diversity through challenging discrimination on the grounds of sexual orientation. That is an effective means to address homophobia, biphobia and transphobia. I will provide more details to Mr Dornan for his information.

John Pentland (Motherwell and Wishaw) (Lab): The reduction in offensive activity is due to a number of factors, some of which predate the act, and to a general reduction in violent crime. The minister and his predecessor have stressed the importance of education, but that has been undermined by the 25 per cent cut in funding for projects such as Nil by Mouth. Will the minister assure us that the long-term future of educational programmes will be safeguarded?

Paul Wheelhouse: Mr Pentland raises an important point. I support the activities that Nil by Mouth and others undertake in communities on our behalf. We invited those organisations to submit revised bids for the current year, in the full knowledge that there will be a reduction in funding, because we have a long-term commitment to phasing out sectarianism. We are not trying to create a sectarianism industry that has a long-term future—far from it. We want to eliminate sectarianism, but I recognise the important role that such organisations are playing.

We will continue to engage with partners such as Nil by Mouth and I acknowledge the positive work that they are doing in our schools. I have seen just how valuable that work is, but we have to recognise that the organisations need to work with local stakeholders to mainstream their activity so that it does not become project funded in perpetuity.

Gil Paterson (Clydebank and Milngavie) (SNP): I note that the YouGov poll found that 82 per cent of respondents believed that offensive behaviour at or around football matches is harmful and has a bad influence on young people. What work is being done to better educate young people on the issues that can contribute to offensive behaviour at football matches?

Paul Wheelhouse: Aside from the Sacro scheme, which I will not go over again—it is

certainly a significant investment that takes the total investment to around £140,000—we will provide further funding and support through other organisations, such as the 38 community organisations that are doing local projects.

Another initiative that is funded by the Scottish Government is the community links scheme, which I have also had the pleasure of seeing in practice. Community Links South Lanarkshire's anti-sectarianism project is another example of a project that is working at a local level; it is delivering social marketing campaigns and educating social media users about the risks of posting sectarian and offensive material on Facebook, Twitter and similar sites.

Further work is being done by sense over sectarianism in schools, Nil by Mouth and other organisations, including the Scottish Book Trust, which published a useful graphic novel about sectarianism called "Walk the Walk", which I commend to the member. I will ensure that further information is made available to him.

Elaine Smith (Coatbridge and Chryston) (Lab): I have no doubt that we all want bigotry, prejudice and religious hatred to be tackled, but concerns remain about the legislation. Further to Neil Findlay's question, will the minister clarify whether he supports the police interpretation of offensive behaviour when it involves songs or banners in support of political standpoints or expressions of a cultural identity that, outside a football environment, would not be considered criminal? Overall, will the Scottish Government put specific resources into further training for the police in order to stop the act being used unfairly and inappropriately?

Paul Wheelhouse: As I have done today, I am happy to go on the record as saying that we will continue to work with a number of partners, fan groups, clubs and others to ensure that the act's implementation is as good as it can be.

The interpretation of particular songs or banners is best left to the courts. Such songs or banners are not defined in the act because it contains tests of what constitutes offensive behaviour. We need to leave it to the courts and the sheriffs to determine, based on case law, what they feel is appropriate in a setting. I happily commit to the member that we will continue to engage with groups such as fans against criminalisation to improve the act's implementation where that can be done.

Patrick Harvie (Glasgow) (Green): The minister tells us that he is keen to understand the basis for opposition to the act. Is it not clear from the *Official Report* that that was part of Parliament's concern when we passed an amendment at stage 3 that required ministers to

consult before preparing a report in the review period? Why did the Scottish ministers not consult publicly on the matter before commissioning this piece of outsourced research?

Paul Wheelhouse: The piece of outsourced research that Mr Harvie refers to was done by extremely reputable academics at the University of Stirling. I am sure that Mr Harvie is not casting aspersions, but I make the point that this is a piece of high-quality research that has been done by independent researchers. They have done extensive work in consulting probably the very groups that Mr Harvie would want the Government to engage with through a consultation exercise.

We have had the evaluation. The act did not specify how the review ought to be undertaken. We have done what we believe is the best thing by undertaking an evaluation and consulting key groups. Fans against criminalisation was invited to take part in the evaluation, as were other supporters' groups, clubs, the Procurator Fiscal Service, the police and other stakeholders. It has been a wide-ranging evaluation that has brought in as much opinion as possible. It is a fair reflection of the consultation inputs.

I take Mr Harvie's point, but I think that we have made a successful job of evaluating the act. I hope that Parliament agrees.

The Presiding Officer: I thank members and the minister for allowing us to get through all the questions that members wanted to ask.

Harbours (Scotland) Bill: Stage 1

The Presiding Officer (Tricia Marwick): The next item of business is a debate on motion S4M-13511, in the name of Derek Mackay, on stage 1 of the Harbours (Scotland) Bill. I will give everyone a few moments to get settled.

The Deputy Presiding Officer (John Scott): If you are all sitting comfortably, we will begin.

14:51

The Minister for Transport and Islands (Derek Mackay): I am pleased to open the debate on the Harbours (Scotland) Bill. I thank those who submitted evidence, and the convener and members of the Infrastructure and Capital Investment Committee for their detailed scrutiny of the bill at stage 1. I welcome the committee's support for the general principles of the bill and for its detailed report. The overwhelming support for the bill is evidenced by the written and oral evidence received, which is referred to in the committee's report.

Before the bill was introduced, we held stakeholder consultations with the key stakeholder groups, including the British Ports Association, the United Kingdom Major Ports Group and the UK Chamber of Shipping. No issues were raised in relation to the primary purpose of the bill. Those bodies strongly support the bill, as does the trust port sector in Scotland.

We also consulted on two further proposals for the bill. The first was the introduction of a mediation step in section 31 of the Harbours Act 1964, which allows users to challenge harbour dues through appeal to ministers, but the consensus from stakeholders was that legislation was not required and that a mediation step could be achieved through non-statutory guidance. Transport Scotland is already progressing that work and will engage with the industry shortly on the details.

We also consulted on the proposal in the bill to remove the requirement for six copies of a draft harbour revision or empowerment order to be submitted along with the application for the order. In addition, the bill removes the requirement to submit six copies of a harbour reorganisation scheme. I am sure that we would all agree that that change is necessary. With modern technology, the submission of multiple paper copies is no longer necessary. Removing the requirement will conserve resources, reduce the impact on the environment and reduce the bureaucratic burden of the application process.

Scotland has a thriving port sector that makes a major contribution to Scotland's national and local

economies. Our ports continually invest in their infrastructure and services to meet the demands of current and future markets. A recently published Scotland-specific Oxford Economics study shows that the maritime sector in Scotland provides 35,600 direct jobs. Approximately one in every four people employed by the maritime services sector in the UK is based in Scotland, which means that nearly twice as many people are employed in Scotland than in any other individual part of the UK.

In 2013, the sector contributed £1.8 billion to the Scottish economy, accounting for an estimated 1.7 per cent of the country's total economic benefit. It generated more than £630 million in tax revenue. Those are impressive figures, and our country would not be the country that it is today without the day-to-day traffic through our ports. More than 90 per cent of all goods that are imported to the UK still pass through the country's ports.

In Scotland, we have three types of port, all of which work in that environment. We have the private ports, examples of which are Forth Ports and Clydeport; local authority ports, such as Sullom Voe in Shetland and Campbeltown; and trust ports.

The primary purpose of the bill relates to trust ports, which are independent, statutory bodies, governed by their own local legislation and run by independent boards that manage the assets of the trust for the benefit of stakeholders.

All ports are obliged to act in accordance with their local legislation and other relevant law, whether they are trust, private or local authority owned. Trust ports are generally creatures of statute and operate only within the powers and duties conferred on them by statute.

Trust ports operate in a commercial environment with no direct public funding, and they compete in the market with private and local authority ports as well as other trust ports. There are no shareholders or owners and profits are reinvested in the port. They make significant contributions to the local economy and in many cases to the national economy.

Trust ports in Scotland range in size from Aberdeen to the small, yet thriving, harbour of Whitehills. All the surpluses from harbour operations are reinvested for the benefit of the harbour as a whole, which allows the trust to reinvest in major projects, for example.

Existing legislation gives the Scottish ministers the power to compel trust ports over the relevant turnover threshold—currently around £9 million—to bring forward privatisation proposals. That is a power that we have not used since devolution and it is not a power that any Government would envisage using—probably even one of which Alex

Johnstone would be a member. The existence of the power, however, is interpreted by the Office for National Statistics as giving a degree of public control. As such, when a trust port reaches the relevant turnover threshold, the ONS will reclassify it as a public corporation.

My predecessor, Keith Brown, wrote to the ONS in September 2013 to advise that the Scottish ministers had no intention of exercising the power and that we would consider the introduction of legislation to remove it if necessary to avoid reclassification of the affected ports. Following the ONS decision of 25 September 2013 to retain its approach to classification, Mr Brown made a commitment to take forward legislation to remove the power—and here I am today.

The ONS has indicated that the power to force privatisation is a key trigger for the reclassification, and it is our strong view that removing that power should address the issue. Although that was its decision in principle, the ONS advised that it would make a decision only once the bill process was clear. My officials are currently in discussions with the ONS and Her Majesty's Treasury, and we expect the formal decision to be made by stage 2 of the bill.

Currently only one port in Scotland is classified as a public corporation—Aberdeen. However, two further ports have reached the threshold. The ONS has delayed classification of those ports pending the outcome of the bill.

There has not been an issue for Aberdeen Harbour as, since classification as a public corporation in 2000, it has been able to fund any infrastructure developments or improvements from its own reserves. Aberdeen is, however, taking forward proposals for a port extension in Nigg Bay—a proposal designated as a national development in national planning framework 3 and requiring an investment of around £300 million, which could involve a significant amount of borrowing.

Classification as a public corporation means that any borrowings by the affected harbours will score against Scottish Government budgets, despite the fact that we have no control over what is in reality a private financial transaction. Aberdeen's borrowings of £300 million would mean a significant impact on the Scottish Government's accounts. Although that is primarily a technical matter, it needs to be resolved so that it does not have an impact on the Government's ability to borrow and spend.

The primary purpose of the bill will be to effect the repeal of section 10 of the Ports Act 1991 as it extends to Scotland. It will remove the power of ministers to compel trust ports over the relevant turnover threshold to bring forward privatisation

proposals. Trust ports fully support the bill in that regard but, more fundamentally, the bill will remove a level of uncertainty for the ports affected and thus confirm ministers' support for the trust port model as part of the diverse range of port ownership structures already operating in Scotland. Diversity in Scottish ports is considered one of their strengths. A range of developments are taking place across our ports. Aberdeen, Lerwick and Peterhead are a few prime examples of on-going investment in port infrastructure under the trust port model.

We considered alternatives to bringing forward legislation—the main one being to seek HM Treasury cover to allow the classification to be budget neutral from a Scottish Government perspective. The risks associated with that included HM Treasury failing to accept the Scottish Government's case for any of the trust ports in any given financial year and variation of borrowing versus the Treasury budgetary cover—the trusts borrowing more than the established level of HM Treasury budget cover for whatever reason. Those risks were considered to be significant, so the suggestion was not pursued.

The Infrastructure and Capital Investment Committee recommended that the Parliament agrees to the general principles of the bill.

I move,

That the Parliament agrees to the general principles of the Harbours (Scotland) Bill.

15:00

Jim Eadie (Edinburgh Southern) (SNP): I am grateful for the opportunity to speak on behalf of the Infrastructure and Capital Investment Committee, which was the lead committee in the scrutiny of the Harbours (Scotland) Bill.

Given the broad support for the proposals in the bill during both the Scottish Government's and the committee's consultations, and the fact that there is a clear consensus across the chamber in support of the bill's provisions, it is fair to say that the bill will not be holed below the waterline this afternoon. However, we can still expect a good deal of depth to our debate.

Members: Oh!

Jim Eadie: Moving on to the key issues, the committee welcomes the aims of the bill, which the Scottish Government states are

“to provide an improved legislative framework for trust ports across Scotland and increase the efficiency and effectiveness of existing procedures and processes for stakeholders.”

There was close to unanimous stakeholder support for the measures in the bill during the Government's consultation, and that support was

replicated in written evidence to the committee. In view of that, the committee decided to restrict its oral evidence sessions and heard only from the Minister for Transport and Islands and the bill team. The committee expresses its gratitude to all those who provided their views in written and oral evidence.

The main driving force behind the bill is a wish to remove the power whereby the Scottish ministers can enforce the privatisation of trust ports with an annual turnover of £9 million or more. The existence of that power has led the Office for National Statistics to classify those trust ports as public corporations, despite acknowledging that trust ports operate in a commercial environment and have no direct public funding, and despite assurances from the Scottish Government that the power had not been used since devolution and that it had no intention of using it.

At the time of the committee's scrutiny, the affected trust ports were Aberdeen Harbour, Lerwick Port Authority and Peterhead Port Authority. Of those, the ONS already classifies Aberdeen Harbour as a public body. However, it has postponed classification of Lerwick and Peterhead, pending confirmation of the Scottish Government's legislative proposals as set out in the bill.

Classifying those trust ports as public corporations means that any borrowing undertaken by the affected ports could have an impact on the Scottish Government's accounts and borrowing. The Scottish Government therefore hopes that removal of the power will encourage the ONS to reverse its decision and the subsequent budgetary impact.

The Scottish Government has reiterated that removal of the power would remove uncertainty for ports affected and reaffirm its

"support for the trust port model as part of the diverse range of ownership structures in Scotland."

All those who responded to the committee's consultation agreed with the proposals. For example, the British Port Association said:

"To enable growth and development trust ports should have the ability to borrow money commercially without causing budgetary issues for Transport Scotland. As Section 10 is one of the triggers for this classification its removal could therefore take them out of this classification and clarify their financial status. This is a fundamental problem to which we hope the Bill will contribute a solution."

The committee was assured by the Scottish Government that, although it has not had a guarantee from the ONS that it would indeed reverse its decision following the passage of the bill, its discussions with the ONS have suggested that it should satisfy the requirements with regard

to reclassification. The Scottish Government confirmed to the committee that it expects that such discussions will be concluded by stage 2 of the bill, and in our report we have asked to be kept informed of their outcome. On behalf of the committee I welcome the Government's commitment, in its response to the committee, to doing that.

The Scottish Government also confirmed that the requirement to reclassify the affected trust ports is particularly important, given that—as we have already heard this afternoon—Aberdeen Harbour is considering a large redevelopment that could involve significant borrowing, possibly in the region of £300 million. Should the reclassification not be forthcoming, that borrowing could score against the Scottish Government's budget.

Given that situation, and any potential for future investments at eligible ports, the committee has called on the Scottish Government to provide further information on the contingencies that it will put in place, as the ONS has not yet provided a guarantee of its final decision on those matters.

The bill also removes an administrative requirement for six copies of a draft harbour revision or empowerment order to be submitted along with the application for the order. In addition, it reduces the requirement to submit six copies of a harbour reorganisation scheme to the Scottish ministers, seeking confirmation of the scheme, to one copy. The committee, along with all stakeholders who responded, agreed that that was a sensible step, given that modern technology prevents the requirement for multiple paper copies.

On behalf of the committee, I welcome the Scottish Government's commitment in its response yesterday to update the committee on the development of non-statutory guidance on harbour dues mediation.

The Infrastructure and Capital Investment Committee considers that the bill introduces proportionate and appropriate provisions to address a very specific policy objective as outlined in the explanatory notes to the bill, which is to ensure

"that the borrowings by the trust ports that meet the current criteria do not score as expenditure against Scottish Government budgets in the year of borrowing".

The committee looks forward to the Government's response to the information that was requested in the stage 1 report, and it recommends that the Parliament agree the general principles of the bill.

15:06

Mary Fee (West Scotland) (Lab): I confirm that Scottish Labour will support the Government throughout the passage of the Harbours (Scotland) Bill, and I am happy to work with the minister in any way that I can to progress the legislation.

There is nothing that we can or want to disagree with in respect of the legislation, and we welcome the Scottish Government's moves in its attempt to prevent specified trust ports from being privatised.

By removing Scottish ministers' powers to require trust ports to prepare privatisation proposals, the Scottish Government is putting the stakeholders of each harbour first, and there should be no issue with that provision among members in the chamber. The ONS's policy aim of reclassifying trust ports as public bodies will force privatisation on trust ports where there is no desire for that.

The bill itself is a very short, yet important, piece of legislation that is split into two parts, and I hope that we can have consensus among members in the chamber throughout its passage. This Scottish Government bill should give assurances to harbours and their communities that reinvestment and engagement will be at the heart of their future.

The British Ports Authority, on behalf of the Scottish ports committee, stated that committee's support for part 1 of the bill in its written submission to the Scottish Government consultation. It said:

"The Scottish Ports Committee fully supports repeal of section 10 of the Ports Act 1991. It very much welcomes the proposals in as much as they will remove uncertainty for those ports above the privatisation threshold. It also confirms support for the Trust Port model as a vital part of the ownership mix"

of ports

"in Scotland."

As the committee's report states, the Infrastructure and Capital Investment Committee received evidence that the Scottish Government

"has not had a guarantee from the ONS that it will reverse its decision following the passage of the Bill".

We take note of that and hope that, as the Government has responded, the discussions with the ONS will be completed in due course and the legislation will remove the ports from the new classification.

As a member of the ICI Committee, I am pleased with the stage 1 report, which is very concise. In evidence sessions, we heard from the Minister for Transport and Islands and from Government advisers, and I think that we can all agree that the evidence that was collected has been crucial in enabling us to understand what the

bill seeks to address and how we can achieve our aims.

It is unfair that a port should be privatised because it is run in the interests of its stakeholders and not shareholders, has a well-established revenue stream and re-invests its surplus to the benefit of its business and its local community.

In the event that the bill does not prevent reclassification, we will work with the Scottish Government to prevent any damage to borrowing. With further devolution imminent and increased borrowing available, we must ensure that the classification does not hinder our ability to invest in Scottish public services and infrastructure. That is why we do not want to see borrowing by ports scored against the Scottish Government, despite the latter having no direct accountability for funding the former. The Government's consultation showed that nine out of 10 respondents agreed that the Scottish Government should repeal section 10 of the Ports Act 1991.

On part 2 of the bill, there was unanimous support for the removal of the requirement for six copies of a draft harbour order to be submitted. We support that Scottish Government proposal, and we are delighted that 100 per cent of the respondents also do so.

The bill is preventative and reacts against the ONS proposals, and I repeat our support for the Scottish Government. Harbours have long been lifelines for the villages and towns that they helped to shape. The ONS classification could result in the privatisation of Aberdeen, Peterhead and Lerwick ports because of the thresholds that are set out.

Those trust ports, along with the rest of Scotland's trust ports, have a long history that goes back decades and centuries. In advance of the debate, I read up on the history of Aberdeen harbour and was surprised to find that it is believed to be Britain's oldest existing business, dating back to the time of King David I, who granted charges on vessels entering the harbour in the 1100s. The harbour helps to shape Aberdeen's economy to this day, having survived attacks in recent history, during world war two, and as far back as the 12th century, with Viking attacks. There has been a fishing harbour in Peterhead for more than 400 years, surviving when times were bad and excelling in good times. That is the history that shapes ports and harbours and the towns that are located nearby.

Although I agree that privatisation of the trust ports would not damage their histories, we must work for the future of the harbours to ensure that stakeholders are protected and revenues reinvested.

I reaffirm that Scottish Labour will support the bill today and throughout each stage. I look forward to listening to contributions from across the chamber in what is a short but nevertheless important debate.

15:12

Alex Johnstone (North East Scotland) (Con):

It gives me great pleasure to stand up time and again in the chamber to accuse the Government of being the most centralising and authoritarian Government that Scotland has ever seen. It therefore surprises me all the more to find myself standing here to speak in a debate whose main subject is the Scottish Government and the minister giving up a power. It is doubly interesting to discover that the power that he is giving up is the power to require ports to put together proposals for privatisation. At the end of the debate today, I will support the minister.

Let me explain myself. Scotland's trust ports, which are among Scotland's biggest and most impressive businesses, particularly in the case of Aberdeen, are examples of businesses that, to all intents and purposes, already operate as private companies. They are sound businesses that make sound decisions based on charging and long-term investment, and, particularly in the case of my local port of Aberdeen, have shown a great aptitude for running successful businesses that are based on that model.

As a result of section 10 of the Ports Act 1991, ports are required to prepare a privatisation proposal once they have passed a certain level of turnover. That has been considered by the ONS, which believes that it puts ports in a position in which they must be reclassified as public bodies or public corporations.

That is an unfortunate consequence of the 1991 act, which can—and, in the case of Aberdeen, I believe will—undermine a port's ability to borrow for its investment programme. With the investment programme in Aberdeen now very close to the point at which the construction process will begin, it is important that we take that hurdle out of the way.

I have no problem with the other provisions in the bill; I do not intend to address them as they speak for themselves. The key issue is that we are removing a specific obstacle for a specific purpose. At 5 o'clock, my Conservative colleagues and I will vote for the bill on the basis that it is part of a process that is designed to take away that unfortunate hurdle.

However, at this point we have no guarantee that the process will eventually end up with the ONS changing its position and guaranteeing the outcome that we desire. For that reason, although

I am fully supportive of the general principles of the bill, I will reserve my judgment at stage 3 to ensure that what we vote for will deliver the outcome that we desire. If, at that stage, it is clear that it will not result in that outcome, it will be necessary for me to reconsider my position.

The bill is a good example of how the Parliament works effectively to deal with specific problems, and how the bill has been handled and processed so far is a good example of what is good about the Parliament. That is why I have no hesitation in offering my support at this stage, with the qualifications that I have stated.

15:16

Chic Brodie (South Scotland) (SNP): I welcome the opportunity to support the bill's principles. Harbours and ports are indeed the pores through which part of Scotland's economy breathes. More important, in all parts of Scotland, our harbours and ports are also the heartbeat of many of the communities that they serve.

The future of trust ports, as detailed in the bill, must be planned and secured appropriately. They were home to fishing communities, they were the trade exchange forums, and they helped our shipbuilding, steel and mining industries become the best in the world. Trust ports and local authority ports are intertwined with individuals in communities.

As Mary Fee said, the Ports Act 1991—which was brought in under Margaret Thatcher—gave ministers the right to compulsorily privatise ports. That was wrong then and it is wrong today.

Alex Johnstone: My memory of history is that Margaret Thatcher was long gone by 1991.

Chic Brodie: I think that if the member looks, Margaret Thatcher is still with us today—but he is absolutely right.

The compulsory privatisation powers under the 1991 act have not been used since devolution.

There are different kinds of ports—private ports, trust ports and local authority ports—but they all operate on a commercial basis and receive almost no public funding. Some of our ports are funded by local authorities. Sullom Voe is one example. The model has the flexibility to allow benefits to flow—in that example, to the good people of Shetland.

Aberdeen Harbour's classification as a public corporation has been mentioned. Its reclassification to trust status potentially gives the harbour and the Scottish Government the flexibility to borrow and invest in a cost-efficient manner. The transfer obviously provides best value for the community, the taxpayer and the people of Aberdeen.

Private ports, of course, also have a contribution to make. As the Presiding Officer will know, Ayr and Troon harbours are part of the British Ports Association, and they are very important. Scotland will grow its export market significantly in the years to come, so our port authorities must be secure and flexible, and they must assist as best they can under the new transfer of powers to achieve that significant goal, which will bring investment, jobs and a better standard of living to Scotland.

The tourism trade, about which I will speak in the next debate, is very important, as are the fishing industry and the marine sports industry, for which the marina at Largs caters. The offshore wind market has given many ports a lifeline. It secures employment on not just the operational side but the maintenance side.

The bill will give Scotland the flexibility to grow its ports and harbours in a disciplined fashion. It will improve the legal framework for trust ports by negating the need for privatisation as a result of ONS reclassification, which would jeopardise their future status and, as the minister said, Government budgets.

It is right that protection is afforded to trust ports and that intervention will be possible to secure the transfer of rights and liabilities, subject to Government advice. All the things that the bill will do are very important. The British Ports Association says that it

“very much welcomes the proposals in as much as they will remove uncertainty for those ports above the privatisation threshold. It also confirms support for the Trust Port model as a vital part of the ownership mix in Scotland.”

15:21

Margaret McDougall (West Scotland) (Lab): I would like to start by outlining the theory behind the Harbours (Scotland) Bill, which is a concise and necessary piece of legislation.

The main purpose of the bill is to remove from the Scottish ministers the power to require trust ports to bring forward proposals for privatisation. For clarity, a trust port is a port that has no shareholders or owners and at which any surplus revenue is invested back in the port. Without the bill, the reclassification by the Office for National Statistics of trust ports with a minimum annual turnover of £9 million as public corporations would have resulted in some trust ports being forced into privatisation against their best interests and against the desire of their stakeholders. At the time of the bill's scrutiny by the Infrastructure and Capital Investment Committee, Lerwick Port Authority and Peterhead Port Authority had trust ports that met the £9 million criterion, which meant that they would have been required to bring forward proposals for their privatisation as a result

of ONS reclassification, despite the fact that neither had expressed a desire to be privatised.

The bill is a necessary piece of legislation that will stop forced privatisation of a port simply because it has an annual turnover of £9 million or more. Private is not always best, and it would be ridiculous if a port that had no desire to be privatised were to be forced into becoming so against its best interests and against the desire of its stakeholders.

Scottish ports are fundamental to the economy. That is highlighted by the fact that in 2006 ports in Scotland handled 102 million tonnes of freight, which represented 17 per cent of the UK's total freight for the year. That is equivalent to 21 tonnes of freight per person in Scotland—almost three times the figure for England. In 2006, it was revealed that port and harbour-related activity including cargo handling and storage, warehousing, and ship repair and construction directly affected 18,000 jobs in Scotland.

I emphasise that ports in Scotland are of particular importance because they play a unique role in connecting communities and handle more than 10 million passenger movements each year. The trust port at Lerwick is a model example that illuminates the successes and benefits of the current system of trust ports in Scotland. Lerwick's modern ferry terminal has made an important contribution to the doubling of annual passenger numbers to around 133,000. The ferry provides overnight services to and from Aberdeen on the Scottish mainland, and it also calls at Kirkwall in Orkney.

Finally, I reiterate that it is necessary to pass the Harbours (Scotland) Bill and to make it law in order to ensure that thriving trust ports are not forced, because of the ONS's reclassifying decision, into a process of privatisation against their best interests and the desire of their stakeholders. I welcome the apparent consensus across the chamber on this important bill.

The Deputy Presiding Officer: We come to closing speeches. I call Alex Johnstone to wind up on behalf of the Conservatives. You have four minutes or thereby, Mr Johnstone.

15:25

Alex Johnstone: I assure you, Deputy Presiding Officer, that this will be a short speech, because there is not much left to say on the bill.

It has been an interesting debate, but I must emphasise one thing, which is that I believe that the bill is not about the anti-privatisation agenda, however well it might achieve that objective by other means. This is the result of the fact that a quirk of previous legislation means that the

minister has the power to require ports to prepare a plan for privatisation and brings into question whether they are outside or inside the control of the minister. The bill will clarify that misunderstanding or doubt to ensure that we do not have a situation in which, as a result of the ONS's decision, the ports fall within the responsibility of the minister, and their borrowing falls within the responsibility of the Government.

David Stewart (Highlands and Islands) (Lab): Is Alex Johnstone aware that the same problem occurs in other sectors that are the Scottish Government's responsibility, including the college sector? Many colleges cannot carry over surpluses because they are deemed to be public corporations.

Alex Johnstone: There are some areas of the Government's responsibility in which, I am sure, that is an advantage rather than a disadvantage, but in this case it is very important that we clarify the situation before we have ports fall foul of the provision.

The debate has been interesting also in terms of a number of pieces of information that were provided. For example, Mary Fee pointed out that Aberdeen has an extremely good record of sound business practice, in that it has been charging for use of its port since as early as the 11th century. It is no surprise that Aberdeen was the first to come up with that principle. We also, to an extent, had an opportunity missed by Jim Eadie, who is the convener of the Infrastructure and Capital Investment Committee. He started his speech with a wonderful collection of port-based puns with which I thought he was going to continue throughout his speech. Unfortunately, he went on to talk about serious issues.

I reiterate that the bill is an important piece of legislation that has a very specific function that carries a great benefit for a small number of ports in Scotland and avoids the Government having to take their borrowing into account as public borrowing. The bill is an important step for us to take; I hope that we can, as a result of decisions that are still to be made or confirmed by the Office for National Statistics, carry on without the restriction in question being in place. I therefore pledge my support for the bill at decision time at five o'clock this afternoon.

The Deputy Presiding Officer: I call David Stewart. You have six minutes or thereby, Mr Stewart.

15:28

David Stewart (Highlands and Islands) (Lab): You are very kind, Presiding Officer. Thank you for your generous allocation of time.

This has been a short, sharp debate on what is, as we have all heard, a non-controversial, simple and sensible bill. I commend all members who have spoken in the debate for their imagination and ingenuity in making their saying that the bill is a good thing last for at least six or seven minutes. We perhaps all needed to become a poor man's Stewart Stevenson, who would have undoubtedly invented or discovered a grandfather who was harbour master of Aberdeen Harbour in 1905 but—alas!—we did not.

Perhaps I should provide quickly some feedback on the debate. The minister talked about a number of the bill's aspects, particularly the often cited issue around privatisation. I thought that Alex Johnstone looked very crestfallen at the mention of the lack of privatisation, but he also stole my line about Mary Fee's trip down memory lane when she made her point about Aberdeen Harbour. I have a bizarre image of Vikings having to pay a levy to Aberdeen Harbour following their regular raids in Aberdeen, but perhaps that has already happened.

We also heard from Jim Eadie. I, too, emphasise his very poor puns, but he also made some serious points in discussing the ICI Committee's support for the general principles of the bill. He made a good point about the ONS reclassification; let us all hope that, following the passing of the bill, the ONS will consider reclassification so that our larger ports can become public corporations.

We heard about Aberdeen Harbour, which many members of the ICI Committee visited, including me. It was my first visit to Aberdeen Harbour and I was extremely impressed by the professionalism of the organisation. We also had a tour round the proposed harbour at Nigg, which will be a tremendous asset for the north-east.

Alex Johnstone: Does David Stewart care to remember the opportunity that he had to take the wheel of the pilot boat and run up and down the various docks in Aberdeen—at great danger to the shipping and the public, I am sure.

David Stewart: I am glad that Alex Johnstone raised that point: I am sure that I broke several local byelaws. He will know that I was piloting the boat to look for floating voters, but I did not find many.

Mr Brodie rightly made the analogy of harbours being the heartbeat of their local communities. He also made some good points about Ayr and Troon and some wider points about the important roles of fishing, sports and offshore renewables. I am glad that he, too, supports the excellent model of trust ports that we have across Scotland. We have a good mixture of trust ports, private ports and local

authority ports, but trust ports are extremely important.

We heard from Margaret McDougall about the positive effects on freight, jobs and passengers, given the various ferry operators that we have.

I flag up that the ICI Committee is doing a first-class job—I would say that, wouldn't I?—in inquiring into freight. Recently, we visited Rotterdam harbour, which the minister might wish to comment on in his closing remarks. It was the largest harbour in the world, and it is now the eighth largest. The point that I would like the minister to comment on in discussing best practice is that Rotterdam harbour not only provides a fantastic service for its clients but has developed a freight-only infrastructure that goes all the way to the gates of Germany, which is a fantastic resource. To look at best practice in the world must be good for the Scottish Government.

I will give one example in the brief time that I have left. On delivery of goods to Italy that might go through the Mediterranean Sea, large container ships do not stop in Italy, but go via Rotterdam so that they can use the freight-only rail service all the way to Italy. That is a good example of best practice and of services really making a difference in the world.

The Deputy Presiding Officer (Elaine Smith): Mr Stewart—I can give you the time back for the intervention that you took.

David Stewart: Thank you. [*Laughter.*] You are very kind, Presiding Officer. I really appreciate that extra time.

I have visited several trust ports including those in Aberdeen, the Cromarty Firth, Inverness, Lerwick, Mallaig, Scrabster and Stornoway. I remember in a previous life being invited to the opening of the Mallaig harbour extension, with the Princess Royal. It was nerve-racking because I was asked to give a 10-minute speech in front of the assembled masses. Mallaig Harbour Authority showed great initiative in having an extension built.

I also flag up the great work that is being done at Inverness harbour, where I replicated history by having a shot in the harbour boat—I hope not causing too much mayhem. It is doing great work on freight and there has been a huge expansion in its marina. An interesting point that members might not be aware of is that, for security reasons, Inverness harbour has a special arrangement for delivery of aviation oil; a dedicated underground pipeline goes all the way from Inverness harbour—a good trust port—to the old base at Kinloss and the current base at RAF Lossiemouth.

Scrabster is another fantastic harbour at which there is great development work for the renewables industry.

There are in Parliament some debates in which we all come together. This has certainly been one of them. The bill is sensible and Labour will give it our whole-hearted support. I believe 100 per cent that we should support the bill at decision time.

The Deputy Presiding Officer: I call Derek Mackay to wind up the debate. Minister—you have eight minutes or so.

15:34

Derek Mackay: Thank you very much, Presiding Officer. Your generosity knows no bounds. I thought that it was particularly gracious to give David Stewart time back for the intervention when he was just looking to do a bit of filibustering.

The spectators in the Parliament have been in for a real treat this afternoon, as members have found that we are in absolute agreement on the bill's purpose, content, scrutiny and presentation. How can I possibly spend eight minutes summing up when there is such agreement and consensus on a clear bill in which everything has been taken into account, Presiding Officer? That is not a rhetorical question; I look forward to your note coming to me via the clerks on exactly how I will spend eight minutes summing up the debate.

The Deputy Presiding Officer: There is also time for interventions if you wish, minister.

Derek Mackay: Thank you very much for that guidance, Presiding Officer.

We have been able to showcase how Parliament can work together using the functions in its committee scrutiny process through to the stage 1 debate.

David Stewart: Will the minister give way?

Derek Mackay: I certainly will.

David Stewart: How confident is the minister that the ONS will change its classification once the bill becomes law?

Derek Mackay: Having considered the advice that we have been given on the reason for potential classification, I am fairly confident that our clarification through the bill will remove the element that caused concern, but we cannot get an absolute answer from the ONS until the legislation is clearer and, indeed, complete. The ONS will then run through its methodical process and give us a decision. I am entirely open-minded, but I am fairly confident—I am sure that we all are—that the bill will serve the purpose that is intended.

The bill is clear, of course, and that should give the clarity that the ONS seeks. The bill supports the trust model; the debate has been worth having for that reason. It should give clarification and it will tidy up the bureaucracy.

The fourth point was a surprise to all of us: the bill has helped to deliver Alex Johnstone along the journey towards public services and not towards privatisation. I understand that that is based fully on a technicality.

Alex Johnstone: I must intervene because I have always been the first in the chamber to make it clear that the concept of public service is not unique to the public sector; it also has a great tradition in the private sector, which we should encourage.

In this particular case, we are almost getting back to an old argument, which I remember having in the chamber once before, about whether the co-operative model is a public sector model or a private sector model. I argued that it is a private sector model; others in the chamber chose to argue that it is somehow a public sector model. The trust port model is a wonderful model that we should encourage and support, and after the passage of the bill it will be a model that we can thoroughly define as a private sector one.

Derek Mackay: I may not agree with Mr Johnstone, but I am delighted to have been able to stimulate him into that intervention.

I want to reflect on the contribution by the convener of the Infrastructure and Capital Investment Committee, Jim Eadie, and his puns. I had great hope that the puns would last for his entire speech, but he gave up on them 43 seconds in. However, it was a valiant effort.

The Government anchors our hopes in reclassification. [*Interruption.*] That is the biggest groan that we have had in the chamber all day.

The bill does not give us guarantees, but it should give us progress. Great value has been attached to the consultation, which showed another way forward in mediation. We are taking that into account, and we will produce guidance on that.

There is an important philosophical point around the model and whether forced privatisation plans would be necessary or just an unnecessary exercise. It is important that, by taking our action, and if the ONS agrees, the Government, in accounting terms, will continue to have the necessary financial flexibility that will mean that spending that we have not incurred will not be scored against us.

The information about Aberdeen Harbour was very interesting.

I will consider David Stewart's invitation to visit Rotterdam harbour. I have been to Rotterdam once before and I was very impressed with how they use their infrastructure—indeed, I can remember seeing someone transport their house along the river.

Chic Brodie: Will the minister take an intervention?

Derek Mackay: I was just about to come on to Chic Brodie and the value of ports. I will take his intervention.

Chic Brodie: The minister is talking about infrastructure. He will be aware of the trans-European transport networks—TEN-T—programme, through which €26 billion will be made available over the next six years. Part of that will be dedicated to improvement of harbours and ports in order to reduce sulphur emissions. Once the transfers have been fulfilled, will he encourage the harbours and ports authorities to engage appropriately?

Derek Mackay: Yes, I will, because it is important that they do so. That connects to the point raised by David Stewart and Jim Eadie about infrastructure investment. As identified in the national planning framework 3, which I led on as the planning minister at that time, investment in our infrastructure is so necessary and important to our economy. If we can lever in further funding, including from Europe, that will be welcome.

David Stewart: The point about TEN-T is a good one. The cost of the Rotterdam freight-only line was €4.8 billion, which was partly funded through the TEN-T programme.

Derek Mackay: That makes the point about the importance of added investment.

Margaret McDougall's speech was helpful: it found purpose in describing definitions as a way to fill a four-minute speech.

Alex Johnstone touched on what he described as the centralising nature of this Government, to which I, of course, object. I was the minister who first led the Community Empowerment (Scotland) Bill, which has fallen to Marco Biagi to progress. I hope that Alex Johnstone sees the nature of empowerment in this bill, as it is presented to Parliament. I am mindful that he had no hesitation in supporting the bill, subject to assurances from the ONS. If we do not get them, that may lead him to vote against the bill at stage 3. Therefore, I will work hard to get those assurances.

I thank all members for their speeches. The debate has been necessary in terms of clarity, classification, our accountability, and the tidying up of bureaucracy. I hope that the disapplication of the power in primary legislation will serve the purpose on which we all agree. I am sure that

members' views will help us to argue with ONS on classification of trust ports in Scotland.

Marine Tourism

The Deputy Presiding Officer (Elaine Smith):

The next item of business is a debate on motion S4M-13510, in the name of Fergus Ewing, on marine tourism.

15:43

The Minister for Business, Energy and Tourism (Fergus Ewing):

I highlight the importance of marine and coastal tourism to Scotland because of the variety of opportunities that it offers across the country. Marine tourism encompasses the manifold ways in which we enjoy our magnificent coast and the sea. It encompasses sailing, yachting and swimming. It includes beautiful beaches, such as the white sands of Morar on the west coast or Dalmore on the Isle of Lewis, which is near to and the preferred beach of Katie Morag, and the two beaches of Nairn in my constituency entitled—not surprisingly—east and west. It includes cruise liners, small motor-powered boats, canoeists, kayakers, divers and ferry passengers. It covers coastal communities and businesses; it also covers numerous activities, such as sea angling, marine wildlife watching, day boat trips, motor boating, coastal rowing, surfing, windsurfing, kitesurfing and waterskiing. I have no doubt that members will regale us with many more activities during the debate.

Each of those activities adds to the distinctiveness of Scotland's magnificent coastline and attracts many tourists each year. The Scottish Government wishes to encourage that further. We support the work of the Scottish marine tourism development group, which aims to maximise the visitor offering and experience and the economic impact of marine tourism.

The industry-led strategic framework "Awakening the Giant: A Strategic Framework for Scotland's Marine Tourism Sector" was launched on 5 March. The action plan that it will deliver has brought together an enormous coalition of the aquatic enthusiastic, and we have much to be enthusiastic about.

Scotland has a long and distinguished association with the sea. I am assured that our sea area is six times the land mass of Scotland—more than 460,000 km²—and our national marine plan is the first such statutory plan in the United Kingdom. As Lewis Macdonald's amendment—which we will support—notes, the vision in that plan is for seas that are clean, healthy, safe, productive and diverse. That will help us to attract visitors from around the world as well as from closer to home.

A huge amount of work was done across stakeholders and the industry before the marine tourism framework was launched, and it is appropriate to acknowledge the work of the very active cross-party group in the Scottish Parliament as well as the unstinting work of its convener, Stuart McMillan, in driving that work forward. On 20 May, he and I enjoyed the hospitality that was offered by Port Edgar marina to publicise the work of the annual European Union maritime day. We both immediately recognised this year's maritime day theme of using ports and coasts as gateways to wider marine-based opportunities as an approach that we already encourage in Scotland.

We should never forget that marine tourists spend not just on their activity—for example, sailing—but on food and drink; on entertainment, including onshore excursions and activities; and on retail, including nautical and chandlery supplies. I am sure that many a great night is had ashore.

The debate that Kenny Gibson secured in March highlighted the work on coastal and marine tourism that is being undertaken by Arran, which shows how an integrated approach to marketing can help to market all that a destination has to offer. Arran is marketed as one of the cold-water islands, and I can assure members that that is the correct name for it. I discovered that for myself when I dived off Corrie pier in 1976—an experience that I have not managed to forget since.

The marine national plan aims to open up coastal areas further for tourism and shows that we have many great assets and unique selling points that help us with marine tourism. The Caledonian canal is foremost among those, and we worked with Scottish Canals to maximise the tourism value from the 1,200 vessels that transited the canal last year. That links with the Great Glen way, which is growing in reputation as a must-do long walk like the West Highland way, the Speyside way and the Hebridean way, which I hope to open formally when I am on holiday in Lewis in a few weeks' time—hasten the day.

In a recent members' business debate, Dave Thompson highlighted those linkages. We aim to link the land with the sea and to link marine tourism with land-based development. That means building more marinas with more moorings and many fine restaurants to cater for our visitors who sail the west coast as well as those who participate in competitions in the east, those who navigate our inland waters and those who transit around our coasts from the Scandic markets. There is a huge potential market in Scandinavia and other countries as well as closer to home among our friends in Holland, for example.

The Scottish Government is working closely with Cruise Scotland and VisitScotland to continue to grow the cruise sector, which is a huge market. The United Kingdom Chamber of Shipping estimates that the average cruise passenger is worth £74 to the local economy—I think that means that they spend £74 in the local economy. Over the past four years, the number of passengers has increased by more than 150,000 to over 400,000, with more than 450 vessels docking on our shores in 2015. There are particular increases in the numbers of passengers who arrive in ports such as Greenock, Kirkwall, Stornoway and Edinburgh. That shows enormous success for an industry that is truly global in reach. We supported Cruise Scotland attending the inaugural European cruise tourism dialogue symposium in Brussels in March this year.

An on-going issue remains the effect that the unconsulted-on face-to-document passport checks are having on the cruise industry. Furthermore, the unwelcome and on-going uncertainty about costs means that our smaller ports are wary of considering how they might attract smaller vessels, which could serve the more specialist niche markets, such as wildlife cruises, history and heritage.

The Scottish Government shall continue to press the UK Government on the issue. I am pleased to note that Tracey Crouch MP, the new UK Parliamentary Under-Secretary of State for Sport, Tourism and Heritage, was a member of the House of Commons Culture, Media and Sport Committee when it recognised the key role of visas in tourism. The committee's March 2015 "Tourism" report recognised the need that

"Border Force staffing levels are maintained at levels that can meet the demand posed by what we hope will be increasing numbers of tourists."

The strategic framework seeks to maximise the opportunities to grow marine tourism by providing a framework under which all the elements of the marine tourism sector can grow. As part of that, I encourage everyone involved, especially local authorities and the Loch Lomond and the Trossachs National Park Authority, to work with all in the tourism industry to encourage imaginative linkages across Scotland that highlight all that Scotland's coasts have to offer, whether viewed from the land or the sea.

I confirm that I will accept the amendment in Lewis Macdonald's name.

I move,

That the Parliament recognises the contribution that marine tourism makes to Scotland and the Scottish economy; acknowledges the efforts made by the Scottish Government and its agencies to encourage marine tourism alongside the physical benefits of participating in sport, and urges them to continue those efforts; further acknowledges

the objectives and policies for marine tourism and recreation as set out in *Scotland's National Marine Plan*, adopted in March 2015; highlights the potential for destinations creating strategic linkages and expanding market opportunities; acknowledges the efforts of the Scottish Marine Tourism Development Group in its engagement with stakeholders around the strategic framework for Scotland's marine tourism sector, *Awakening the Giant*, and encourages local authorities and other key stakeholders to engage in the consultation process.

15:52

Lewis Macdonald (North East Scotland) (Lab): The Minister for Energy, Enterprise and Tourism's opening speech has illustrated the extent to which there is wide agreement on the value of marine tourism and the benefits that it brings to the Scottish economy.

Most people in Scotland live close either to the coast, to our inland waterways or to freshwater lochs, which also attract tourists and add value to the local economy. There is public support, and there is a general recognition that Scotland has a distinctive high-quality offer that attracts visitors from across these islands and beyond. That underpins cross-party support for a strategic approach to growing the sector.

I congratulate the minister on his choice of the Isle of Lewis as a holiday destination this year. At much the same time, my family and I will be enjoying the equally unspoiled attractions of the Gaelic coast of Argyll. I am looking forward to that immensely.

We should not shy away from the fact that there are some genuinely challenging issues to resolve. Tourism in the marine environment must take its place alongside many other important activities, and all those activities must go forward in a way that is sustainable in environmental and ecological terms. The sensitivity of that has been highlighted again in recent days, following announcements about the intended management measures in Scotland's planned new marine protected areas. I am sure that ministers will agree to meet the Scottish Fishermen's Federation to discuss its members' concerns. Those concerns on the part of fishing communities highlight just how important it is to join up policy in all areas affecting the marine environment. Our amendment stresses that, and it stresses the importance of good environmental standards on our beaches. It also highlights the potential for ecotourism, onshore and offshore.

The Scottish Environment Protection Agency reported this month that water quality at one quarter of Scotland's designated bathing areas could be classified as poor when measured against the new, tougher European Union standards that have come into force. The cleanliness of Scotland's beaches is hugely

important to the families who use them for recreation and to the canoeists, surfers, divers, water skiers and others already mentioned who venture further offshore. This year's report was clearly disappointing, but I am glad that SEPA has recognised the need to redouble its efforts with partners to sort that out.

I welcome the minister's support for our amendment and his acknowledgement of its positive intent. Our focus is not just on the challenges but on the potential of the biodiversity of our coasts and seas as a tourist attraction. A good deal has been done over the past 30 years to address the pollution problem where it exists, and there is general agreement about the importance of partnership working to address challenges and opportunities.

Working through the Scottish marine tourism group, a range of bodies led by the British Marine Federation, the Royal Yachting Association and Sail Scotland have taken a collective lead in preparing the strategic framework to which the minister referred. In writing "Awakening the Giant", those bodies had support from a range of public bodies including Highlands and Islands Enterprise, the Crown Estate, Scottish Canals, EventScotland, VisitScotland, Scottish Enterprise and Scottish Development International. That combination of private, voluntary and public effort is key to the success of the sector as a whole.

"Awakening the Giant" focuses on sailing and boating—activities that already generate more than £100 million of visitor expenditure each year. That sector could be even more lucrative with the right strategy rolled out, and I welcome much of what the document says. It is critical that any plan to increase involvement in the range of marine sports and activities includes all the public bodies, and in some cases private proprietors, that have responsibility for the management and sustainability of our waterways, coasts and harbours. The future of trust ports is of great importance, and that has already been debated separately this afternoon.

A good example of how harbours can combine tourism awareness with their core commercial business is provided by Aberdeen harbour, which is the busiest trust port in the country and is home to healthy populations of seals, porpoises and dolphins. Earlier this year, Aberdeen Harbour board launched a new code of practice to protect the dolphins that swim in and out in pursuit of salmon. The harbour also has its own marine tourism offer of boat trips around the harbour to see the seals and the oil industry support vessels up close.

Harbour authorities have a role to play in marine tourism, as do the Crown Estate and Scottish Canals, with respective responsibility for the

foreshore and sea bed and for our purpose-built inland waterways. Local authorities also have extensive responsibilities, as do our national park authorities and public bodies such as SEPA and Scottish Natural Heritage.

It would be useful to hear the minister's views on the future management and division of responsibilities for the Crown Estate's marine assets in Scotland. As he will know, the Smith agreement laid down that the management of those assets should be devolved to Scotland, and the Scotland Bill, which was debated elsewhere yesterday, makes provision for that to happen. The Smith agreement also involved a commitment by all parties to the further devolution of responsibility for the Crown estate from the Scottish level to our island councils and any other local authorities that want such powers. The Scottish Government has not yet stated how it intends to take that forward, so perhaps the minister will indicate that today.

The involvement of Scotland's enterprise and export agencies is also important. Tourism of all sorts is a revenue-generating business that contributes to the wider economy, and there is a need to develop sectoral strengths and address deficiencies in that context. It is important that VisitScotland and EventScotland continue to support the development of the marine tourism sector. Events such as the Scottish traditional boat festival at Portsoy are attractive in themselves and can also be used as a hook to bring in visitors who then explore other exciting aspects of what Scotland has to offer.

Our amendment refers to the importance of environmental standards in diversifying marine tourism in Scotland. Ecotourism is a growing industry, whether it involves highly accessible wildlife-watching boat trips or specialised diving and underwater photography. There are many other potential growth areas if we get our partnership working and priorities right. In that way, we can build on the strengths that we already have to diversify and grow the sector as a whole. I am confident that we can continue to do that on the basis of shared objectives, as long as we acknowledge where improvements still need to be made. This debate can help us get there. On that basis, I move amendment S4M-13510.1, to insert after "2015":

“; recognises the importance of environmental standards in Scotland's marine areas, including beaches, coastal and inland waterways, and the potential offered by marine biodiversity for growing eco-tourism”.

16:00

Jamie McGrigor (Highlands and Islands) (Con): The Scottish Conservatives recognise the importance of marine tourism to the Scottish

economy, and I am particularly aware of its economic significance in my region—the Highlands and Islands. The Highlands and Islands have some of the best environments for marine tourism in Europe, if not the world, from the famous Crinan and Caledonian canals to the tropical-esque blue waters of the Western Isles, our wonderful marine wildlife and our wind resource, which can be perfect for windsurfing in places such as Tiree and Kintyre.

The boating sector in Scotland is vibrant and diverse and generates around £100 million a year, but we need to expand that capacity. The Scottish Government's marine tourism strategy correctly identifies the need to improve harbour and marina infrastructure and to increase the provision of pontoons and jetties around Scotland's coast.

The need for new pontoons and a transit marina for visiting boats in Oban—already well known as the gateway to the isles—has been a big issue in the town for years and has been championed by Oban Bay Marine, to which I pay tribute, and by many local businesses. However, they are incredibly frustrated—I share that frustration—that all the hard work that they have undertaken has not yet led to the project moving ahead. They want Argyll and Bute Council to take a more constructive, proactive and urgent approach.

It has been eight years since the council adopted a transit marina as part of the proposed redevelopment of a number of towns in Argyll. A town centre transit marina would be a big boost to the local economy. Oban Bay Marine estimates that Oban is losing £1 million a year for each year that the project is delayed. The project needs to move ahead without further delay so that Oban businesses can benefit from an increase in recreational boats and yachts stopping in this wonderful and beautiful Argyll town.

Although we can agree with the Scottish Government's motion today, it would be remiss of me not to highlight the significant concerns of marine tourism businesses, such as boat yard operators, about the pending changes to the operation of the Crown estate in Scotland, which they fear might lead to an increase in ground rent charges. A number of concerned businesses in my region have already contacted me about the subject, and I wrote to the cabinet secretary earlier this year on their behalf. I know that the cross-party group on recreational boating and marine tourism has also taken up the issue with the Government. In addition, the Royal Yachting Association has spoken out; it cited its constructive working relationship with the Crown Estate and raised concerns about the possible transfer of current Crown Estate functions to local authorities.

Marine tourism and boat yard businesses in my region have made it very clear to me that the Crown Estate manages local harbours and mooring areas in a highly professional, efficient and successful way and that it involves local groups in decision making. That has also been my experience of the Crown Estate more generally over the years.

Crucially, the Crown Estate has developed a team of people who have a great deal of expertise and exceptional knowledge. It is vital that we do not lose that and that we avoid putting in place a new system that increases costs on marine businesses, which could reduce the number of boats in our harbours—that could have a negative effect on coastal communities. I strongly urge ministers to take on board the concerns that exist in this area.

I again welcome today's debate and I join the minister and others in acknowledging the efforts of the Scottish marine tourism development group. I also associate myself with the remarks that have been made about the cross-party group's leader, who has made terrific efforts.

The Deputy Presiding Officer: That brings us to the open debate. Members were previously told that there would be speeches of four minutes. However, having recalculated the time available, I can give members up to five minutes.

16:04

Stuart McMillan (West Scotland) (SNP): I welcome the debate and thank the minister and Jamie McGrigor for their kind remarks.

This is an important time for our marine tourism offering, and I will focus my remarks on "Awakening the Giant", which the minister spoke about and which is mentioned in the motion. I also want to touch on how a cross-party group has greatly pushed the marine tourism agenda. As members know, I chair the cross-party group in the Scottish Parliament on recreational boating and marine tourism, which meets tonight at 6 pm in committee room 4. Members are all kindly invited.

The "Awakening the Giant" report would not have happened without the cross-party group; its genesis was in the group. We knew that the recreational boating and wider marine tourism sector had something greater to offer, but anecdotal evidence was not enough to convince the public sector to invest—and nor should it have been. The sector agreed that it needed to do more to highlight the existing product, the opportunities and a pathway to getting that economic benefit for the sector and for Scotland. Our cross-party group started that work, helped immensely along the

way, and now we have the first-ever national strategy for the sector.

The report is by no means the end of the journey; this is the beginning of the next phase, which is to make the offering the best that it can be. My personal aim is to make Scotland the world place to go for sailing, recreational boating and marine tourism activities. I believe that we should all have that aim.

From our first symposium two years ago, to this publication, to our second symposium later in the year—it is currently being organised and members will all be invited—we are leading the agenda. The Scottish Government and its agencies are wholly supportive and I believe that we will go from strength to strength.

A second point that I want to highlight relates to the national marine plan. Chapter 12, "Recreation and Tourism", refers to improved data collection on marine and coastal recreational activities, including key recreation resources and access points, to enable improved targeting and long-term planning for those activities. Once again, that is a success for the cross-party group, as it was one of the key action points that we agreed upon at the symposium two years ago. That is now being delivered. I am delighted that that has been taken up. Some talented people are working on that. I believe that the results of that and the sector buy-in will prove invaluable for the industry in future.

The marine tourism offering covers many areas, some of which we have heard about, particularly in the minister's speech. One such growing area is the cruise liner sector. From a small base just over 10 years ago, the sector is now worth some £50 million to the Scottish economy. In Inverclyde alone, it is estimated to be worth some £8 million. This year, the Greenock Ocean Terminal will pass the 100,000 passenger mark. It will be the first port in Scotland to do so, and it deserves every credit, as do the volunteers of the tremendous Inverclyde tourist group, whom the minister has met. Every member of the tourist group understands that tourism is everyone's business. They are exemplars in the delivery of the friendly welcome that has been so lauded. People from other parts of these islands go to meet them to find out their secret.

As the minister knows, a campaign has been launched recently to bring the QE2 back to the Clyde. What a wonderful sight it would be to see the QE2 berthed on the Clyde. I support the campaign. My preference would be for the ship to berth in Greenock, as the deep water could accommodate it. I have had a wee discussion with my colleague Gil Paterson, who would like to see the QE2 over on the north part of the river, bearing in mind that it was built there. It could become a fabulous tourism opportunity, in conjunction with

the growing cruise liner industry. That aspiration is not without its challenges, however, the main one being reduced budgets. Although the Scottish Government, its agencies and local government do not have endless pots of money at their disposal, I would ask Scottish Enterprise to work with others to initiate a feasibility study into the project. What a boost the project could offer if it was successful, although I stress that it would face major challenges.

I welcome this important debate and am delighted to champion the marine tourism sector in the Parliament. We have the scenery, the hospitality, the food, the culture, the heritage and the people. Those are now being brought together like never before. Marine tourism is a gem in Scotland's offering. The cross-party group in the Parliament has helped hugely in driving forward that agenda and its future success.

16:09

Graeme Pearson (South Scotland) (Lab): This afternoon's debates seem to indicate that the business managers have something of a sense of humour, in that we have a themed afternoon—first visiting the Harbours (Scotland) Bill before moving on to marine tourism. That theme has encouraged our minister, Fergus Ewing, and Lewis Macdonald to ruminate on the adventures of holidays that lie ahead of them, even though we have a heavy fortnight ahead of us with stage 3 debates and so on.

Marine tourism is indeed one of the sleeping giants of the Scottish economy. Stuart McMillan and his cross-party group must be delighted that they have generated sufficient action to get support for marine tourism and its aims for the future. VisitScotland reports that sailing and boating alone already generate more than £100 million of visitor expenditure and directly support 2,730 jobs. That is good news for Scotland and good news for the future.

In 2014, the British Marine Federation estimated that the economic value of marine tourism in Scotland was around £360 million. More generally, Deloitte recorded that tourism, which is so crucial to Scotland's cultural and economic wellbeing and sustains a great diversity of business throughout the country, contributed some £11 billion to the Scottish economy in direct and indirect spending and supported somewhere in excess of 200,000 jobs.

In my region of South Scotland, many ports and areas rely heavily on marine tourism: Stranraer, Ballantrae, Girvan, Ayr, Port Logan, Eyemouth and Dunbar all look forward to the development of marine tourism in the future. I have already raised with the minister the future of Stranraer as a port

and the importance of developing tourism there to give the community a hope of a local economy.

The most recent VisitScotland visitor experience survey confirmed that scenery and natural environment are key concerns for Scottish tourism, with 90 per cent of visitors citing them as either very important or important factors when choosing Scotland as a holiday destination.

As convener of the cross-party group on China, I can report to the chamber the importance that our Chinese tourists attach to our environment and to that experience. In the years ahead, all being well, we will see many thousands of Chinese tourists coming here. They hope to see Scotland in its natural state. They want to see the white beaches, the harbours and the sailing experience, which they are not attuned to seeing in the many towns and cities from which they travel. Indeed, the Chinese consul general came with me to Dumfries and Galloway some 18 months ago and he spent days thereafter telling me how impressed he was with the environment that he visited and how much the people of China would value coming to Scotland for that experience.

Adding in the wildlife watching in coastal and marine areas, which accounts for over £160 million in tourist expenditure, this whole field of endeavour is as important as any other economic development that we are involved in across our environment.

However, marine tourism is not merely about money; it is also about the quality of life that it brings not only to the tourists who visit us but to the communities that benefit from the visitations and enjoy the cruise tourism that Scotland has increasingly experienced. The fact that 45,000 cruise passengers were reported back in 2000 and more than 400,000 were reported in 2015 shows the growth potential that lies there. The visitations from the cruise ships create a culture and a community that has resilience and confidence and which can plan for the future. All of that must be good for Scotland and it must be good for the people who live in our country. It must encourage many more to come here and join us.

I am happy to support the motion. I am delighted that the minister has indicated support for the Labour amendment. All strength to the Government's arm in developing this area of activity.

16:14

Kenneth Gibson (Cunninghame North) (SNP): Marine tourism is important to many of my constituents, particularly those who live in the island communities of Arran and Cumbrae and the coastal towns in my constituency, from Saltcoats in the south to Skelmorlie in the north.

Scotland, as we know, is blessed with an abundance of assets, energy, people, scenery and produce. Along with those, our marine environment features highly in the strong hand that nature dealt Scotland. Our waters are rich in some of the finest seafood on the planet: Scottish oysters, scallops, langoustines, crabs and lobsters are found on dining tables of top restaurants around the world, and our seafood exports soared to a whopping £613 million last year.

Scotland has vibrant aquatic ecosystems, incredible coastal communities and stunning beaches. Incidentally, Arran has the only officially recognised nudist beach in Scotland, should any hardy soul wish to experience it. At times, of course, it is too cold for some members.

The Scottish Government has worked hard to recognise and develop a strong and growing marine tourism sector. Although the marine environment can be harnessed and enjoyed sustainably, we must remain conscious of how fragile it is. We must treat our waters as an asset that requires careful management and protection. To that end, I welcome the Scottish Government's objectives and policies for marine tourism and recreation, which are set out in "Scotland's National Marine Plan" and will ensure that growth is sustainable, allowing us to reap the rewards of our marine environment long into the future.

Marine tourism is one of Scotland's sleeping giants. We have heard of the excellent work that my colleague Stuart McMillan and others in the cross-party group have done on expanding the recreational boating sector. In my constituency we have Largs yacht haven and Ardrossan marina.

Largs yacht haven recently celebrated its 30th anniversary and has grown to become Scotland's first five-gold-anchor marina. It supports 730 berths, more than 120 jobs, 17 business premises and a 250-space boatyard with two travel hoists. Clearly Largs yacht haven has been a huge success story and demonstrates the massive potential that the sector holds. The minister will no doubt recall that he and I visited it together in October 2013 to meet the businesses and charities that operate there, and I am sure that he will attest to my comments today.

Ardrossan marina, although much less established, has had a hugely positive impact on changing the image of the town and has the opportunity to further grow and develop. For those of you who have not yet visited and experienced the restaurants, shops and scenery on the north Ayrshire coast, I cannot recommend them highly enough.

The Isle of Arran, which the minister touched on in reference to cold-water tourism, is home to a growing and dynamic marine tourism sector, with

many people visiting to participate in kayaking, windsurfing, yachting, scuba diving and other sports. Along with the introduction of the road equivalent tariff, that growing sector will be a huge boost to many island businesses that have found times tough in recent years.

I have already touched on sustainability, and with Arran in mind I wish to take this opportunity to salute the efforts of the Community of Arran Seabed Trust, an organisation dedicated to the protection and restoration of the marine environment around Arran and the Clyde. Following many years of dredging and trawling, the sea floor around much of Arran became increasingly barren and, with little shelter for young fish, stocks declined markedly. I am pleased that the Scottish Government, having worked with and listened to COAST, introduced in 2008 Scotland's first no-take zone in Lamlash Bay and last year designated the south Arran marine protected area, which is the only entirely community-led marine protected area in Scotland.

This year Howard Wood of COAST was awarded the highly coveted international Goldman environmental prize for his extraordinary efforts over many years—the first time that the award has gone to someone in Scotland. To fully appreciate what has been achieved by Howard and everyone involved with COAST, I recommend watching the short video on YouTube entitled "Howard Wood, 2015 Goldman Environmental Prize, Scotland". The video features a short comment from me and, perhaps more interestingly, is narrated by Robert Redford, which I believe allows me to claim that I have starred alongside him to some degree.

On top of the progress already achieved by COAST and the Scottish Government, I warmly welcome last week's statement from the Cabinet Secretary for Rural Affairs, Food and Environment that a marine conservation order will be put before Parliament, setting out conservation measures to ban the highly destructive practice of scallop dredging in the south Arran marine protected area and 12 other west coast MPAs. Those measures will protect not only fish stocks—sustaining the fishing industry for years to come—but also the diverse ecosystem on the seabed around Arran, which is becoming increasingly popular with scuba divers and marine researchers from all over the world: people who contribute strongly to marine tourism and the Scottish economy.

I again welcome the work undertaken by COAST, the Scottish Government and Scottish marine tourism development group in ensuring that the sleeping giant wakes from its slumber.

The Deputy Presiding Officer: Thank you, Mr Gibson. I am glad that I was able to give you that extra minute in which to tell us about your venture into Hollywood.

16:20

Liam McArthur (Orkney Islands) (LD): We could have been spared the story of Mr Gibson's ventures down to the nudist beach on Arran.

I too welcome this brief debate. As Orkney's MSP, I certainly need no persuading of the importance of marine tourism to our economy, and in particular to the local economies of our island and coastal communities.

Like other members, I will focus on the constituency dimension to the debate, given the success that Orkney has enjoyed in developing marine tourism by playing to its strengths in terms of its natural resources and the skills of its people, working in harmony with the former and constantly looking to broaden and enhance the latter. Success also requires investment in appropriate infrastructure, although there do not appear to be any plans to follow Arran's lead in setting aside facilities for adventurous nudists.

Orkney offers interesting examples of the sort of challenges that can arise from success, but I will start—as the motion encourages us to do—by reflecting on the enormous opportunities. Orkney was once described by the Lonely Planet guide as the

“glittering centrepiece in Scotland's treasure chest of attractions.”

There are many reasons for that, of course, but the richness of our marine environment is certainly one of the main reasons.

In recent years, increasing numbers of people have come to enjoy wildlife tours organised by an expanding group of small local businesses. They are run by individuals with a wealth of expertise, which helps bring the experience to life for visitors. This year, a pod of orcas has been the stand-out attraction for visitors and locals alike. Sightings around Scapa Flow have been frequent—including yesterday's sighting off Hoxa Head—and the photos posted on websites and social media have been utterly breathtaking.

An interesting aspect of the way in which the marine tourism sector has developed in Orkney has been the extent to which local people have taken an increasingly close interest in what is to be found around their shores. That, in turn, has the added advantage of ensuring that tourists are able to draw on a far wider range of local expertise, from the professional to the wholly voluntary.

The presence of orcas may discourage some from venturing into the water but, despite that, Orkney enjoys a fantastic reputation for diving, thanks in particular to the many wartime wrecks to be found on the seabed of Scapa Flow—a legacy of Orkney's strategically important role as the base

for the grand fleet and the Atlantic fleet during the first and second world wars.

At this point I will make a specific request of the minister. Having a dive sector of such significance as well as a marine renewables industry—with which the minister will be very familiar—creates a need for hyperbaric facilities in Stromness. To date those facilities have been funded locally, with national funding being directed to the hyperbaric chamber in Aberdeen. However, Orkney now deals with half the overall number of cases, and the funding distribution is therefore increasingly hard to justify. I encourage the minister to look at how that can be addressed.

I will finish with a couple of other success stories. As has been the case in other parts of the country, Orkney has invested heavily in marina facilities, which are currently located in Kirkwall, Stromness and Westray. With a 50 per cent growth in visits in the past two years, and more growth anticipated, further investment in infrastructure will be needed to cope, and I understand that a further marina in Shapinsay may now be on the cards. All of that helps to provide additional opportunities to grow and broaden the benefits from the sector.

Similar opportunities—as colleagues have mentioned—are being seized elsewhere in Scotland. That competition is healthy, and it makes Scotland a more attractive proposition by opening up the chance to plot routes, taking in different communities and enriching the overall experience.

Something similar also seems to be happening in relation to the cruise-liner market. As Stuart McMillan explained, Inverclyde and many other ports are witnessing impressive growth, but the pace of the growth in Orkney is truly phenomenal. In 2009, we hosted 29,000 cruise-liner passengers and 10,000 crew. Those figures have risen to 80,000 and 30,000 respectively, and a record 87 liners have confirmed their intention to include a stop in the islands next year.

Although I firmly believe that that has benefited the islands that I represent, I am aware that it has brought challenges too, particularly shoreside. A limit has already been set on the numbers of people who can be allowed ashore at any one time but, even with that limit in place, an influx of 4,500 people into a community of just over 20,000 can be hard to accommodate without causing disruption to the local population or potentially compromising the quality of experience for visitors.

An example of where the current infrastructure really has struggled is the availability of coaches. Whereas on the Scottish mainland, additional coach capacity can be increased relatively quickly

as and when required, that is less straightforward in the islands.

The minister will be aware of these concerns from his meetings with Cruise Scotland, but I urge him to look at what can be done to help places such as Orkney to deal with the issue. One possible option might be to look at how it can be used as an opportunity to promote investment in electric vehicles, thereby helping to deliver on green or ecotourism objectives. I do not expect to get an answer from the minister today, but I would be grateful if he would agree to ask his officials and relevant agencies to reflect further and report back.

The Deputy Presiding Officer: I must ask you to close.

Liam McArthur: I conclude by saying that I have not touched on many of the issues that I should have. I welcome Lewis Macdonald's comments on the devolution of the responsibilities of the Crown Estate. The omission of the Northern Isles from RET is hampering our marine tourism businesses.

I welcome this afternoon's brief debate and support the motion and amendment, and I look forward to hearing the other contributions, including the minister's response.

The Deputy Presiding Officer: Some members who have spoken already have gone slightly over their time, so I must ask the next three members to keep strictly to five minutes.

16:25

Angus MacDonald (Falkirk East) (SNP): I welcome the opportunity to speak in today's debate on marine tourism. Although my constituency does not have a large sea coastline, it has a significant share of the River Forth and the start of the Forth and Clyde canal connecting with the Union canal. It also has the largest container port in Scotland at Grangemouth, but that does not tend to attract many tourists, I have to admit.

Falkirk district does have a long history and association with the sea, from ports such as Bo'ness and Carronshore that bustled in centuries gone by, to the Falkirk wheel and the millennium link canal network in the 21st century.

Given that my constituency is closely associated with past and present industrial activity, members are probably wondering what relevance marine tourism has to the people of Grangemouth and the wider Falkirk East constituency. Marine tourism is relevant to and impacts on most parts of Scottish society. It is right and proper that marine tourism has its own national plan and that we debate and consider it separately from tourism in general, but considering it in isolation risks us failing to

maximise the opportunities that marine tourism can bring to different sectors.

Marine tourism is already an important part of the Scottish economy and it has a notable impact on rural and remote economies. At this point, I pay tribute to the work and progress of the cross-party group on recreational boating and marine tourism. Convened by our colleague, Stuart McMillan, the CPG has ensured that marine tourism is well and truly on the agenda.

Many people consider marine tourism to be solely coastal tourism and cruising and recreational activities that are undertaken out at sea. I was in Stornoway at the weekend and saw at first hand the new £1.15 million yacht marina at the harbour with its cluster of pontoons and the picturesque port below Lews castle. It aims to tap into the growing west coast sailing market and encourage more yachtsmen to explore the Outer Hebrides. Demand is already surging well beyond expectations, which the harbour board predicted would not happen for three years. Approximately 70 berths are now available, including 43 spaces for larger yachts that were successful and popular last summer.

That success was closely followed by that of the Lochmaddy yacht marina in North Uist that was built by Comann na Mara, or the Society of the Sea, which was the first UK body to secure a local management agreement for community control of a section of the sea bed from the Crown Estate. The Crown Estate has to be commended for the way in which it engages with local bodies to benefit local economies. I am sure that we can expect more of the same when management of the estate is transferred to Scotland. The Rural Affairs, Climate Change and Environment Committee will take evidence on that tomorrow morning when representatives from the Crown Estate come before us.

Following on from those successes, a local community group plans to build a £1.3 million marina facility and floating pontoons in Tarbert on Harris and Scalpay if an application to the Scottish Government's coastal community fund is successful. Lots of exciting projects have been completed recently or are planned.

I am waxing lyrical about the Western Isles so I had better turn to my constituency. Grangemouth, Bo'ness and Blackness already have well-established yachting and boating clubs, although they are arguably undersupported. If the Scottish Government is committed to improving marine tourism, it might wish to consider making the Firth of Forth a hub for boating on the east coast. That could improve links to mainland Europe and the Nordic region as well as improving connectivity between other east coast marine activities and my constituency through links with the canal network.

I am worried that Swedes are being advised not to take their yachts into the Scotland's lowland canals because they badly need to be dredged and boats have been known to get stuck. That is perhaps not the best advert when trying to attract Nordic boat owners with a high disposable income. I hope that the minister takes that issue on board; if there is ever any underspend, putting some resources towards dredging our canals would be most welcome.

I feel that any marine tourism initiative is missing a great asset if it does not use our canals to link tourism between the Clyde and the Forth. The mix of boundaries, local authorities, development plans and conflicting demands can make for a challenging planning environment, but the benefits to our national tourism trade and the improvement to the quality of tourists' experience far outweigh that.

In summary, it is fair to say that, despite the challenges that we have heard about, it all seems to be heading in the right direction.

16:30

Richard Baker (North East Scotland) (Lab):

This has been an afternoon of consensual debates, and it is certainly right that we have found consensus on the motion lodged by the minister on marine tourism. As Graeme Pearson said, the afternoon's debates have dovetailed neatly: I will be talking about the work of our harbours and the important contribution that they can make to marine tourism, too.

It is right for the Scottish Government to recognise the importance of the opportunities offered by marine tourism, not least for our economy and particularly for North East Scotland. I am sure that Aberdeen Harbour will have been referred to in the previous debate on the Harbours (Scotland) Bill, and I will return to the plans for it later on. However, I also want to discuss the importance of Aberdeenshire's harbours to the local economies of the region. Often in those local economies it can be much more difficult to stimulate local employment, particularly in the aftermath of some of the decommissioning in fishing, but we have a very positive story in the development of marine tourism.

There has been a great deal of investment in harbours in Aberdeenshire to enable them to capitalise on the opportunities for marine and coastal tourism. It is well worth making the point, particularly in the context of the current political debates across the country, that a great deal of that funding has come from European Union funding streams. The Aberdeenshire European fisheries fund programme funded 26 projects to a value of nearly £700,000. That was important

support for the region and for our coastal communities, and it resulted in funding for a number of different projects, including the Peterhead heritage trail, with the seafood festival and trail linking marine tourism with the north-east's great reputation for food, and other projects such as the Banff coast tourism development programme.

The Banff marina was established in 2003, when the local community identified the need for a marina to boost the harbour's attraction to the growing tourism trade. The marina now provides 76 berths. Not just in Banff but in Macduff and other harbours too there has been important investment.

Of course, there is always the potential to do more to obtain even greater benefits from marine tourism for local communities, and I know that there are calls to invest further to improve Rosehearty harbour and to develop further the coastal walk between Fraserburgh and Rosehearty. I am sure that that would be beneficial for the north-east, as well in developing marine tourism.

As Lewis Macdonald referred to in his speech, there are exciting plans for Aberdeen Harbour too, which would also be of huge benefit to marine tourism in the north-east, with the £320 million plans to upgrade Aberdeen's Nigg Bay harbour to accommodate cruise ships—plans that are supported by Aberdeen City Council and Scottish Enterprise. I hope that the plans will therefore receive strong support from ministers as well.

Lewis Macdonald rightly set out challenges for ministers as well. Even in a consensual debate, it is important to do that. Beach quality is vital to attract more people to our beaches and our coastal communities. Also, considering the devolution of new powers over the Crown estate, it is right to argue for those powers to be located in local communities. Banff marina, where the need for development was identified locally, is an example of why it is right to devolve powers beyond Holyrood and into local communities.

More work remains to be done to promote marine tourism in Scotland, but it is good that the Scottish Government has identified it as an important area of work and it is right to recognise what is already being done to capitalise on the great natural resources that we have—the beauty of our coastline, the attraction of our beaches and the fantastic facilities that we have, more and more, in our harbours across the coast—so that we capitalise on the opportunities that they give us and we encourage even more people to visit and enjoy Scotland's coast in the future.

16:35

Chic Brodie (South Scotland) (SNP): I am delighted to speak in the debate, but having spoken in the previous debate on the Harbours (Scotland) Bill, I am beginning to feel like Para Handy, so I ask members not to make any comments about the Vital Spark.

Under the leadership of the present Scottish Government, Scotland's tourism industry has grown significantly over the past few years. We all want Scotland to become one of the more accessible tourist destinations by providing high quality, value for money and memorable customer experiences.

Our marine industry currently contributes about £4.5 billion to the Scottish economy, part of which comes from marine tourism. It is a market sector that can and does attract high-spending individuals and groups, and it is one that fits well with other parts of our tourism offering—for example, food and drink. Scotland has the longest coastline in Europe, and we know that it has breathtaking coastal scenery and great views from the water.

Of course, marine tourism must take into consideration the part that it has to play in sustaining the environment. "Scotland's National Marine Plan", which was published in March 2015, covers 900 separate islands with varying habitats and a diverse array of 6,500 species. The strategic framework for Scotland's marine tourism sector, which is rightly called "Awakening the Giant", sits comfortably alongside the national marine plan. Marine tourism contributes £360 million to our economy, which it is hoped will rise to £450 million by 2020. As Graeme Pearson mentioned, sailing alone is worth £101 million to the economy, and the marine plan aims to increase that to £145 million by 2020. Nearly 46,000 workers are employed in the marine sector—many of them in marine tourism.

The strategy aims to boost Scotland's reputation as a world-class marine tourism destination by improving the experiences of visitors, building new facilities and promoting new and existing events. The minister omitted to mention golf tourism. The open championship will take place on the Fife coast next month, this year's women's British open will be held on the Ayrshire coast at Turnberry, and Troon will host the open in 2016.

Fergus Ewing: In my defence, I say that the reason why I omitted reference to golf tourism is that it is not normally a marine event.

The Presiding Officer (Tricia Marwick): I thought so, too, minister.

Chic Brodie: The minister has obviously not seen me play golf across a pond.

Europe has recognised the value of the sector; in the previous debate, I mentioned the trans-European network transport programme of investment for improving our harbours and ports, which can only aid and abet our tourism strategy.

Mention has been made of the cruise-liner industry and the great potential that it offers. From conversations with people who are involved in the industry in Florida, we know that they are pulling out of the middle east and are looking for alternative destinations. In 2012, about 500 cruise liners went to Copenhagen, while only 50 docked in Edinburgh. As has been said, cruise liners offer huge potential to encourage jobs and investment. We can build on the fact that 2015 is the year of food and drink by encouraging more visitors by sea to go to shops and restaurants when they come ashore.

All that only adds to our image as a country that can attract and manage big events such as the Ryder cup and the Commonwealth games, which we had last year. We can also provide individual activities such as fishing. I am talking about inshore fishing for things such as scallops and prawns, rather than about dredging.

I want to look at an example closer to home. We all know about the potential of Prestwick as an airport and a spaceport. Prestwick sits alongside Troon. I spoke in the debate on the Harbours (Scotland) Bill, which will give us the opportunity to encourage investment in our ports and harbours. That investment in marine facilities could be aligned with investment in air facilities. If all that was combined with a reduction in air passenger duty, there would be potential for drawing together marine tourism and air passenger tourists.

I commend the marine plan to the chamber and I look forward to encouraging whoever will sail into our harbours, engage in water sports and enjoy diving and seeing that Scotland is as beautiful under the water as it is above it.

The Presiding Officer: We come to wind-up speeches. I call Jamie McGrigor, who has about four minutes.

16:40

Jamie McGrigor: Thank you, Presiding Officer.

There have been some good speeches from all across the chamber. In that regard, I commend Stuart McMillan again for the good work that he has done in convening the Parliament's cross-party group on recreational boating and marine tourism, of which I am a member. There have been some very good illustrations at the cross-party group of how important sea angling is. A number of members referred to sea angling in the debate, and I agree with the sentiments that they

expressed on it. As we have heard, the Scottish Government's 2009 "Economic Impact of Recreational Sea Angling in Scotland" report set out just how much income the industry brings in. I am delighted that this year's European boat-and-line class sea angling championships will return to Stromness in Orkney during the first week of August. They were last held in Orkney in 2009, and the chairman of the European Federation of Sea Angling, Horst Schneider, has described that as an

"unforgettable event producing an amazing 4,227 fish featuring ling, pollack, cod and spurdog over the four competition days."

I wish all the competitors tight lines in this year's championships and I hope that many more international sea-angling competitions can be held in Scotland, because they provide huge boosts to local economies.

Marine wildlife watching is also very important, especially in my region of the Highlands and Islands. One third of the whale population of the north Atlantic migrates through the waters around the Hebrides each year, and companies like Hebridean Whale Cruises offer fantastic opportunities to see those beautiful creatures. A company called Seafari Adventures that operates in Oban and Skye also offers fascinating marine wildlife boat trips, including being taken to see the Gulf of Corryvreckan, home of the world's third-largest whirlpool. However, having done it myself, I can assure members that they would not want to go there under the wrong conditions. There are also a number of companies offering trips to see the Moray Firth's population of bottlenose dolphins.

The role of Scotland's canals has been mentioned in the debate. Again, I recognise the very significant income that they bring to my region through the tourism that is associated with the Caledonian and Crinan canals. Earlier this month in the chamber, I was pleased to take part in Dave Thompson's members' business debate about the Caledonian canal. Following that debate, in which I highlighted calls for additional moorings to be provided along the canal, I was contacted by my constituent David Edes, who is chairman of the Great Glen Canal Users Association. Mr Edes, too, is keen to see additional moorings, but points out that Government support for Scottish Canals has remained frozen at about £10 million per annum, which in real terms is a steady reduction. That seems to be very good value for money, given the number of visitors that our canals attract. However, would the Government consider making additional one-off payments to provide additional moorings in order to expand capacity, which seems to be what people are asking for? Perhaps

the minister will comment on that in his closing remarks.

We support the ambitions to grow Scotland's marine tourism sector and we look to the Scottish Government and local authorities to do whatever they can to support our marine tourism businesses, especially in the provision of infrastructure, which is crucial if we are going to meet our growth targets. Support for marketing our excellent marine tourism activities is crucial and must go on.

16:44

Lewis Macdonald: We have had a good debate about the wide variety of attractions and activities that come under the marine tourism umbrella and about the strategy that is developing to grow that diversity even more. We have heard, too, that partnership is vital to the success of the strategy; there are many ways in which the various organisations in the sector can work together to promote Scotland and increase visitor numbers.

Our amendment highlights the growth of eco-tourism and the importance of environmental standards in encouraging nature lovers and water-sports enthusiasts, among others, to take advantage of our natural environment. There are issues to be addressed, but as Graeme Pearson illustrated, Scotland has much to celebrate in the quality of our environment, which is sometimes more obvious to visitors from afar, including the consul general from China, than it is to us.

Stuart McMillan highlighted the important contribution of Parliament's cross-party group on boating and marine tourism to the development of the sector strategy and to the relevant parts of the national marine plan. That is also something to celebrate. It is what this Parliament, on a cross-party basis, aspires to do, and it demonstrates the added value that an effective cross-party group with the right leadership and sense of purpose can bring in making a link between Parliament and the wider economy and society.

A number of members highlighted the central importance of sailing to our marine tourism strategy. There is surely scope to explore the potential for longer-distance sailors and yachtsmen and women coming to Scotland, not as a mass market in itself, but as a means of promoting Scotland's many attractions to audiences in other countries. Angus MacDonald's comments on the success of the marinas in Stornoway and Lochmaddy reflect that potential.

A few years ago, I was lucky enough to visit St Kilda, courtesy of a Harris skipper by the name of Angus Campbell. He showed the quality of his seamanship when the seas turned a little choppy on the way home to Leverburgh, but what was

fascinating was the sheer number of other people who were making their own way to Scotland's remotest islands. The St Kilda island group is 50 miles west of Harris. Of course, it justifies a visit in its own right, but it is also an obvious attraction to Atlantic sailors in general. As has been mentioned, there are leisure sailors from Scandinavia and the Baltic who head for the warm waters of the Caribbean every so often, and they might be attracted to spend some time in Scotland on the way there or back.

If we are to develop the full potential of our sailing economy, we should go beyond the desirable objective of providing good facilities for weekend sailors from Britain and Ireland, important though those are. Short-haul trips will continue to be the bread and butter, but the added value of appearing on global itineraries is worth pursuing vigorously.

The strategic framework for marine tourism recognises the actual and potential importance of near-abroad places such as Scandinavia, Germany and the Netherlands, but it describes Russia, for instance, as being of more long-term interest

“due to the challenges posed by geography and transport links.”

Having grown up in Lewis and living now in Aberdeen, I have never been inclined to think of the eastern Baltic or Arctic ports as being a long way away; there might be more potential in leisure business from those directions than we have yet begun to measure. I hope that the minister will agree that our harbours, marinas and canals can help to attract such long-distance business as well, if we take a positive approach.

Angus MacDonald made an important point about the need for all our canals to be properly dredged if they are to attract ocean-going yachts. I hope that that issue will be addressed.

Liam McArthur and others talked about more novel forms of marine tourism. Cutting-edge businesses such as those that are represented by Wild Scotland have tapped into the potential of the growing eco-tourism market. Dolphin discovery days and wild-river outings are but two of the most obvious water-borne attractions that will appeal to all the family while they are staying in accommodation that is specifically designed to have the lowest possible impact on the environment.

Our landscape and waterscape are ideally suited to activities such as white water rafting, deep-sea diving and outdoor swimming. Facilities such as Knockburn sports loch near Banchory meet the rising interest in such sports and are creating an environment in which outdoor swimmers can practice in safety even though they

are miles from the open sea. The point here is that marine tourism is not a separate business in a silo, safely compartmentalised away from the tourism industry on dry land. All the activities that visitors can enjoy in freshwater have their counterparts in the seawater environment, and they all add up to an attractive offer for outdoor holiday fans from Scotland, the rest of these islands and further afield.

We have also heard about the value to the Scottish economy of ocean cruise ships, which are a long-established feature of global tourism. Many of those ships find their way to Scottish shores. It is not just the Clyde, which Stuart McMillan mentioned, that attracts them; as Richard Baker mentioned, places around the north-east coast and the northern isles also attract them. Aberdeen Harbour is building a whole new port in Nigg Bay, the purpose of which will be partly to bring more cruise ships and their thousands of passengers to land in Scotland. That will have obvious benefits for the wider economy.

Accommodating those ocean-going liners is a very different business from a marina for coastal sailors. However, just as marine tourism can benefit from a wider interest in the outdoors, so our coast must be geared to take all kinds of leisure vessels—great and small.

It is important that we recognise the connections within marine tourism and from it to other sectors. The Government, working in partnership, should and will—I hope—encourage innovation and imagination in how those businesses grow. If we can combine an adventurous spirit with careful support for our natural environment, the future for marine tourism in Scotland could be very bright.

16:50

Fergus Ewing: I thank all members who have contributed to what has been the most harmonious debate that I can recall for a very long time. Perhaps that is because we are debating largely what happens at sea. It seems that such harmony is more elusive when we debate what occurs on land. Perhaps the moral of the story is that we should have more maritime debates, or perhaps the harmony is a reflection of the fact that the lure of the deep blue sea is very strong for many of us who have spoken in the debate.

Liam McArthur: I certainly agree that the debate has been consensual, but the minister's memory may be playing tricks on him. He is a veteran of previous debates on December fisheries councils, and he will recall that some of those have been less than harmonious.

Fergus Ewing: I was trying to forget them, but Mr McArthur has just made that slightly more difficult.

To be fair, this has been an informative, informed, useful and valuable debate on a relatively new area of activity. I am delighted that many members from all parties have paid tribute to the work that Stuart McMillan has led. He has gone beyond the call of duty as the convener of the cross-party group on recreational boating and marine tourism, into which he has put his whole heart and soul. I am delighted that so many members have paid tribute to his work.

I think that there were three calls for additional money, but I am afraid that I will accede to none of them on the spot. However, I will certainly come back to members, provided that they are willing to drop me a note and give a little bit more detail, as they did not have time to develop their points.

Liam McArthur talked about hyperbaric centres and coaches. The coaches issue is a serious one that I am very well aware of.

Angus MacDonald talked about canal dredging. I certainly was not aware that that is a problem that deters Swedes from coming to Scotland, but we learn something new every day.

I think that Jamie McGrigor made a point about additional moorings.

We will check the *Official Report* to see whether I miss any points, but I want to refer to some of the speeches and respond to specific questions that were asked.

Lewis Macdonald raised the concerns of fishermen on the west coast. Although that topic is perhaps not directly relevant to the debate, it is nonetheless an extremely serious one. I know it well from the days when I represented Lochaber and regularly engaged with the Mallaig and North West Fishermen's Association and with representatives from the Clyde and indeed the Hebrides. I know that Richard Lochhead will continue to engage appropriately with all those representatives on what is a very serious matter.

Stuart McMillan mentioned the campaign for the QE2. I think that Inverclyde Council has written to me about that. We need to establish whether the vessel is for sale before any consideration is given to purchase. Members can call me a lawyer, but that seems an important piece of research. However, he was right to raise what would plainly be an iconic attraction for Scotland. The royal yacht Britannia on the east coast provides that role, so the QE2 would be appropriate on the west coast. I am sure that we will look into that sympathetically.

Jamie McGrigor quite fairly raised the question of costs, including the costs of the Crown estate post devolution. I am aware of the publicity, which I have seen and followed. To be fair, the strategy says that our ambition is to provide an excellent

marine tourism destination, with value for money being applied. I know that Richard Lochhead wrote to Mr McGrigor in February, saying:

"It is important that the arrangements for the transfer of the Crown Estate retain key staff expertise and do not affect investor confidence."

I hope that those comments provide Mr McGrigor with a measure of assurance.

I am delighted to inform Richard Baker that Glasgow Caledonian University is the Scottish partner for the cool route initiative. Blue Sea Marinas, which is based in Greenock, is also involved.

In response to Stuart McMillan, I say that I have never met a more enthusiastic cadre of people who welcome visitors to Scotland than the volunteers who work at Greenock Ocean Terminal. They are excellent.

Annabel Goldie has raised that issue previously. I would be happy to take the intervention that—although she did not expect to—she is going to make. [*Interruption.*]

The Presiding Officer: You could just shout, Ms Goldie.

Annabel Goldie (West Scotland) (Con): This is such an unexpected pleasure that I do not have my card in my console.

I thank Mr Ewing for referencing a splendid cohort in Greenock, some of whom went to Greenock academy, which is a very fine school.

Fergus Ewing: That shows how excellent our education is, which I am sure is what we will hear from the education spokesperson at First Minister's question time. There is no end to the bonhomie that has broken out in the chamber this afternoon.

I say to Liam McArthur that I was delighted to pay a further visit to Orkney fairly recently, when I attended the convention of the Highlands and Islands. In the course of that visit, I learned among other things that in addition to Highland Park, Scapa, which is the other excellent whisky that is distilled in the Orkney Islands, has established a visitor centre. That is a key destination for the thousands of people who visit Kirkwall from the cruise liners. Indeed, I played hookey from the COHI official proceedings for about 30 minutes and had the pleasure of meandering along Kirkwall's main street and seeing the excellent shops and establishments that are sources of entertainment for visitors to that excellent place.

As Chic Brodie quite rightly pointed out, the strategy document is not just rhetoric or hi-falutin' words and ideas; it also sets out a number of key actions on providing authentic experiences. Those include:

“Develop a comprehensive list of marine and related events, and identify opportunities and gaps within the calendar

Look to align and link regional, national and international events further to both cross-sell events and capture the wider economic and community impact and benefits

Develop a sports specific event strategy for the sector, and build on the success of events such as the Scottish Series

Secure two international events by 2020 (for example Tall Ships/Volvo Ocean Race event)

Revisit the River Festival and Clyde Fortnight, and ensure the co-ordination of the wide variety of regional and local events”.

On improving the customer journey, which, again, Chic Brodie mentioned, the key actions in the strategy relate to improved booking facilities, improved marine hosting arrangements and improved digital landscapes.

The strategy document has brought together the whole sector in a way that has never been done before. I am told that it was not always an easy challenge to overcome, because people in the sector were not used to working together and there were differences. However, they have all been brought together.

I quoted those extracts from the strategy document because it is not just a high-level strategy, but a plan for action that we can take.

This has been a most enjoyable, harmonious and, at times, jubilant debate, where nary a cross word of controversy has been spoken—a somewhat rare event, as I said.

We have, in the course of the afternoon, travelled widely and extensively, from Argyll to Orkney, from Aberdeen to Arran—via Greenock, whether we wanted to or not—

Members: Oh!

Fergus Ewing: Of course, I wanted to; I was just offering members the opportunity to take a different view.

We narrowly avoided seeing Jamie McGrigor immersed in the Corryvreckan whirlpool, which we are very pleased about. We missed spotting Nessie but, in compensation and with thanks to Liam McArthur, we managed to identify Orca. Although we cannot have everything in life, the important things come to us if we work hard enough.

In conclusion, I exhort all my colleagues in the chamber to holiday in Scotland this year, whether for a fortnight, a week or just a weekend. I ask them to take their family to some of the finest locations in the world and have a marvellous time—and to take a bucket and spade and deploy them to the full.

Decision Time

17:00

The Presiding Officer (Tricia Marwick): There are three questions to be put as a result of today’s business. The first question is, that motion S4M-13511, in the name of Derek Mackay, on the Harbours (Scotland) Bill, be agreed to.

Motion agreed to,

That the Parliament agrees to the general principles of the Harbours (Scotland) Bill.

The Presiding Officer: The second question is, that amendment S4M-13510.1, in the name of Lewis Macdonald, which seeks to amend motion S4M-13510, in the name of Fergus Ewing, on marine tourism, be agreed to.

Amendment agreed to.

The Presiding Officer: The third question is, that motion S4M-13510, in the name of Fergus Ewing, on marine tourism, as amended, be agreed to.

Motion, as amended, agreed to,

That the Parliament recognises the contribution that marine tourism makes to Scotland and the Scottish economy; acknowledges the efforts made by the Scottish Government and its agencies to encourage marine tourism alongside the physical benefits of participating in sport, and urges them to continue those efforts; further acknowledges the objectives and policies for marine tourism and recreation as set out in *Scotland’s National Marine Plan*, adopted in March 2015; highlights the potential for destinations creating strategic linkages and expanding market opportunities; acknowledges the efforts of the Scottish Marine Tourism Development Group in its engagement with stakeholders around the strategic framework for Scotland’s marine tourism sector, *Awakening the Giant*, and encourages local authorities and other key stakeholders to engage in the consultation process.

Remembering Srebrenica

The Deputy Presiding Officer (Elaine Smith):

The final item of business today is a members' business debate on motion S4M-13309, in the name of Ruth Davidson, on remembering Srebrenica. The debate will be concluded without any question being put.

Motion debated,

That the Parliament remembers the massacre of more than 8,000 men and boys in Srebrenica in 1995; recognises that the International Court of Justice declared it to be an act of genocide, the last recorded on Europe's shores; acknowledges the Scottish contribution to the aid effort in Bosnia, the identification of victims and the rebuilding of the country; welcomes the work of the Scottish board of Remembering Srebrenica to inform and educate people of the events of 20 years ago; thanks the First Minister for agreeing to participate in a special service of remembrance at St Giles' Cathedral in Edinburgh on 10 July 2015, and offers the hand of friendship to the Bosnian diaspora in Glasgow and across Scotland.

17:02

Ruth Davidson (Glasgow) (Con): I am thankful for having secured tonight's debate and grateful to those who have supported the motion.

With so much going on in Scottish politics, it would be easy to turn our gaze inwards and never lift our eyes to the horizon. Nevertheless, some things go beyond the immediate—beyond what is in front of us and beyond borders, divisions and elections. We in this place rightly commemorate Holocaust memorial day. We remember the millions who died across Europe, we watch films and television documentaries, we read of what happened and we learn the names of Auschwitz, Bergen-Belsen, Treblinka and Dachau. We are familiar with the grainy, black and white images of that time, of which we are—correctly—taught in school. As the wartime generation passes, we see that genocide as history that is confined to Pathé newsreels—important but removed—and we say, "Never again."

However, the Holocaust was not the last genocide on Europe's shores. It was not the last time that the cover of war was used to liquidate a people because of their birth. The genocide at Srebrenica did not happen at a time of black and white newsreels; it happened just a few hundred miles from where we stand, at a time when David Beckham and Ryan Giggs were playing football for Manchester United. It happened at the time of shell suits, Game Boys, PlayStations and satellite news. It happened in front of us but, because the Balkans wars were messy, complicated and hard to understand, we chose at times not to concentrate on what was happening to our world neighbours.

It is important that we raise awareness of that history and how it has impacted here in Scotland. I declare an interest in that I sit on the Scottish board of Remembering Srebrenica—a charity that is designed to explain what happened and to take people over to Bosnia to see it for themselves, so that they can commemorate back home and use that knowledge and experience to build bridges between communities here. I am pleased to welcome fellow board members to the public gallery this evening.

The genocide in Srebrenica happened 20 years ago, at the end of the Bosnian war. The town had been declared a safe zone by the United Nations two years previously, and peacekeepers were deployed there to protect the enclave. In July 1995, Serbian forces under General Ratko Mladić stormed and captured the town, deporting thousands of the young, frail and elderly, carrying out a campaign of mass sexual violence on the women and systematically killing more than 8,000 men and boys.

Many people marched for days through the woods to try to escape, and they were rounded up. The International Court of Justice ruled that the killings constituted genocide. Earlier this year, I, along with a former member of the Parliament, Jim Wallace, and others from across Scotland, travelled to Srebrenica to talk to mothers who lost sons, to the forensic scientists who are trying to match bone fragments from mass graves so that survivors can bury their relatives, and to those who went to extraordinary lengths to escape what was happening and who can never forget what they witnessed.

Scotland has long had links with Bosnia. There are people here who drove aid trucks to bring food to those who were besieged in Sarajevo. A number of refugees who fled the war there chose to settle here and build a new life for themselves in Glasgow, Edinburgh and further afield.

Leading professionals, such as Adam Boys from the International Commission on Missing Persons and the forensic anthropologist Sue Black from the University of Dundee, have dedicated themselves to the painstaking work of recovering the remains of those who died and finding their families, so that the simple need to know what happened can be fulfilled.

What happened in Srebrenica, Tuzla, Sarajevo and the wider Balkans is a story that needs to be told and told again. I am pleased that Scotland is playing its full part in remembering what happened there, 20 years on. The Moderator of the General Assembly of the Church of Scotland, who visited Srebrenica this year, is leading a service in St Giles cathedral on 10 July to bring together all faiths and people from all backgrounds. Members

of the Parliament will have received an invitation to that, and all would be welcome.

I am pleased, too, that the First Minister has kindly agreed to speak at the service and to host a reception afterwards. It is right that the leader of the Scottish Government shows our country's commitment to remembering what happened. I urge any member here who would wish to do so in the future to make the visit and to see for themselves the graves and the cold storage where people are still trying to match bones and fragments that are filed floor to ceiling and to meet the mothers, survivors and forensic teams. Remembering Srebrenica makes multiple trips with groups each year, and members would be most welcome. All that the organisation asks is that, on their return, people pledge to tell others the story of what happened there.

I ask that those who know of people here with connections to Bosnia—whether as serving service personnel, aid workers or members of the Bosnian diaspora living in Scotland—who might like to be involved in the commemorations to get in contact, as we want as many people as possible to be involved.

Scotland as a nation has always looked outward. We care what happens to others as well as to ourselves. The events of July 1995 are a stain on our continent, and they deserve to be remembered, examined and learned from. I am pleased that work continues in this country to learn the lessons of times past and to use the desperate experience of Srebrenica to bring communities closer together. This time when we say "Never again," we will mean it.

17:08

Roderick Campbell (North East Fife) (SNP): I congratulate Ruth Davidson on securing the debate, which will no doubt serve as a poignant reminder of the atrocities of war. It is certainly a stain on the name of many western democracies—not least that of the Netherlands, whose Government must pay the financial compensation to families of the victims—that the massacre was not prevented.

We all know some of the details of what took place in Srebrenica, but the more information that becomes available, such as that provided by David Hamilton of the Scottish Police Federation—a constituent of mine, who I see in the gallery, who was an aid worker during the Bosnian war—following his meeting with representatives of Mothers of Srebrenica, the more harrowing those details become. Parents and children were separated before execution, firing squads worked in shifts to avoid their guns overheating and newborn infants were murdered under the boots of

soldiers. It should be incomprehensible to think that that took place in the 20th century at all, let alone a mere 20 years ago.

In 2009 the European Parliament passed a similar, albeit longer, resolution on the issue to one that it is set to pass next month. The United Kingdom is leading the drafting of a United Nations Security Council resolution in what are likely to be similar terms. Those motions and resolutions are the correct thing to do and one of the best ways to ensure that such a tragedy, which the 2009 European Parliament resolution described as a

"symbol of the impotence of the international community", is never forgotten.

It is important not to focus solely on the past, and fresh pressure needs to be exerted on political forces in the Balkans and more widely to ensure that progress for countries in that region continues. In an article on the EUobserver website, a Serbian journalist, Dejan Anastasijevic, wrote:

"What Bosnia doesn't need is another set of resolutions, empty promises of a 'European perspective', and haphazard appeals to political scoundrels to reform themselves. It needs a concentrated and serious international (not just EU) plan, coupled with hefty financial investment, to pull it out of its misery".

Those are strong words. In his article, he repeats the word "impotence", as used in the 2009 European Parliament resolution. He also refers to the constitutional straitjacket of the Dayton peace accord. Most worryingly, he writes of one country in which a resolution commemorating Srebrenica did not pass: Bosnia and Herzegovina.

The Bosnian electoral system is far too complex to explain in the time that I have left, but of note is the fact that the President of Republika Srpska, Milorad Dodik, does not believe that the events that took place in Srebrenica constituted genocide. Notwithstanding that, this is the first year that the Republika Srpska's Government will help to finance the commemoration event in Srebrenica. We must hope that that can be a catalyst towards creating a positive future for the entire country.

Bosnia cannot be left in the past and must be assisted if it is ever to join its neighbours, Croatia and Slovenia, in the European Union, for example. Bosnia is still a long way from reaching that goal, with concerns remaining on the Dayton constitution's viability and the country's stability more generally.

It is right that communities and nations commemorate the Srebrenica massacre. In Fife, Holocaust memorial day in January helped to commemorate all victims of genocide as part of a remembrance day that marks two significant anniversaries this year. It is 70 years since the

liberation of Auschwitz and 20 years since the Srebrenica genocide.

Scotland needs to offer the hand of friendship, and I warmly welcome the fact that our First Minister will join a commemoration service next month in Edinburgh to remember the victims of the tragedy; she will be there with many members of the victims' families, who must live with the horror of what happened that day. We must hope that they find some justice in the process of the International Criminal Tribunal for the former Yugoslavia and that some progress can be made in helping Bosnia to move on and become a vibrant and successful country.

17:13

Hanzala Malik (Glasgow) (Lab): I thank Ruth Davidson for lodging the motion for debate and for her role on the Scotland board of Remembering Srebrenica. That organisation's work is important in reminding us that it has been 20 years since those terrible events took place in the former Yugoslavia, and that society should never forget what happened. The rise of hatred, racism and intolerance should never be allowed. The bitter Balkans war from 1992 to 2001 shattered our illusions that Europe would never again see such bloodshed after the horrors of the second world war. The weakening of communism allowed the rise of ethnic nationalism, which meant that war was not only a battle between armies: communities had once lived peacefully together and married into one another, but those same people then tried to eliminate one another.

Srebrenica represents the largest massacre of unarmed civilians that were part of the ethnic cleansing policies that were pursued to create greater Serbia. Sadly, many other massacres also claimed thousands of lives. Another part of the story is the mass expulsions of populations and the unprecedented levels of sexual violence.

I saw at first hand the impact that the brutal civil war had; on two occasions I travelled by road from Glasgow to Bosnia. On the first occasion, I accompanied Scottish Relief, which was delivering an ambulance full of medical supplies that had been donated by the good people of Glasgow. The second time I went, I was on a goodwill visit, saying prayers at the end of the month of Ramadan, for Eid. We said prayers for peace in Sarajevo's central mosque, which was riddled with rocket and bullet holes. I also saw Serbia's central library, which had burned to the ground with the loss of irreplaceable and historically valuable books.

Events such as the one that we are discussing should never be forgotten in the places where they happened. The scars that they leave may never

be fully healed, but it is important for all of us to remember and to educate and to pledge, "Never, ever again in our lifetimes."

One of the lessons that I learned on my visits to Bosnia concerned how ruthless and callous people can be: they did not distinguish between men, women and soldiers. The fact that they could bring themselves to do what they did, in the heart of Europe, shocked me. I have always been scared by the fact that something like this could happen when we had thought that we were living in a peaceful environment. It is not just that it happened: it is that we allowed it to happen, for a time. I hope and pray that it never happens again.

I thank Ruth Davidson for bringing the motion to Parliament for debate. I agree that it is essential that we not only remember past wrongdoings but ensure that they never happen again. I hope that Parliament will support Bosnians who are living in Scotland and those who are living in Europe, because we are Europeans at heart.

17:17

Jamie McGrigor (Highlands and Islands) (Con): I, too, congratulate my leader, Ruth Davidson, on bringing such an important matter to the chamber, and on her excellent speech.

For some years now I have been acquainted with Samir Mehanović, who is a film maker and a Bosnian Muslim who has made his home in Edinburgh. Samir came as a political refugee from the war in 1995, leaving his home town of Tuzla, which is where most of the refugees from Srebrenica fled. To his great credit, he worked his way through film school, achieving an MA and a British Academy of Film and Television Arts award. I have seen his previous work, which confirms his talents as a film maker and his sincerity as a man.

Samir Mehanović has produced a new film called "Srebrenica Survivors" which will be broadcast on 11 July on the BBC World Service and "Newsnight" to mark the 20th anniversary of the Srebrenica genocide—the only holocaust in Europe since world war two, which killed 8,372 Bosnian men and boys within a week. The film is the testimony of the survivors who struggled to cope with ghastly experiences, including Mehmed Hodžić, who lost more than 67 relatives, and Zinaida, who was only 13 when she lost her five brothers and both parents. Ahmed was 20 when he was forced to make a five-day march in the column of death with 8,000 men, of whom only 3,000 survived. Hatidza and the other civilians sought protection in the UN base at Potočari, which was under the UN Dutch battalion that lost control to Serb troops—the Scorpions, led by Ratko Mladić—who then killed and tortured.

Hatidza lost two sons, her husband and more than 200 members of her extended family.

The characters in the film are struggling not only with the loss of family but, literally, to subsist in a world in which they feel forgotten and in which many of the perpetrators not only walk free but hold positions of authority.

Samir Mehanović says:

“When I started making this film I felt that I opened deep wounds hidden somewhere inside me. While I was filming interviews and my characters were telling their stories tears were rolling down my face.

How can a human do this to another human? This is a question that has perplexed me even further while editing the interviews and listening to those stories again and again. Each time I felt as if fresh wounds were opening and new emotions pouring out.

The characters in this film are also having to deal with the impact of social deprivation in the Tuzla suburbs. They struggle to subsist without welfare in a country where unemployment levels are over 60%. Most have no place to return to in Srebrenica. They are striving to build a new life but they are haunted by their past experience, and have little hope for the future because of the promises that have been broken by the Bosnian government and the international community. However I am grateful to find support in my new country of Scotland in making this film.”

The trailer for Samir’s film can be viewed at www.srebrenicasurvivorsfilm.com.

Fellow members, one reason why I entered politics was to promote fairness and humanity. I was born in 1949, only four years after the end of the second world war. My parents instilled in me absolute horror about the carnage that had killed their relatives and friends, and that had inflicted almost unbelievable inhuman genocide, torture and humiliation on literally millions of fellow Europeans, perpetrated by Hitler and other Nazi war criminals, many of whom were brought to justice at Nuremberg and other courts. Of course, that could never mend the results of their awful crimes.

As Samir Mehanović asks, where is justice when many of the perpetrators from Bosnia remain at large? The international community failed to protect civilians during the Bosnian war. The UN voted for resolution 819, which promised that civilians would be protected and that aid would be supplied. Sadly, that promise fell far short of the mark.

The tragedy of Srebrenica will haunt the history of the UN for ever more. If, by highlighting the issue today, we in this Parliament can help even a little to secure justice and help the victims of Srebrenica, something of value will have been achieved.

17:22

The Minister for Europe and International Development (Humza Yousaf): I congratulate Ruth Davidson on securing this important debate and echo the sentiments expressed by her and by members across the chamber. Rod Campbell and Hanzala Malik made excellent speeches, and we just heard a powerful contribution from Jamie McGrigor.

We do not use the term “genocide” lightly. It is the subject of much contention in various contexts throughout the world. However, in Srebrenica there was genocide, and it is important to use the term, as Ruth Davidson did in her motion.

The Srebrenica genocide is a dark chapter in our story as a European civilisation and I pay tribute to all of those who continue to highlight it, including the organisation Remembering Srebrenica, and Ruth Davidson, who is joined by parliamentarians from across the political spectrum. Angus Robertson MP is very involved in Remembering Srebrenica, as are others from civic society, such as the Rev Lorna Hood, who visited Bosnia when she was the Moderator of the General Assembly of the Church of Scotland. I pay tribute also to Waqar Azmi, the chairman of Remembering Srebrenica, who I have had the pleasure of meeting. I thank them and many more people who continue to highlight that terrible genocide so that we do not forget its lessons.

The events of 1995 and thereafter are extremely hard to comprehend. The sheer scale of the atrocity and the deep hatred, intolerance and brutality, which Rod Campbell touched on, can be hard to grasp. Numbers and statistics almost become meaningless and abstract, yet that is the danger. As Ruth Davidson said, if we feel removed, unconnected and set apart from an event, complacency sets in.

Our mindset says that this could never happen to us and that we could never do that. That is why the commitment of survivors and the talent of others to share their experiences, as the case of Jamie McGrigor’s friend Samir Mehanović demonstrates, are invaluable.

I pay tribute to the survivors and in particular the families who were left bereaved and who lived through the horror and pain. They remember that mostly on a daily basis but share the experience with others so that we do not just view this as a time in our history.

I had the great pleasure of reading about the work of Aida Šehović, which was first displayed in 2004. Her cups of memory project pays tribute to the victims of Srebrenica through a simple Bosnian ritual—gathering for a cup of coffee. Aida Šehović laid 1,327 cups gifted by Bosnian families from around the world to represent the number of

victims who had been identified and buried that year. Visitors were encouraged to place a cup and fill it with coffee in remembrance. Some cups were filled with coffee; some were filled with sugar for the child victims; and some were even filled with roses for single women. That rehumanises what happened by focusing us on individual victims. What is more human than sharing a cup of coffee? The way in which Aida Šehović described her art highlights the importance of remembering. She said:

“It is not my project, but our project, our consciousness.”

So it should be in our consciousness as well.

Earlier this year I had the privilege of meeting Hasan Hasanović. Many other members might have met him when he came to the Scottish Parliament during Holocaust memorial day and Holocaust memorial week. The parliamentary reception that took place here commemorated the 20th anniversary of Srebrenica. It is important to put it on record that the Holocaust Memorial Day Trust is very good at outreach and at ensuring that we remember genocides and massacres around the world—not just the Holocaust, which it is right that we remember, but many other genocides, too.

Many members will be familiar with Hasan Hasanović’s story of his horrific experience of the death march to Tuzla. His dedication to share the story so that it can inform the future led him to return to Srebrenica in 2009, where he now works as a curator and interpreter for the Srebrenica-Potočari cemetery and memorial centre. He shares his story five or six times a day—a painful constant reminder of the loss of his family—so that others may listen and learn. I salute and admire his bravery in doing so.

As other members have highlighted, Scotland has a long and proud relationship with Bosnia. Scotland has provided support and assistance to the people there and especially those in need during the Balkans conflict. If it was not members of this Parliament driving ambulances and accompanying aid conveys themselves, there were many others across Scotland who took part in that relief effort.

We have heard about the work of Edinburgh Direct Aid, which delivered crucial humanitarian supplies at the height of the conflict. Many members will be aware of the Christine Witcutt centre, which brings hopes to the children of Sarajevo mostly and offers help and respite for their parents, too. The Christine Witcutt Memorial Fund is an independent body that is closely linked to Edinburgh Direct Aid. Christine Witcutt was an Edinburgh Direct Aid volunteer from Wishaw who was killed by sniper fire in Sarajevo in July 1993. The Christine Witcutt Memorial Fund was set up by EDA with the objective of creating a living

memorial to her in Sarajevo. Her son-in-law, David Hamilton, who I had the pleasure of meeting last year, sits on the board of Remembering Srebrenica.

At the time of the conflict, the Scottish Refugee Council helped to evacuate 400 Bosnian refugees to Scotland to rebuild their lives in Scottish communities. My memory of that terrible conflict and the terrible genocide was when, at 10 years old, I was sitting in the mosque during Ramadan and opening the fast with these people I had never seen before, who looked as though they had witnessed the most terrifying brutality. The Bosnians who came to break their fast with us were welcomed by the community with open arms.

Ruth Davidson mentioned the work of Adam Boys, which has been critical in identifying those who were massacred and giving their families closure—perhaps not full closure but some form of closure—by using DNA identification technology to reunite the bereaved with the remains of their loved ones. That is no easy task, because we know that there were many mass graves and the remains were moved from site to site to site.

The Scottish Government supports work to tackle religious hatred and intolerance and works with the Holocaust Memorial Day Trust to support Scotland’s national commemoration of the Holocaust and subsequent genocides. I am pleased that the First Minister will be involved in the commemoration on the 20th anniversary on 10 July, as Ruth Davidson highlighted in her motion and her speech.

I echo what Ruth Davidson and others have said. The massacre—the genocide—at Srebrenica cannot be just a moment in our history. We must not just learn the lessons but continue to inform future generations: those who have no memory of 1995. We must remind them that those horrors occurred, although we hope that they will not occur again.

The Government will not tolerate any form of religious or racial prejudice, because we recognise where it may lead. We will accept no excuses for any hatred or hate crime and we will continue to work tirelessly to ensure that everybody can feel safe in Scotland’s communities.

Meeting closed at 17:31.

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