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Scottish Parliament

Tuesday 28 March 2017

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

Time for Reflection

The Presiding Officer (Ken Macintosh): Good afternoon. Our first item of business is time for reflection, for which our leader is the Rev Andrew Frearson, rector of St James the Great church, Dollar.

The Rev Andrew Frearson (St James the Great Church, Dollar): Presiding Officer and members of the Scottish Parliament, thank you for the opportunity to address you today.

Late in 2015, I officiated at the funeral of Kelsey Clarke, aged 18, who was a transgender student at St Andrews university. She did volunteer work for St James Episcopal church in Dollar. Extremely intelligent, she represented Scotland in debating and was an advocate for justice in political affairs. Her mother, Jude, a parishioner and friend, advocated for the lesbian, gay, bisexual and transgender community and especially for improving mental health care, and she came here often to work for that end. Jude, too, took her life last September. Those losses are keenly felt, yet their legacies and contributions live on, though they could not cling on themselves. Their constant plea to any who would listen was for more kindness and compassion in this world, which they exhibited in spades.

In a previous parish, I knew Mike, a professional violinist, who for several years had been in a dark depression and had been unable to play or teach violin. While visiting him one time, I asked him out of the blue to improvise nine passages of music in a forthcoming three-hour Good Friday service. He had played only from written music before, and improvisation terrified him. To my amazement and his, he accepted.

It was tense on the day. Would Mike be able to play, and in a way that he had never done before? What followed blew me and more than 200 other people away. Many knew his situation. He conveyed the pain and torture and suffering of the world, and his world, as he connected to the Good Friday story. There was not a dry eye as he closed his own wet eyes and literally played to the gods. No one wanted that to end.

My experience over and over has been that the support of those who face huge obstacles in staying well, and of others in embracing their true identities, can bring unique gifts of creativity and

love to our communities. Fortunately, Mike and Jude were able to find dignity, respect, celebration of difference and an open inclusiveness in the faith tradition that nurtured them. I know that those same values are aspired to in this place.

In a political world of much shallowness and untruth, be aware that there are many in this land who thank you for the times when this place upholds the values that I mentioned. Thank you.

Topical Question Time

14:04

Article 50 (Discussions)

1. Christina McKelvie (Hamilton, Larkhall and Stonehouse) (SNP): To ask the Scottish Government whether it will provide an update on its discussions with the United Kingdom Government ahead of the triggering of article 50. (S5T-00490)

The Minister for UK Negotiations on Scotland's Place in Europe (Michael Russell): Yesterday, the First Minister met the Prime Minister, and I met the Secretary of State for Exiting the European Union. I can report that, today, on the eve of the day on which article 50 will be triggered, although we discussed a range of subjects we still have no substantial information on the detail of the article 50 letter. Moreover, the national press were informed of the date of the triggering of article 50 without any attempt being made to inform the devolved Administrations.

Christina McKelvie: I thank the minister for that very dreary-feeling answer. Does he think that the Prime Minister has any rational, sensible or logical reason to stand in the way of a decision of this Parliament to hold a referendum on independence, given that as the UK Government admitted and confirmed yesterday, the terms of Brexit will be clear before the UK leaves the EU?

Michael Russell: No. The timescales that are set by the article 50 process are clear, so there is no rational, sensible or logical reason to stand in the way of a legitimate decision of this Parliament.

Christina McKelvie: Thank you, minister. It is another despondent-making and absolutely terrible response to the Scottish Government.

Last night, I received a copy of a report by the Human Rights Consortium Scotland. The consortium's co-ordinator, Mhairi Snowden, has said:

"This new report says that individuals' rights must be safeguarded in the wake of the vote to leave the European Union ... Without the EU pushing rights forward, these organisations are concerned that legal rights may be reduced, and that progress on achieving greater rights for disadvantaged people will stall. They are calling for greater participation in decision-making around Brexit."

Greater participation would be very welcome indeed. Does the minister agree that the intransigence of the UK Government in failing to reassure EU nationals who are resident in our nation should be a clarion call to us all that our hard-fought-for rights could be so easily pushed away?

Michael Russell: I agree, because the issue of nationals from other EU states is crucial. It is absolutely astonishing that today, on the eve of the triggering of article 50, no reassurance has been given to those EU nationals. No reassurance has been given, either, to the Scottish and British citizens who are resident in other countries in Europe. Those are two sides of the same coin. It is ridiculous that we are in that situation.

On the wider issue of human rights, it is important that members realise that the threat of Brexit has consequences. Yesterday, I attended a round-table meeting on human rights and social inclusion that was chaired by two members of the standing council on Europe, Alan Miller and Grahame Smith. Through such engagement, the Scottish Government is very aware of the vast and well-rehearsed concerns across academic and third sector bodies about the risk of erosion of human rights and social protections that is presented by Brexit. We will continue to work with those bodies and with civic Scotland to ensure that the key principles that have been set out by Alan Miller in particular are observed. First, there should be no regression; secondly, there should be continued progress; and thirdly, there should be freedom to lead best practice.

Vast amounts of anguish and difficulty are being caused by the Brexit process. That is utterly unnecessary, because the people of Scotland did not vote for it.

Adam Tomkins (Glasgow) (Con): In the Miller case a few weeks ago, the United Kingdom Supreme Court unanimously ruled that

"Within the United Kingdom, relations with the European Union, like other matters of foreign affairs, are reserved",

and that

"The devolved legislatures do not have ... legislative competence in relation to withdrawal from the European Union".

Therefore, what is the minister moaning about?

Michael Russell: I hope that, in time, Adam Tomkins will reflect on the attitude that he has taken in this debate. He might think that it is his duty to be an apologist for the UK Government, for a hard Brexit and for a hard Britain, but his real role in Parliament is to represent the electors of the area from which he comes. I am afraid to say that if he chooses to be an apologist for the UK Government, he chooses to ally himself with a Government that is working against the interests of the people who elected him.

Lewis Macdonald (North East Scotland) (Lab): Alex Neil reminded us last week that there are, in effect, two Brexit deals to be done: one to cover the UK's exit arrangements from the EU and the other on the successor trading relationships

between the UK and the EU. Mr Russell will be aware that nobody outside the UK Government has offered a public view that both those deals can be done in 18 months to two years. Does he not prefer the evidence of Sir Ivan Rogers, who recently retired as the UK's permanent representative to the European Union? He said that the view in Brussels is that it will be at least the summer of 2020 before any agreement can be reached between the UK and the EU, and that it may, indeed, be the early to mid-2020s before such an agreement is in place. Is it therefore not wrong to simply take the word of Theresa May on what is an unrealistic timetable for completion of trading arrangements between the UK and EU?

Michael Russell: The First Minister has been very clear that there is a matter for negotiation—in terms of conclusion of the negotiations—on the point at which an informed decision can be made. That is absolutely vital. I note that the Tories keep trying to change their minds on that, but it is the vital point—the point at which an informed decision can be made. I accept that many people doubt the wisdom of the position of the Prime Minister, for whom the Tories here wish to be apologists. However, she is leading the negotiations and she says unequivocally that both negotiations can be done, and that both will be done, within the timescale. In those circumstances, it is absolutely right for us to say that that is also the timescale for the article 50 process and that we will therefore go along with that.

However, I hope that Labour might, even at this very late date, wake up to the fact that the best position to be in on this is to argue for the position of Scotland and not to argue for the position of the Prime Minister or anybody else. I note that yesterday the leader of the Labour Party in Scotland had just woken up to the fact that she should ask the Prime Minister about the need for a differentiated option. However, the stable door has closed and what we should be arguing for is for the right for Scotland to choose, and the Labour Party should be on that side today.

Queensferry Crossing

2. Murdo Fraser (Mid Scotland and Fife) (Con): To ask the Scottish Government what its response is to reports that the Queensferry crossing will not be ready by the revised completion date of the end of May. (S5T-00479)

The Cabinet Secretary for Economy, Jobs and Fair Work (Keith Brown): I receive regular updates on progress towards completion of the Queensferry crossing, as indeed does the Rural Economy and Connectivity Committee. However, following my appearance at the Rural Economy and Connectivity Committee on 8 March 2017, I

asked the Forth crossing bridge constructors, the contractor, to carry out a thorough review of its programme through to project completion. That work has indicated that adverse weather conditions, particularly wind, have had an impact on the removal of the construction cranes and therefore on the estimated completion date. Transport Scotland is currently assessing the review carried out by the FCBC, and I expect to receive a report from it this evening. I have agreed to provide a detailed update to the Rural Economy and Connectivity Committee tomorrow morning.

Murdo Fraser: I thank the cabinet secretary for his response and for advising Parliament on what has been widely rumoured among the workforce for some time, which is that an extension to the timescale for the works will be required. It was reported in the *Dunfermline Press* that a worker on the bridge had said that the bridge contractors were asking for the completion date for the bridge to be extended to September. Clearly, such a delay will be met with dismay by my constituents and—I imagine—by the cabinet secretary's constituents.

Can the cabinet secretary give us a better update on when the bridge is likely to be completed? Does he recognise that this is the second delay that there has been to the completion of the bridge? We were promised by the First Minister previously that the bridge would be completed by the end of last year, we were then told by the cabinet secretary that it would be completed by the end of May and we are now looking at a further delay. When will it be ready?

Keith Brown: As I said in response to the member's first question, the review information is being analysed by Transport Scotland as we speak and I will be able to report in detail, as I have done throughout the project, to the Rural Economy and Connectivity Committee. I should also say that the project has a 120-year lifespan: the bridge will be there for 120 years. It is very important that we get it right and that we do it safely.

I am sure that Murdo Fraser is aware of the conditions in the Forth. For example, it has taken 65 days to take down one of the cranes—it would normally have taken 15 days—because of the consistently high winds. As soon as the wind speed goes above 25mph, it is not possible to work on the cranes, and that has contributed to the delay.

When I have the detailed information from Transport Scotland in front of me, I will prepare a full report that I will provide to the Rural Economy and Connectivity Committee in the morning. However, this has been a seven-year project that is about £0.25 billion below budget, and that will not change.

Murdo Fraser: I thank the cabinet secretary for his further response. I am aware of the weather conditions on the Forth. Indeed, thanks to the cabinet secretary, I had a visit to the top of the north tower some time ago—I think that it was last summer. However, does the cabinet secretary accept that politicians should not make promises about the completion of projects that they cannot then deliver on?

Over the past few months, the existing crossing has had to be closed twice because high-sided vehicles have been blown over, causing massive disruption to my constituents' lives. If there is to be a further delay to the new crossing being opened, what additional measures can be put in place to prevent further disruption from vehicles being blown over? For example, could we have Transport Scotland or police staff stationed at the ends of the bridge in severe weather to try to prevent high-sided vehicles from irresponsibly crossing the bridge in those conditions?

Keith Brown: On Murdo Fraser's last point, that matter is being reviewed by my colleague Humza Yousaf, who has responsibility for the Forth road bridge, and I am happy to discuss that further.

However, I think that Murdo Fraser made my point for me when he mentioned that two trucks have been blown over on the existing Forth road bridge, because that exemplifies the state of the wind. As he will now know, having been to the top of the tower, the new bridge is substantially higher than the existing bridge. In fact, I am disappointed—I offered last year to go up to the top of the tower with Murdo Fraser because I knew that he was a bit worried about it, but unfortunately I did not get the chance to do that. [*Laughter.*]

Murdo Fraser: I was there.

Keith Brown: Well, if he had let me know, I would certainly have been there. [*Laughter.*] As he has experienced at first hand the weather conditions at the top of the tower, he will know that they are substantially different even from those on the Forth itself, and the consistency of high winds has been a particular problem.

As I said, I will fully update the committee tomorrow once I have the response from Transport Scotland. I cannot comment on rumours that have been raised in the press. I have to go on the contractors' information and Transport Scotland's assessment of that, and once I have that, I will be able to give a definitive position to the committee tomorrow. I am grateful to the committee's convener for allowing me an opportunity to go along and do that tomorrow.

Angus MacDonald (Falkirk East) (SNP): Can the cabinet secretary provide details of the number of jobs that have been created due to the building

of the bridge and what its wider economic impact has been?

The Presiding Officer (Ken Macintosh): That was not really the subject of the question, but the cabinet secretary may respond briefly.

Keith Brown: Presiding Officer, I think that there is a direct correlation in that an extra 200 people are now working on the bridge to make sure that we can get the work done as quickly and as safely as possible. That takes to about 1,500 the number of people who are currently directly employed in the construction of the Queensferry crossing.

Since 2011, over 10,000 people have worked directly on the project, with many more being employed in the supply chain via subcontract and supply orders. Up to 31 December, Scottish firms had been awarded subcontracts or supply orders on the Forth crossing project worth a total of about £335 million, out of a total of £688 million.

Alex Cole-Hamilton (Edinburgh Western) (LD): The Parliament will well remember that, this time last year, 27 days were lost on the bridge due to adverse conditions, which correlated with a six-month delay in the future opening date. Nobody expects the bridge operatives to work in unsafe conditions, but will the cabinet secretary advise the Parliament what tolerance will be built into the new completion date? If that is broken, will he come back to the Parliament and advise us on the further delay that is still to come?

Keith Brown: Of course. I am always happy to come to the Parliament to provide updates.

I will mention for Alex Cole-Hamilton's information one of the issues in relation to last year—it is a difficult point to get across, but it is very important. If there is a substantial delay, for example in relation to the cranes, it means that other things get concertinaed and bunched up into a smaller timescale. At present, the cranes comprise part of the surface of the bridge, and there is a lot of other work to be carried out once they have been taken down. An extraordinary number of people—1,500—are working to complete the bridge, and when they are all trying to do things in the same space, there can be a concertina effect.

As I said, I will provide the committee with a detailed update tomorrow, when I will have the full information, but I am more than happy to come back to the chamber as necessary.

Independence Referendum

Resumed debate.

The Presiding Officer (Ken Macintosh): Our next item of business is the continuation of the debate on motion S5M-04710, in the name of the First Minister, on Scotland's choice.

14:19

The First Minister (Nicola Sturgeon): Presiding Officer, last week, this debate came to a halt in the worst of circumstances. Almost one week on, our thoughts remain with those affected by the London atrocity.

It is worth reflecting today, perhaps, on how we all felt last week. In our shock and sadness, we were reminded of our common humanity and the core values that unite us, and we came together to proclaim our commitment to that most cherished principle of all: democracy.

Today's debate is about democracy—that is at its heart. It is about the right of people in Scotland to choose our own future and it is, in itself, a demonstration of democracy in action—of elected representatives with different but passionately held views expressing those differences through robust, and sometimes very robust, discussion. Ours is a privileged position, and we all have a responsibility to rise to it. Many others across our country will follow the example that we set in the chamber, so let us ensure that it is the right one.

Let us recognise and accept that we are all sincere in the opinions that we hold and always remind ourselves that the person on the other side of the debate is not an enemy, but simply someone with a different but still valid point of view. None of us has come to this debate with anything other than the best of intentions and motivations. We all want the best for Scotland, so, as we resume the debate, let us heed the words of the Church of Scotland when it tells us that there is nothing inevitable about this debate or any other debate being divisive, because that will depend on how we choose to conduct the debate not just today, but in the months that lie ahead. The Church of Scotland has called for

“a debate which informs and inspires and not one which derides and dismisses.”

That should be the ambition of all of us.

In seeking to lead by example, my resolve is to conduct myself in a spirit of openness, honesty, respect and understanding. I hope that other members right across the chamber will join me in that.

It is not my intention to rehearse all the arguments that I made in opening the debate last

week—I am sure that that will be a relief for people on all sides—but there are two points that I want to make.

First, I want to remind us why this debate matters and is important. Like the rest of the United Kingdom, Scotland stands at a crossroads. When article 50 of the Lisbon treaty is triggered tomorrow, change for our country will become inevitable. We do not yet know the precise nature of that change—much will depend on the outcome of the negotiation that lies ahead, of course—but we know that the change will be significant and profound. It will impact on our economy not just in the here and now, but for the long term. Indeed, it was the UK Treasury that said ahead of the referendum last year that Brexit would make the UK “permanently poorer”. There will be an impact on trade, investment, living standards and the very nature of the society that we live in.

Much that we have come to take for granted over most of my lifetime—the freedom to travel easily across Europe is just one example—is now up for negotiation, and the outcomes are deeply uncertain at this point. My argument is simply that, when the nature of the change that is made inevitable by Brexit becomes clear, it should not be imposed upon us; we should have the right to decide the nature of the change. The people of Scotland should have the right to choose between Brexit—possibly a very hard Brexit—or becoming an independent country that is able to chart our own course and create a true partnership of equals across these islands.

If we accept—as I hope we all do—that Scotland has the right to decide our own future, the question becomes one of timing. When is it best to make that choice? We all agree that now is not the time. In my view, the time to choose is when the terms of Brexit are clear and can be judged against the challenges and opportunities of becoming an independent country.

The Prime Minister was clear with me yesterday that she intends the terms of Brexit—both the exit terms and the details of the UK's future relationship with the European Union—to be known before the UK leaves and in time for ratification by other EU countries; in other words, some time between the autumn of next year and the spring of 2019.

Lewis Macdonald (North East Scotland) (Lab): I hear what the First Minister says about the Prime Minister's view, but is that the First Minister's view? Has her Government done an assessment of when a future trading relationship between the UK and the EU might be completed?

The First Minister: I have made the point before that I can only go on what the Prime Minister, who is leading the negotiations on the UK

side, says about her intentions. When I announced my own intentions about a referendum, I made it very clear that, if the timetable changes—for example, if the two-year period were to be extended—that would have an impact on the timetable that Parliament is discussing today. Right now, none of us can know that. We can only base our decisions on the timetable that was set out by the Prime Minister, and yesterday she was clear with me about her intentions in that respect.

For my part, I am equally clear about the responsibility that I have to ensure that the detail of independence is set out well in advance, so that the people of Scotland can make a truly informed choice. To enable that choice, the Scottish and the UK Governments require to make certain preparations.

That leads me to the question of how I intend to respond should Parliament agree to the Government's motion later today. It is not my intention to do so confrontationally; instead, I will only seek sensible discussion. In recognition of the importance and the significance of what will happen tomorrow, I will not do so until later this week, after the triggering of article 50.

Yesterday, I wished the PM well, both for tomorrow and for the negotiations that lie ahead. I assured her—as I assure the chamber today—that the Scottish Government will play as full and as constructive a role as she is willing to allow.

Let me be clear: I want the UK to get a good deal from the negotiations, because whatever path Scotland chooses to take, that is in our interest. I simply want Scotland to have a choice when the time is right.

I hope that the UK Government will respect the will of this Parliament. If it does so, I will enter discussion in good faith and with willingness to compromise. However, if it chooses not to do so, I will return to the Parliament following the Easter recess to set out the steps that the Scottish Government will take to progress this Parliament's will.

When the Prime Minister formally starts the process of leaving the European Union tomorrow, none of us should be in any doubt about what is at stake. The next two years will determine what kind of country we are going to be. The European Commission, the European Parliament and 28 Governments—informed by their national Parliaments—will all have a say. The people of Scotland must also have their say.

Scotland's future should be in Scotland's hands. That is what this debate is about: the future of our country, how we best harness its potential and how we overcome the challenges that we face. The debate should engage us all, whatever our

views. Let us start—or restart—today as we mean to go on: positively, passionately and respectfully.

I commend the motion.

14:27

Ruth Davidson (Edinburgh Central) (Con): I am responding on behalf of my party because the First Minister decided to open the debate again for the Scottish Government. Only one thing is worth adding to my comments in the chamber last week. If the debate so far has served one purpose, it has been to show why most people in Scotland do not want the Government and the Parliament to be sidetracked by the division and rancour of yet another referendum campaign.

Despite honourable speeches from all sides of the chamber, the Parliament added precisely nothing last week to the sum of human knowledge on Scottish independence. There were no new arguments. There was nothing for families who want a Parliament that is focused on improving schools for children across Scotland; there were no ideas on how we ensure that patients are seen more quickly in hospitals, so that they get the treatment that they deserve; and there were no insights into how we tackle the endemic low growth in Scotland.

In the next few days, the Parliament will gain huge new powers over tax and welfare that will make it one of the most powerful chambers of its kind in the world. However, in the past week, we have seen a Government whose sole purpose is to spend its time complaining—as always—about the powers that it does not have.

We have seen a First Minister whose clear priority is to press ahead with the referendum campaign that she wants to start tomorrow. She wants to use her time here today in pursuit of her real purpose, which is her only real purpose in politics.

I will deal briefly with the First Minister's comments about her meeting yesterday with the Prime Minister. Let us go through what the First Minister did not mention. I heard no welcome for the counterterrorism plans that the Prime Minister announced in Govan or for the Prime Minister's support for the Department for International Development in East Kilbride. Instead, the only thing on the First Minister's agenda yesterday—and today—is how to use her meeting with the Prime Minister to spin a new rationale for her rushed timetable for a referendum.

The First Minister should be aware that even her own colleagues do not share her view. Alex Neil stated last week that all might

“not be done and dusted by March 2019”

and that a timetable could

“extend beyond that date.”—[*Official Report*, 22 March 2017; c 22.]

I also refer the First Minister to that leading authority on all things European—Joan McAlpine. In January, Joan McAlpine said—I will not do the accent—that

“there’s no way a trade agreement is going to be put in place within two years ... that’s completely unrealistic.”

Now, of course, I would not be as pessimistic as Ms McAlpine. I just look forward to her Damascene conversion now that the First Minister has ordered that a different tactic be called in aid for the same old conclusion. The question matters not; the answer is always independence. The truth is that nothing at all changed yesterday.

The First Minister: For the record, I spoke to the Prime Minister on the phone last week and again yesterday about our common interest in security. The Scottish Government has been working for some time to make sure that the exercise that she announced yesterday is a success.

The Prime Minister said to me clearly yesterday that it is her intention for the exit terms and also a comprehensive free-trade deal to be agreed before March 2019. Can I take it from Ruth Davidson’s comments that she thinks that I should distrust the Prime Minister’s word?

Ruth Davidson: The Prime Minister has been absolutely clear, time after time and in response to question after question—in the media, in statements and in the House of Commons—that now is not the time and that it will take time for a deal to be done. What I find remarkable and cannot believe is the idea that the one person the Prime Minister has taken into her trust is the First Minister, who has been trying to derail the process from the beginning, and that the Prime Minister has done so in a one-to-one meeting. The suggestion is that the only person who could make Theresa May change her mind—she is a woman who is not known for changing her mind—is Nicola Sturgeon, who could not wait to rush out to the bank of microphones and explain all about the reversal in the Prime Minister’s politics. I will take no lessons from the First Minister, because—

The First Minister: Will the member take an intervention?

Ruth Davidson: Sit down. [*Interruption.*] I think that I have answered the First Minister’s question. I will not take another intervention. Nothing changed yesterday.

Just as she announced two weeks ago in Bute house, the First Minister wants to start a referendum campaign now. She wants to fire the starting gun on an 18-month countdown to a

referendum. She wants to have people knocking on our doors from this weekend, demanding our vote. She wants independence campaigners to rerun the trope that we would all be £500 better off and to promise us the earth, although they are still without a plan on the currency, EU membership or how we would pay our way. I am still wondering who won that iPad.

The First Minister says that she wants the UK to get a good Brexit deal but, no matter how good that deal is, she still wants to push for independence. Our view, and the UK Government’s view, remains that at a time of enormous uncertainty and only three years since the last vote—when we were told that it was a once-in-a-generation event and that the decision of the Scottish people would be respected by both sides and that there would be no rerun without an overwhelming change in public opinion—people in Scotland have the right to see the Brexit process play out. They need to see it operating and working in practice. At this moment, we should be pulling together, not hanging apart.

As Alex Neil told the First Minister last week, we should not be even contemplating such a vote unless people come with us. Mr Neil was arguing from the perspective of someone who wants independence. That is fair enough; I respect his views. I am arguing from the perspective of someone who believes that the First Minister’s plan for a rushed referendum, with a campaign beginning now, without public consent, with no agreement in place on how the referendum should take place, and with one side dictating the timing, the franchise, the question and the rules, is a farce.

Most people—yes, no and undecided—are right to be turned off by such a prospect, because they can see that, too. I repeat what I said last week: I think that the First Minister knows that. The First Minister knows that the proposal that she is putting forward today cannot work and is not fair to the people of Scotland. However, that is not the point, because what we are hearing is not the serious plan of a reasonable Government but the Scottish National Party cooking up the same old recipe for division: take one unworkable proposal, add in some Greens, stir in grievance and bring to the boil. That might have worked once, but let me tell the First Minister this: it stinks, and the people in Scotland are not buying it.

I have said my piece, and I have said it twice. We will vote against the SNP’s motion today and in support of our amendment. We again call on the Greens to honour their manifesto commitment—unless, of course, Mr Harvie can now inform the Parliament that in the days since we previously met he has managed to collect that elusive

millionth signature for his referendum petition. No? So nothing has changed since last week.

Nothing has changed since the debate was postponed last Wednesday, except that we have learned that fewer than half the nurseries in Scotland will offer extended free early learning and nursery hours; that Police Scotland has a projected deficit of nearly £50 million next year; that just 5 per cent of Scottish schools have been inspected in Scotland in the past year; that the SNP Government has U-turned on junior doctors' hours and will not bring down the amount of time that they can work; and that two former members of the independent panel on the mesh implants scandal are warning that the report is a "betrayal" and has been "watered down". Only this morning, we learned that cancer treatment waiting times have been missed again, for the fourth year in a row.

Last week, in what was a disgraceful episode, we were shouted at by SNP members and told that we were frightened to debate independence. We are not, but we are sick of it, and most people in Scotland have had enough, too. The Parliament needs to, and must, focus on the priorities of the people of this country. This is not the time to be sidetracked by yet more unnecessary division. It is time for a Government that focuses on the job that we pay it to do.

14:35

Kezia Dugdale (Lothian) (Lab): I welcome the First Minister's remarks about the opportunity that we have to hold this debate with civility and decency. I ask Ruth Davidson to reconsider her approach when we have a chance to reset this debate.

Last week, we came together to remember those who lost their lives or were injured in the Westminster terror attack. We united in our condemnation of a barbaric act and reaffirmed our commitment to the values of tolerance and integration, freedom and solidarity.

It was right that last week's debate about a second independence referendum was postponed. However, the business of the Scottish Parliament has now resumed, and here I am, once again responding to remarks from the First Minister about a second independence referendum. If it feels familiar to those of us in here, just imagine how familiar it must feel to those outside the chamber, to people who very rarely tune into these discussions and who want their political leaders to focus on the business of government by delivering good schools and hospitals and by growing the economy to provide jobs and prosperity. Once again, they see us debating the issue that they

thought had been decided in a once-in-a-generation, once-in-a-lifetime vote in 2014.

Yesterday's meeting between the Prime Minister and the First Minister summed up where we are in this country today: two intransigent leaders focused only on the constitution, while the business of government gets pushed to one side. Nicola Sturgeon demonstrated that she has given up any pretence that she will fight for the best Brexit deal for Scotland and the United Kingdom. Instead of fighting for more powers to come to Scotland from Brussels, it is independence or nothing for the First Minister.

The First Minister: In the spirit that I think we are both committed to here, I ask Kezia Dugdale to reflect on how unfair that comment is. I have spent a great deal of time trying to persuade the UK Government to find compromise. I published a paper in December that listed the additional powers that could have been devolved to the Scottish Parliament and that would have effectively delivered the federalism that Kezia Dugdale supports. If we are meeting with a point-blank refusal to do that, what is Kezia Dugdale's argument? Is it that this Parliament should simply step back and accept that we are being taken over a hard Brexit cliff edge, with no additional powers being devolved and with the UK Government even intending to muscle in on the powers that we already have?

Kezia Dugdale: I recognise the work that the First Minister did in December to fight for more powers for this place. However, I have not heard a word in the whole of 2017, because it is independence first, last and everything when it comes to her agenda.

We have also had the spectacle of Theresa May claiming yesterday to be the best protector of the union. Just ponder that for a moment—the leader of a Conservative Party that has caused so much division in our society; which has set Scotland against England in the general election; and whose reckless Brexit gamble brought us to this point, where leaving the EU just provides the SNP with the latest excuse that it was looking for to push for another referendum. Some humility from the Tories, and a genuine desire to properly engage with this place, would not go amiss.

In the week since we last met, at least three issues that would normally dominate the front pages of our newspapers have been buried in the back of the book. We have learned that the SNP has abandoned a promise to reduce the working hours of junior doctors—a promise that was made by the former First Minister to the parents of a woman who lost her life. We have seen a damning report on the quality and provision of child and adolescent mental health services. Just today, it has been confirmed that Scotland's cancer waiting

times have not been met for four years. Each of those three issues constitutes an individual scandal. Together, they represent a complete abdication of responsibility. However, we are not discussing any of those things. After all, why would the Government that is responsible for the national health service want to debate its 10-year record on the health service when there is another independence debate to be had?

We all know the outcome of tonight's vote. The compliant Greens will once again back their fellow nationalists in the SNP. Let us not pretend that this SNP-Green push for another divisive referendum reflects the will of the Scottish people, because it does not. In the 2014 referendum, 85 per cent of the population voted, and we voted decisively to remain in the UK. That is the will of the people and it should be respected.

My message to the First Minister remains unchanged: we are divided enough and she should not divide us again. Leaving the UK would mean £15 billion of extra cuts to schools and hospitals in Scotland. Every time I sit in a television studio with a member of the governing party—and I can see its front-bench members shaking their heads—they seek to rubbish or ridicule these figures, but they simply cannot deny that they are the Government's own numbers. The Government's own statistics say that independence would be catastrophic for working families. I could never support a policy that would hurt our poorest communities, so the question beckons—why would the First Minister?

We are just hours away from the start of the formal process of leaving the European Union. The First Minister and I agree that Brexit risks damaging our relationship with Europe. It will threaten thousands of jobs in Scotland and hold back our economy. However, like the First Minister, I accept that Brexit is going to happen and that Scotland and the United Kingdom are leaving the European Union. The First Minister has finally dropped the pretence that we could remain in the EU, and that clarity is welcome.

The First Minister has another decision to make now. Will she spend the next two years and 100 per cent of her time campaigning for Scotland to leave the UK at the expense of governing, or will she roll up her sleeves from today and seek to secure more powers for the Parliament when they return from Brussels to Britain? Tomorrow, I will be in Cardiff doing just that. I will be working with the Labour First Minister of Wales, Carwyn Jones, who is prepared to put in the hard work that is necessary now to secure the best Brexit deal for Wales and for the United Kingdom.

This is not a battle between independence and the status quo. It is about the SNP's never-ending campaign for separation and what the people want

and voted for—a powerful Scottish Parliament within the United Kingdom. Our members will campaign with everything we have for Scotland to remain in a UK where political and economic power is in the hands of the many, not the few, and a UK that delivers for the people of Scotland. That was our manifesto commitment and we will honour that tonight by voting against the SNP's plan for another divisive referendum.

14:42

Andy Wightman (Lothian) (Green): I want to use my time to argue why the Greens will support the Government motion, but first I want to say something to the people who have contacted us in recent days.

We understand that the prospect of another referendum on independence is not welcomed by some voters: they have not been shy about telling us so, and we respect their sincerely held views. We also understand why there is so much anxiety because, for some people, the referendum in 2014 was not the joyous civic carnival that it is sometimes portrayed as. It challenged deep-seated ideas of identity and belonging, and it provoked legitimate questions about the future for everyone in Scotland and the UK.

In 2014, voters rejected independence. Nothing that I will say today changes or is intended to disrespect that important vote. Today we face a very different situation, however. Whatever transpires during the coming years, as politicians we are responsible for setting the tone of public discourse, so I am committed to engaging in debate and discussion with respect, tolerance and empathy.

Where do the Greens stand on the issue? Green politics rests on the four pillars of peace, equality, environmental sustainability and radical democracy. We are a party of social and environmental justice; we support a radical transformation of society for the benefit of all and for the planet as a whole. We understand that there are threats to economic, social and environmental wellbeing, and we recognise that they are part of the same problem. We further recognise that solving one of these crises cannot be achieved without solving the others.

As part of our commitment to radical democracy, and contrary to many assertions that are currently being made, Scottish Greens have a long-standing policy of supporting an autonomous Scotland. The party was founded in 1990, and in a comprehensive policy document that was published in March that year, we stated:

“The Scottish Green Party supports demands for an independent, self-governing Scotland, as throughout

Europe Green Parties support other local demands for regional autonomy.”

In the first Scottish Parliament elections in 1999, we stood on a manifesto calling for a referendum on greater independence for Scotland as part of a programme of radical democracy reaching far beyond the Scottish Parliament to embrace genuine local democracy and fiscal autonomy.

In the context of today’s debate, which is taking place against the backdrop of the EU referendum vote, it is important to stress that we also believe in a more democratic Europe. Our party policy is to reconstitute the EU as a democratically accountable European confederation of regions. The Scottish Green Party is not a nationalist party—we are Greens. Our politics is decentralist, autonomous, confederalist and co-operative.

Neil Findlay (Lothian) (Lab): Talking about radical democracy, it is pretty radical to have a referendum, lose by 10 per cent, then completely ignore that result. That is hardly democratic.

Andy Wightman: As I said in my opening remarks, we are not ignoring any result; we acknowledge the results of the two referendums that we have had to date, both of which stand, but which are mutually incompatible in terms of how we move forward.

On the decision that is before us today, as a very large volume of emails have reminded us—*[Interruption]*—we stood on a manifesto that outlined ideas on deepening and strengthening democracy. One proposal was for a more open and participative lawmaking process, in which citizens could trigger votes in the Scottish Parliament on issues. We highlighted that that was our preferred way of deciding whether to hold a second referendum. However, contrary to much misreporting, it is not the only means by which we would vote in favour of another referendum.

The two clearest indications of the will of the electorate to date have been the independence referendum vote in 2014 and Scotland’s remain vote in 2016. They are clearly incompatible without a further choice. Our party remains as committed as we have always been to autonomy, self-government, independence and confederalism.

Today, nine months on from the EU referendum, we are in an unprecedented situation in which Scotland and the UK not only face a hard Brexit but face—in flagrant breach of the UK Conservative Party’s own manifesto to say yes to the single market, to preserve the integrity of the single market and even to expand the single market—being dragged out of the single market with no electoral mandate: with no mandate from the people of the UK or of Scotland.

We are where we are. It is not where I would like to be and it is not where most members of this Parliament wish to be. However, we are faced with a choice. We could do nothing, as the Tories suggest; we could pursue federalism, as Labour suggests; we could hold a second referendum on the EU, as the Liberal Democrats suggest; or we could put as much power as possible in the hands of the Scottish people to decide for themselves what path we choose.

We are dealing with the aftermath of one of the biggest failures of UK statecraft. The choice that is before us is not the choice that we should be, or would like to be, facing now. However, it does face us, so the Greens will vote according to the long-standing principles of Green politics that I outlined earlier. Greens have a distinctive, long-standing and proud tradition of democratic reform. We wish to see important decisions about the future of Scotland being put in the hands of the Scottish Parliament and the residents of Scotland.

We have no difficulty in supporting the motion to give the First Minister the mandate to seek the powers, under a section 30 order, for the Scottish Parliament to determine for itself the terms of a future independence referendum.

14:48

Alex Cole-Hamilton (Edinburgh Western) (LD): I am grateful for the opportunity to speak in this debate for a second time, as I open today for the Liberal Democrats. When I got to my feet on Wednesday last week, it was just moments after rumours of an attack on Westminster had been substantiated and I, like many other people in the chamber, could not reach my colleagues in Westminster.

I rose without notes to give a speech that I thought I had memorised. Yes—that will teach me. As I made progress through the speech, the text started to evaporate. I dried up—everyone saw it—and I was lost for words. It is hard for someone to speak with clarity when their thoughts are overrun with concern for their friends.

However, I speak this afternoon with the same conviction that I intended to speak with last week. I speak to keep a promise that I made to the people who sent me here, who knew that such a Government motion would eventually, inevitably, be forthcoming. I speak for those who have at no point offered their consent to the First Minister to use their votes to remain in Europe as leverage to bring about a second independence referendum. We—I count myself among their number—utterly reject the false dilemma that this Government and the Green Party seek to create in casting this as an unambiguous choice between two unions.

The decision to withdraw from Europe broke my heart, but as an internationalist, my response could never be to up sticks from the one union of nations that I have left to me. Instead, I choose to stay to resist Brexit and to fight every election thereafter on a platform of re-entry to the European Union.

There is no comfort for ardent Europeans in the SNP's current vacillation.

Tom Arthur (Renfrewshire South) (SNP): The Liberal Democrats have been fighting on a platform of federalism for more than a century and have yet to deliver it. Will it be a century before they can deliver re-entry to the EU?

Alex Cole-Hamilton: That is my party's policy. I have been fighting for lost causes all my life, but I will achieve that one. [*Interruption.*]

We have a Government that, on the one hand, reassures people who might now entertain another path to European membership through independence while, on the other, it tries to appease Spanish diplomats and a significant pro-Brexit flank of its own party by rowing away from any commitments to guarantee, or even to seek, full membership of the EU for an independent Scotland. Such is the division of the nationalist base on the issue that the Government is trying to ride both horses—but remain voters will find it out. We shall not be the unwitting fulcrum over which it tips this nation back into the divisions of the past.

The 2014 referendum caused such friction in our society that one person in four reports a damaged relationship with a friend or family member as a result of it. I do not want Scotland to be returned to such a state of acrimony; successive opinion polls show that the people of this country do not want it either. Therefore, the architects of a second referendum—the parties that will vote for it tonight—have not passed their own tests of the measure of public opinion for bringing it about, but if it comes, I will fight it.

Like last time, it will not be easy to defend something that is not entirely functional. Americans talk in saccharine terms about building a more perfect union; if we were to ascribe that same ambition to these islands then—as the old joke goes—we would not start from here. However, we are all imperfect, and that imperfection is reflected in the conduct of human affairs. Collectively, we make bad decisions and sometimes elect Governments that harm us.

Inconstancy is the very nature of British politics and there will always be a battle for the soul of this country. People may not like the Government of the day, but its time will pass. To break apart a union that has endured for 300 years and more because we do not like a political party is like cutting off a limb to prevent a bout of arthritis that

returns each winter, but we have heard many members and people outside Parliament state that case. Therein lies part of our challenge.

It is not always easy to get people enthusiastic about the idea of being British. There are aspects of our system that are arcane, periods of our history that are shameful and lines on maps that were drawn by British cartographers that spark conflicts to this day. However, for all the darkness that lies in our wake, light exists—in the abolitionist movement, in the Kindertransport and in the response to images of famine in Africa with philanthropy that can be measured in decades and in the second-biggest international aid budget on the planet. There is great capacity for compassion among the British people, as was evidenced last week in the many selfless acts of kindness on a bridge, in a courtyard and in an ambulance. That is the Britain that I recognise—the one that is resilient, tolerant and internationalist in outlook. I have not given up on that.

My election to Parliament was the single proudest moment of my life. I came here to make a difference, to legislate and to scrutinise the Government's work, but nearly a year on, despite a raft of evidence about a crisis in our health service and schools, I have yet to vote on a meaningful bill or examine a new Government strategy. That paralysis is the cost of the Government's fixation on the calculations of when to call a referendum, so I will vote against it tonight. I will vote against it because my constituents sent me here to do just that, because I want to turn Parliament's focus to the problems in our society and away from the divisions of the past, and because I still believe in the idea of Britain. I am proud to stand alongside colleagues in parties to my left and my right in a shared belief that the best days of the United Kingdom can still lie ahead of it.

The Presiding Officer: We move to the open part of the debate. I call—hopefully without interruption—Kate Forbes.

14:54

Kate Forbes (Skye, Lochaber and Badenoch) (SNP): As others have done, I start by paying tribute to those who protect us and those who lost loved ones last week. In the immediate aftermath of last week's events, there was a sombre sense that Westminster and other Parliaments such as this one are not just symbols of democracy and debate but are places where ordinary people work on behalf of this nation. Last week reminded us of our common humanity.

As an ordinary person, I approach this debate with family members and friends and with colleagues in this chamber and beyond who

sometimes agree with me and sometimes disagree. That is the bedrock of our democracy: using debate, discussion and—yes—even disagreement to take forward this nation of Scotland. However, the reason we care, and the reason we debate and discuss, is because we share one thing in common: vision for Scotland, and vision for a better Scotland. Vision was articulated in some form by every member last week, and I hear it day in, day out from many others. We all have a vision for Scotland.

Vision is critically important in days like these because, as the First Minister said last week, change is inevitable. There is a fog of confusion. There is no certainty that Scotland will be heard or that Scotland's interest will be taken into account. The status quo has sailed, and we are left with uncertain and unknown change. As a nation, we can either be tossed on the waves, blown here and there by the wind, drifting along in directionless currents without a say, or we can draw a map and chart a course. To reach a port, we cannot tie at anchor or drift and hope for the best. We will not get to our destination unless we steer the boat with the wind in our sails and a map in our hand. This debate is about whether we can do that—whether the people of Scotland, with different views but a shared vision for a better Scotland, will strike out and chart a course with map in hand or will drift along and hope for the best.

Our future should never be in the hands of any one politician or Government. It should be, now and always, in the hands of the people of Scotland. It is within our individual and collective grasp to behave in a manner that befits a nation discussing and determining its constitutional future. These are weighty matters, and dealing with them requires humility, responsibility, self-discipline and courage.

Politicians can—and do, to our shame—sway opinions by appealing to fear and prejudice. It is sometimes called project fear, and we have seen it time and again. However, whatever small victories are secured by project fear, I guarantee one thing: that happens at the cost of long-term faith and trust. I accept that my friends and colleagues might disagree with me on many things; I will listen earnestly to all views and I will defend their right to be heard—in conversation, in debate and in a referendum.

Johann Lamont (Glasgow) (Lab): Does the member think that it is disrespectful to define as “project fear” those who have the audacity to disagree with her and present a different set of arguments about the consequences of independence?

Kate Forbes: If the member had heard me correctly, she would know that I specifically said

“politicians ... to our shame”. I did not point the finger in any direction. I repeat that I defend everybody's right to be heard—in conversation, in debate and in a referendum.

My vision for Scotland is captured in one of Scotland's languages. If the chamber will indulge me, I will quote a verse from a Gaelic poem by Maoilios Caimbeul.

“Alba bhòidheach dhan tug mi gràdh,
Tha thu air tighinn gu inbhe,
Fàgaidh tu taigh t' athar
agus seasaidh tu ann an comann saor
ris a' chorr den t-saoghal.”

In English, which is not half as good, that is:

“Beautiful Scotland,
You have come of age,
You will leave your father's house
And stand in free communion
With the rest of the world.”

My belief in Scottish independence is not and never will be born of self-importance, of introverted self-centredness or of a whimsical dream of nationhood. It is born of a firm belief that Scotland could and should join the global community of nations as a worthy member; as a prosperous nation with a strong economy and a highly educated workforce; as a welcoming nation with an open heart for immigrants and refugees; as a caring nation that looks out for the vulnerable at home and those who are suffering in famine and conflict abroad; as an innovative nation in key industries such as technology and engineering; as a nation that is wealthy with natural resources such as wind, wave and oil; and as an outward-looking nation whose food and drink exports are rising and whose young people study and travel abroad and choose to foster international relationships. That is our nation: Scotland.

15:00

Oliver Mundell (Dumfriesshire) (Con): There is no majority support for this proposal in Scotland, and the question over a section 30 order has already been answered simply, clearly and fairly. In response, what do we have? We have a First Minister who continues to ooze her own brand of intransigence. After the First Minister's decision to set the Scottish Government against the will of the Scottish people, history might indeed

“look back on today and see it as the day that the fate of the union was sealed”.

Nothing that we have heard in these debates reaches out beyond the SNP's own narrow base. I am not sure whether Nicola Sturgeon believes that the people of Scotland are daft, because it is plain to all that the motivation for her beloved referendum rings hollow.

After she has harped on about the need for certainty and the need to tell people what they are voting for, how can the First Minister justify another referendum on the back of Brexit, while failing to say whether we would rejoin the European Union? How can she stoke up fear about leaving the single market without telling us her plan for our currency? It is simply not fair, and it is just not on.

Nicola Sturgeon talks of this Scottish Parliament as if we have a divine right to decide on behalf of the people.

The Minister for International Development and Europe (Dr Alasdair Allan): Will the member give way?

Oliver Mundell: Not right now.

She talks about democracy as if it belongs to her. The Parliament gets its authority from the people, not just at election time but on these big issues anew every day.

Tom Arthur: Will the member give way?

Oliver Mundell: No, thank you.

The people of our country are sovereign. The power to decide belongs in their hands. [*Interruption.*] If members listen, they might hear.

The problem for the First Minister is that the people of Scotland have already spoken. A majority have not only ruled out independence for a generation but have made it clear that there is no consensus that now is the right time to reopen that debate.

Despite the irresponsible, ill-judged and politically motivated accusations of colonialism and imperialism that have been trotted out by SNP representatives, they seem to have forgotten that they too have a duty to govern by consent.

It is a nice try, but when the SNP leadership has so arrogantly suggested that the Conservatives believe that they can do anything that they like in Scotland, they seem to have missed the irony. The truth is that, after a decade in power, Nicola Sturgeon believes that she can dictate terms not just to the UK Government but to the people of Scotland. We saw that when, out of touch and hardened by the trappings of office, she called a press conference from Bute house to announce her referendum. It was a moment shared with the camera crews rather than the many voices of the yes movement or the people of Scotland. It was yet another stunt and yet another game.

I say this as gently as I can to the First Minister: the danger of telling everyone who does not agree with the referendum that they are Tories is that it comes with a very real risk to her party. Despite what the SNP claims, more people are sick and tired of all this and they have now been pushed so

far into a corner that they are willing to do almost anything to get that message over to the First Minister.

I have seen that at first hand in my Dumfriesshire constituency, where thousands of Labour voters voted for me not because they desperately wanted a change of MSP. They voted for my party not because they support absolutely everything that we stand for. Instead they changed their vote—many for the first time in years—because they feared that a day like today would come; they knew that, when it did, the SNP would not listen to them and that it could not be trusted to respect their point of view. How right they were. Completely oblivious to her own fate at the ballot box, my opponent in that election will tonight put her party before the people, representing everything that people have come to dislike about politics and everything that they expect of the SNP.

Joan McAlpine (South Scotland) (SNP): Oliver Mundell's constituents in Dumfriesshire voted against Brexit, and the agricultural economy in Dumfriesshire stands to lose millions of pounds as a result of Brexit. He talks about the will of his constituents, so perhaps he might want to consider them when he decides how to vote.

Oliver Mundell: That is exactly it. If we applied Joan McAlpine's logic to SNP representatives, we would see that very few of them should support the motion. They should be listening to the people.

We have a Government party that no longer speaks for the 2 million no voters, a Government that can give no guarantees to those who want continued EU membership, and a Government that wants to airbrush out of history 1 million leave voters—17-and-a-bit thousand of whom were in my Dumfriesshire constituency, where the EU referendum result was almost 50:50—to spare the blushes of its leader. The embarrassment to the SNP is that more people in our nation voted to leave than put a cross next to Nicola Sturgeon's name for First Minister.

We should not be surprised that the SNP wants to ignore democracy, because it only likes it when it suits it. On a day when its members claim democratic outrage and tell us that ignoring them will put our United Kingdom at risk, remember this: they do not speak as friends of the people or in the national interest. For the SNP, this debate has been and always will be about self-interest.

15:06

Ben Macpherson (Edinburgh Northern and Leith) (SNP): I remind the chamber that I am a parliamentary liaison officer to the fully mandated First Minister of Scotland.

However, today's debate is not about Nicola Sturgeon, Theresa May or any other politician. Instead, it is about all the people of Scotland and the reality that in the months and years ahead, we as a society collectively face a serious and important choice between independence in Europe and a Tory Brexit Britain. It is a choice that is being considered around kitchen tables and board rooms across our country. It is a choice that communities are discussing intriguingly in coffee shops and bars, at bus stops and in the workplace. In our shared hope for a better Scotland, throughout our nation we must face the choice together: democratically, graciously, honestly and in a spirit of mutual respect.

As we deliberate the choice, I encourage all of us to think carefully about our words and how we conduct ourselves, and I appeal to all sides to avoid using polarising terms such as "nationalists" and "unionists". Those divisive expressions diminish our public discourse and are becoming more and more meaningless by the day, because Brexit will be a severe act of separatism, motivated, at least in part, by a sense of British nationalism; and because arguments for and against Scottish independence concern both feelings of national identity and notions of wider political relationships with other countries. Let us agree that we are all civic nationalists and internationalists to one degree or another, and let us focus on the substance of the situation before us, which requires a complex and imperative judgement about how we want to be governed and where we want power to reside. That is what our constitutional choice is substantially about.

For me, the choice that we face is whether we want to move forward and broaden our horizons as a confident, modern, compassionate independent country in Europe or whether we want to narrow our opportunities and diminish our quality of life in the years ahead, by staying part of an increasingly backward-looking, insular and isolated Tory Brexit Britain. It is a fundamental choice about our values and a vision of where we want to be in 10, 20, 30 or 40 years' time—and beyond—and a choice about our place in the world and the direction of this remarkable place that we call home.

We must remember that the choice that we face has been caused by a Brexit outcome that Scotland did not vote for. It is a choice that is bound up in the fact that—overwhelmingly—Scotland chose to remain a committed European partner and an internationalist, outward-looking, 21st century society. That is the sort of country that the majority of the Scottish people voted for on 23 June last year; they did not vote for a hard Brexit.

We must remember that Scotland has been compelled into making the Brexit or independence choice by a Conservative UK Government that we did not elect and by a leave result that we did not vote for. Some Labour, Lib Dem and Tory members now seem to want Scotland to illogically and fatalistically accept that leave result—which we resolutely rejected by 62 per cent—against our democratic wishes and contrary to the economic and social interests of our country and of our time.

We face a clear choice about whether, as a people or as a society, we accept the damaging consequences of a hard Brexit, or chart a different, more inclusive, more progressive course with independence. That is a profoundly different choice from the one that we considered in 2014, just as the circumstances have changed significantly and materially since 23 June last year. The situation before us is a question of indyref new, not indyref 2.

We face a new choice with new alternatives and new challenges. A hard Brexit or the opportunity of independence in Europe is a critical choice that matters to every woman and man in our country, whatever their background and wherever they come from. In this unexpected and extraordinary period of change, flux and deep uncertainty—as a result of Brexit—the voice of the people should and must be heard in a new referendum, which our fellow citizens desire and deserve. As politicians, we have an obligation and a responsibility to empower the people who we have the privilege to represent and to allow the people of Scotland to determine Scotland's choice at a time of Scotland's choosing. Support the Government motion.

15:12

James Kelly (Glasgow) (Lab): Like other speakers in the debate, I offer my condolences to those who were affected by the events in London last week.

People who are watching the debate from outside the Holyrood bubble must wonder why the Scottish Parliament is considering a second divisive independence referendum, particularly as we were told in 2014 that it was a once-in-a-generation opportunity.

Tom Arthur: Will the member take an intervention?

James Kelly: No, thank you.

No matter how much Alex Salmond thinks that he can airbrush internet video footage of himself saying that, the reality is that he did say it. Not only did he say it, but he and the current First Minister signed up to the Edinburgh agreement, which was binding on both sides, to accept the

result. When Nick Watt of the BBC put that to Alex Salmond last week, he said that once he had resigned as First Minister the agreement did not matter any more. That illustrates the arrogance of SNP members, who think that they can dismiss a democratic vote in which the no vote had more than a 10 per cent lead over the yes vote, and that they can dismiss the agreement to accept the result, to which they signed up.

For the SNP, independence is at any cost. We have heard much about how another referendum is needed because of Brexit and the EU, but the reality is that the logical extension of a yes vote for an independent Scotland in September 2014 would have been to take Scotland out of the EU. In recent days, we have even heard that the SNP is confused about whether to seek membership of the EU or to join the European Free Trade Association, or, as argued by Alex Neil and others, whether an independent Scotland would have to have another referendum on that.

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

James Kelly: No, not at this time.

The reality is that people do not want another independence referendum. Poll after poll has rejected that. Even last week, the most recent poll of businesses by French Duncan, the accountancy firm, showed that 89 per cent of people working in small and medium-sized enterprises did not want an independence referendum.

People in our communities do not want to go back to those days. As Andy Wightman acknowledged, it was not some kind of joyous, civic, democratic celebration. For those who were abused online merely for expressing an opinion, it was not an enjoyable time. For those pensioners who were scared to say that they were voting no, because of the aggressive and intimidating nature of the yes campaigners, and for those—

Bob Doris (Glasgow Maryhill and Springburn) (SNP): Will the member give way?

James Kelly: No, I will not give way.

For those who were chased up and down streets, being threatened and intimidated, it was not a celebration of democracy. That is why people do not want to return to a divisive second independence referendum.

We have heard much from the Government about the will of Parliament, but the reality is that the Government's default position is to ignore the will of Parliament. Whether on fracking, on the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012, on health service closures or on the centralisation of economic agencies, the Government ignores the will of Parliament. People wonder what happens

when the Government loses a vote. I will tell them what happens. The Minister for Parliamentary Business takes the bit of paper with the note upstairs to the ministerial office and puts it in a file that says, "Please ignore: no further action required."

The reality is that, in the week when the Government called for another independence referendum, child poverty levels rose to 260,000 and the Government did not even blink an eye. In that same week, we found out that the Government had underspent the housing budget by £20 million. What an absolute outrage it is that, when there are people sleeping rough yards from the Parliament, the SNP Government underspent the housing budget by £20 million.

We hear much about the use of powers, but when it came to it, the Government could not take on the social security powers immediately, because it is going to take three years to build a computer system. What an absolute outrage. The reality is that, when people elected a Government in 2016, they did not elect a campaign committee. It is time to reject the idea of a second independence referendum and to get on with the issues at hand, to support the NHS staff, in order to avert the crisis in the NHS, and to defend our public services and create jobs in our local communities. Let us get on with the job at hand. Let us not waste time on a divisive second independence referendum.

15:18

Sandra White (Glasgow Kelvin) (SNP): How sad it is to hear such a contribution from Mr Kelly. I really expected better from him and I was sad to hear that.

I attended a joint meeting at Westminster just last week, and my thoughts go to everyone who suffered there. We too passed along that bridge, and I am sure that I echo everyone in this chamber when I say that our thoughts go with those people.

After that meeting, I was speaking to various people at Westminster from not just my party but others, and the subject turned to Brexit. I was fortunate to have been given a paper from the House of Commons library entitled "Legislating for Brexit: the Great Repeal Bill", which makes good and interesting reading. I have heard a number of people, including Mr Kelly, say that this debate is not important, but reading about what is in the great repeal bill shows that this debate is very important, not just for Scotland but for the rest of the UK.

The House of Commons paper mentions issues such as the use of Henry VIII powers. I know that the UK Labour Party and the UK Liberal

Democrats have expressed great concern about that. On page 6, under the heading “Devolution”, the paper says:

“Legislating for Brexit will have significant implications for Scotland, Wales and Northern Ireland. If the Great Repeal Bill transposes all directly applicable EU law ... it could effectively implement a range of provisions that are within devolved competence (e.g. agriculture). This would require consent from the devolved legislatures, so long as the Sewel Convention is respected.”

The paper goes on to say, on page 48—this is where it gets very interesting—that

“the Sewel Convention, even in its statutory form, includes a rider that the Government will not ‘normally’ legislate with regard to devolved matters without consent. It is not clear if withdrawal from the EU would be considered ‘normal.’ Thus it will be a political matter whether the Sewel Convention is in play: in legal terms the power of the UK Parliament to legislate on devolved matters without consent is stated in the devolution statutes. If consent is sought it might be withheld or the process of securing consent might introduce a delay. Equally, not using the Sewel Convention would bring its own political issues and would raise objections”—

quite rightly—

“in the devolved institutions.”

Let us look at the devolved issues of agriculture, fishing and the environment. On page 49, the House of Commons paper notes that, in a paper for the Scottish Parliament’s session 4 European and External Relations Committee, Professor Douglas-Scott said:

“The aim of the [Great Repeal] Bill is to convert EU law into national law. However, a good part of EU law relates to competences that have been devolved—for example ... fishing within Scottish waters, public procurement, environmental law, as well as others. If the ‘Great Repeal Bill’ translates EU law on matters that have been devolved into UK law this could amount to legislation on devolved areas.”

Last week, Kezia Dugdale talked about taking back powers from Brussels to Scotland and John Lamont said that Scotland might gain powers, but the great repeal bill will have the opposite effect. That is why it is so important that we have a vote on the issue. In my mind, and in the minds of many others, today’s debate and this evening’s vote—

Adam Tomkins (Glasgow) (Con): Will the member take an intervention?

Sandra White: Excuse me a minute, please.

The debate and the vote are not only about the people of Scotland having a choice; they are about protecting the sovereignty of this Parliament. Members ought to realise that; it is an extremely important issue.

Edward Mountain (Highlands and Islands) (Con): Will the member give way?

Sandra White: No—I am sorry.

The unionist parties can argue and pontificate all they want—the fact of the matter is that Brexit has changed everything. The manifesto that we were elected on clearly states that the Scottish Parliament should have the right to hold another referendum

“if there is a ... material change in the circumstances that prevailed in 2014, such as Scotland being taken out of the EU against our will.”

We are not where we were in 2014. There has been a substantial change in the circumstances, so it is only right that the people of Scotland are given the opportunity to choose their future. That is why the debate is important.

We have had a lot of talk from the Opposition parties about division, along with the suggestion that Scotland is too wee and too poor. Basically, that is all that they have talked about.

Brian Whittle (South Scotland) (Con): Will Sandra White give way?

Sandra White: Be quiet for a second, please. The Conservatives have had their say.

The language that has been used to me by the unionist Opposition parties is unbecoming of the Parliament. They have set a terrible example to our young people, to the Scottish people and to the international world. Their language has been disgusting.

I come from an Irish, English and Scottish background. There was never any division in my family. Before 2014, all of my family were Labour members and voters. There was no division in our house, but there was plenty of debate and that is healthy. When we get together as a family now, we still have one Labour member and we have SNP and Green supporters. Thankfully, we have no Tories.

I ask members to support the motion.

15:25

Liam Kerr (North East Scotland) (Con): The people of Scotland do not want this debate—not now—and for good reason. I put myself up for election to the Scottish Parliament because I have real concerns about what is happening in Scotland on the attainment gap, the funding and recruitment crisis in our national health service, the difficulties in our transport infrastructure, slow economic growth, and information technology failures that leave our farmers begging the banks for advances—I could go on. Those are issues that the Scottish Government has the power to do something about and it has the power to do it now. We might not agree on where the blame or responsibility lies, on the solutions or even on the way ahead but, by debating and seeking solutions,

we would be doing the job that the people of this nation elected us to do.

Instead of that, we have spent three days debating a motion on a question that was answered categorically and unequivocally a whole generation of two and a half years ago by around 88 per cent of the voting population. What we are doing today does not mandate action.

Richard Lochhead (Moray) (SNP): Will the member take an intervention?

Liam Kerr: I have a great deal to cover, so I will not, thank you.

If votes in this place mandated action, the SNP would be revising, among other things, the plans to scrap the board of Highlands and Islands Enterprise, it would be revoking the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 and it would be revising plans to scrap the board of the Scottish Further and Higher Education Funding Council. However, the SNP is not doing that.

The people elected this Parliament last May to take actions to sort out the challenges in this country.

Richard Lochhead: Will the member take an intervention?

Liam Kerr: No, I will not.

The people did not expect to be back for a divisive, unpleasant referendum. They did not expect that, because Alex Salmond said of the 2014 referendum:

“In my opinion ... this is a once in a generation opportunity for Scotland.”

Oh yes he did, and the “Oxford English Dictionary” defines a generation as 30 years. Further, in her 2015 conference speeches, the First Minister ruled out a second referendum in this session of Parliament and stated that there would not be another referendum until the majority of Scots were persuaded and, in October 2015, the SNP said that support for independence would have to be sitting steadily at more than 60 per cent for the long term before there would be another referendum. Opinion on independence has not shifted from what it was in 2014 and we must not airbrush out what people knew in 2014: that an EU referendum was likely to happen and that the outcome of Brexit was always possible. People still voted overwhelmingly to stay within the UK. They knew what they were voting for in 2014 and in May 2016, and they voted against separation and for a minority Government in Scotland.

Tom Arthur *rose*—

Liam Kerr: People did not vote for another independence referendum, so why are we having

this debate now, in a context of myriad social difficulties, responsibility for which has been devolved to this Parliament, often many years ago? It is for distraction and diversion, waving more flags and uttering more rhetoric, so that perhaps no one will notice that the SNP has not passed a bill in over a year.

The Prime Minister and the UK Government are preparing to embark on negotiations with the European Union in order to get the best deal for the whole of the UK, which includes Scotland. All our energies should be focused on those negotiations and pulling together, not pulling apart. Whatever one’s views on Brexit, to suggest running a secessionist referendum campaign in parallel with vital negotiations over the UK’s future relationship with Europe is cynical. It is about the Scottish Government trying to force the UK Government to face a fight on two fronts, thus reducing its ability to negotiate and deliver good terms for all of the UK—terms that will not be clear until the outcome is known. That gives the referendum proposal a different problem: if the people of Scotland are to face a referendum vote, surely they must know what they would be voting for. However, there is no answer on the currency issue—Kenny MacAskill says that that is laughable—on a border with the rest of the UK, on the UK single market or on defence, other than to say that Scotland might build its own policy from scratch.

In addition, a nascent state of Scotland would immediately have a £15 billion deficit. I do not want to hear about whose fault that might or might not be: it is a fact and no answers have been provided. However, at least the SNP is consistent.

Ross Greer (West Scotland) (Green): Will the member take an intervention?

Liam Kerr: I am coming on to the Greens.

We always knew that the SNP wanted another shot, but let us face it: if the SNP gets this one and loses, it will be back again for another go.

The Green Party shows no such consistency. When the people voted in May, the Greens went to them with a proposition that 1 million people would have to sign a petition and that public demand should be irresistible before another referendum was called. Mr Harvie said that there would be “little point” in revisiting the referendum unless opinion had shifted “markedly”. Neither of those things has happened, yet the Greens, who were elected on the basis of promises made by people who said at the ballot box, “That is my position”, now contort themselves to suggest that that was only one of the ways in which they would get justification for another referendum.

The people of Scotland do not want this debate or this vote. A referendum cannot happen while

the Brexit process is being played out and should not happen while there is no public consent or will. The people of Scotland deserve stability in our institutions, predictability in our policies and consistency in decision making. They want the Scottish Government to focus on sorting public services.

It is not too late. I say to the Greens that they still have time to stick to their manifesto promise. *[Interruption.]* It is worth while for members to listen sometimes. I say to SNP back benchers who are unsure that a referendum is what the country wants or needs now and who are keen to give businesses certainty and to focus on the day job that it is time to take a stand. It is time for them to stop leaving it to Alex Neil to carry the burden of representing every pro-Brexit SNP voter and all those who believe that this is not the time for more division.

I say to SNP members that their constituents do not want a referendum and that they should do what their constituents elected them to do. They should stand up for their constituents and vote for the Conservative amendment.

The Deputy Presiding Officer (Linda Fabiani): I have a limited amount of time in hand that I can use for interventions.

15:31

Stuart McMillan (Greenock and Inverclyde) (SNP): I echo the comments of others and express my condolences to the friends and family of those affected by the events in Westminster last week.

The people of Scotland are sovereign and they deserve the right to choose their future. At 5 o'clock today, we will vote on that. The reconvened Scottish Parliament is growing older and more mature and, like any soon-to-be 18-year-old, it is looking forward to the next chapter in its life. Those of us on the pro-independence side see the opportunities that independence offers. Those on the pro-union side have a different view, and they are perfectly entitled to have it.

Bruce Crawford was correct last week when he called for a passionate but respectful debate. I could not agree more with his comments, which the First Minister echoed today. I would actually go one step further: I think that both sides should put the facts, the figures and their vision on the table for the electorate when we come to have another referendum. If the European referendum campaign showed us anything, it was that we should not get into the type of situation that we saw with the claim of £350 million per week for the NHS, which was destroyed within hours of the polls closing. I genuinely believe that we as a Parliament are better than that and that we will all

rise to that challenge when a referendum takes place.

Two weeks ago, on "Scotland Tonight", Graeme Pearson, head of the Scotland in Union campaign, pressed the point that we should have a respectful debate. I agreed with him on that, but he blew it a few days later by launching that ridiculous and personal attack on the First Minister just outside the SNP conference. Clearly, it was not Mr Pearson's finest hour or decision, but I genuinely hope that he learns from that embarrassment.

Richard Lochhead said the most pertinent thing in this debate—until earlier today, that is, with Alex Cole-Hamilton's admission regarding the Lib Dems, and he himself, spending all of their lives fighting lost causes—when he stated that democracy does not have an expiry date. I could not agree with my colleague more; just because someone is not successful, that does not mean that they change their point of view or belief. Tim Farron, the federal leader of the Liberal Democrats, proved that when he tweeted on 19 March:

"Oh. And when we lose a referendum, we don't give up!"

I agree, too, with Alexander Stewart—I am sure that he is shocked by that—who stated during the European debate two weeks ago that

"no Government should do all within its power to stymie debate"

and mentioned the Scottish Government taking

"the threat of an independence referendum off the table."—*[Official Report, 15 March 2017; c 51.]*

The Conservative amendment for this debate talks not about removing altogether the opportunity to have a referendum, but about delaying it, but I think that Mr Stewart let the cat out of the bag when, in a debate in the chamber on 17 January this year, he stated that the Scottish National Party should completely rule out

"another referendum for the duration of this session".—*[Official Report, 17 January 2017; c 32.]*

Therefore, in the debate thus far, we have heard about not having a referendum now and not having a referendum during the Brexit discussion process but, earlier this year, Mr Stewart stated that we should not have a referendum at all in this session. That speaks volumes about the Conservative Party's position.

The Conservatives' language and their amendment talk not about removing the opportunity of a referendum altogether, but about delaying it. Members need to recognise that important fact. As the First Minister has stated numerous times, she is willing to have a discussion about that with the Prime Minister. Once again, that shows the willingness of the SNP Government and the First Minister to compromise

and to find common ground with the Prime Minister.

I want to touch on a few other contributions that were made last week. I thank Alex Rowley for taking two interventions from me then. He spoke of delivering for Scotland

“the best possible Brexit deal”.—[*Official Report*, 21 March 2017; c 54.]

I am sure that everyone in the chamber wants to find that, but the flaw in Mr Rowley’s argument is that, nine months after the European Union referendum, we have no idea at all of what the cost of Brexit will be. The evidence of the UK Secretary of State for Exiting the European Union, David Davis, to the House of Commons committee at which he said that no analysis had been undertaken was not just embarrassing for him, or for the UK Government; it was a dereliction of duty. For a UK Government minister to state that a piece of paper with numbers on it is not needed to have an economic assessment is appalling. I am quite sure that there is more that unites than divides Mr Rowley and me, but with no analysis by the UK Government and no discernible plan, how do we know what type of deal we will be presented with?

Miles Briggs and John Lamont have spoken of a grievance agenda. That is the same old mantra that we hear time and again in the chamber from the Conservatives to deflect from their position of weakness on the issue. We have a Prime Minister who did not tell the Scottish Government that article 50 would be triggered this week—the Scottish Government found out about it from the media; and when the Scottish Government stood up for itself, it was castigated for having a grievance. That was an appalling and cheap argument to deploy, but it highlights the lack of substance in the Conservative argument.

Miles Briggs (Lothian) (Con): Will the member take an intervention?

Stuart McMillan: I am in my final minute; I am sorry.

At times, I have tried to fully comprehend the position that unionists take of not wanting independence, but nothing can move me from the point about self-respect—by taking our own decisions and standing up for ourselves—which is the key issue in moving Scotland forward. With the Conservatives’ viewpoint on a referendum, Scotland would always be hamstrung, limited in ambition and destined never to fulfil its potential.

For me, the people of Scotland are sovereign and have the right to determine their future. Since September 2012, 15,568 people in Inverclyde have been fed from the Inverclyde food bank. I want to give them hope, not remove it. I want to

give them a vision of a better life of opportunity, not consign them to picking up food parcels for the rest of their lives.

15:38

Johann Lamont (Glasgow) (Lab): I am sure that members across the chamber will understand that I am utterly delighted to have the opportunity to take part in this debate.

The First Minister struck an important note at the beginning of the debate, when she talked about respect and recognised the significance of our democracy. However, she has had two full speeches in a two-day debate, whereas there has been no debate on education in Government time since last October. I know that we have redefined what a generation is, but now, clearly, we have redefined what constitutes a top priority.

It has been interesting to watch Government back benchers over the past couple of weeks.

Richard Lochhead: Will the member take an intervention?

Johann Lamont: Let me get started.

Government back benchers appear to have got their mojo back. I guess that it must be easier to cheer the First Minister playing the old tunes on independence than it is to suffer the discomfort of watching the Scottish Government failing on education, health and the economy. How much better it is for them to look to an imagined world, way beyond us, than to confront the tough consequences of the choices of their own Government for the lives of ordinary people—the cutting of budgets and resistance to using the powers that the Scottish Government has to make a difference to people’s lives.

Ben Macpherson said that we are all civic nationalists now. I say respectfully to him, “Speak for yourself; do not speak for me.” He should not define all those who do not agree with him as having false consciousness. I am not a nationalist, and I will not have my politics defined by the constitution; they are defined by equality.

Let us be charitable and assume that most, if not all, of us here are serious, thoughtful people who want to do our best for the communities that we represent. I understand that Brexit troubles many in here—and beyond the chamber—and that the sense of uncertainty and the feeling of shock at the result bring with them a desire for action. However, the Scottish Government should not simply seek to recruit that concern to its own cause, because many remainers are as fervent in their desire to stay in the United Kingdom as the SNP is to stay in the European Union.

I get that there are concerns about Brexit, although to paint Europe as a golden citadel of democracy is to deny entirely the concerns of 1 million voters in this country about its inflexibility, bureaucracy and lack of accountability. Although we have debated—endlessly—the potential consequence of Brexit, there is no doubt in my mind that many on the SNP benches saw the referendum result not as a problem, but as an opportunity to override the once-in-a-generation vote that took place only two and half years ago. We know that, for many, Brexit has been a convenient proxy for the Scottish constitutional debate and an opportunity to overturn a vote that the SNP has neither accepted nor respected.

James Dornan (Glasgow Cathcart) (SNP): Does the member accept that when the Brexit referendum took place, many of us on this side of the chamber were every bit as upset as—if not more upset than—many other people across the country? That result was the second-worst result that I have ever had in my life, and I have been defeated in elections quite a few times.

Johann Lamont: I have said that I respect people's concerns about Brexit, but people are concerned about it across the United Kingdom—that is not unique to Scotland—and it does not define a need for a referendum.

My concern is that we have moved on swiftly from debating why there should be a referendum to debating the process of securing it. In that way, we can get enraged about being refused a referendum without troubling ourselves by having to justify why it is needed in the first place. We should guard against being conditioned into a sense of its inevitability.

Why does that matter? Because the case simply has not been made. Indeed, there has been a shift in the cause and the explanation. We are told that Scotland needs to be independent so that we can stay in the EU, or because we want to be in EFTA or because we want to be in Europe but not in the common fisheries policy. We are told that an independence referendum is time critical or that we can negotiate on timing. Those are manifestations of an end goal hunting around for a principle. The SNP should be honest: it just wants a referendum, and if it were not on Brexit, it would be on some other issue.

In the rush to hook the SNP's goal to this opportunity, it is remarkable that the proposition is no more solid than it ever was. At a time of insecurity, it is simply astonishing to see a proposition that is so ill thought through with regard to the currency, the euro and the deficit. It is not the action of a Government that is serious about providing certainty in these troubled times.

We are told that the SNP has a mandate—almost an obligation—as a consequence of its manifesto commitment. One might take the view that that is a slightly tenuous argument, but even if we accept it, the reality is that the Government has other competing—and, I would contend, equally compelling—mandates on education, poverty and health and on creating a fairer economy. However, those compelling mandates must be put on ice while the SNP pursues its ultimate priority. It is evident that some mandates are more important than others.

There has been no education debate in Parliament in Government time since last October—and even that was about the impact of Brexit—and when the Parliament voted to condemn the failure of the SNP's action on education, Parliament's will remained remarkably unheard. There have been no two-day debates on that, and no determination that the will of the Parliament will prevail. If we did not already know it, it is laid bare here: some of what the Parliament wills is more equal than others.

I am unable to make many of the points that I wanted to because of the lack of remaining time. I will just say that what we have is an excuse—an opportunity—to argue for a referendum; however, even if that referendum is held, it will not resolve the debate. As John Mason would say, why bother with this once-in-a-lifetime malarkey? If there is another referendum and we vote to stay in the United Kingdom, there will still be people who argue for another referendum.

The Deputy Presiding Officer: You must close now, please.

Johann Lamont: The SNP should stop developing the narrative. It should stop redefining “generation” and “lifetime”, and—

The Deputy Presiding Officer: You must close.

Johann Lamont: I say to the SNP Government that it should get on with its day job. If it does that, we will support it.

15:45

Clare Haughey (Rutherglen) (SNP): I have been so disappointed by the language that some members have used during this debate. Language has been weaponised, with members using words such as “battle”, “fight” and “divisive”. I have heard accusations of arrogance, slurs and—yes—even rabid nationalism. The language of threat, which was ever present in the previous independence referendum campaign, is again being used. Members have talked about threats to Scottish trade and have made untrue and indefensible threats about pensions and hard borders. It is

shameful that the word “foreigner” has been used to sow fear of division where none exists.

None of that helps to foster a mature, factual discussion on the future of the country. As leaders in our communities, we need to be mindful of that and to avoid tribalism. Let us have debate—yes. Let us be passionate about our beliefs—yes. However, let us respect others’ views and, in doing so, allow the people their voice and their choice.

This is fundamentally about our right to self-determination. The starting point has to be that Scotland, as a nation, has that right. Scotland was not extinguished as a nation in 1707, as some would have us believe. We have an absolute right to choose the path that our nation takes, particularly when we are being taken down a path that we have no wish to follow.

This is not an argument about who loves their country most but an argument about choice and about letting the Scottish people decide their nation’s future. That is democracy; that is the people exercising their democratic right, regardless of how they vote. How can anyone in this Parliament deny the Scottish people their say and still call themselves a democrat?

Jamie Greene (West Scotland) (Con): Will the member take an intervention?

Clare Haughey: I thank the member, but not just now.

Some parties in this chamber, even though they opposed Brexit and, in the wake of the leave vote, supported the Scottish Government in its aim of protecting our relationship with Europe by staying in the single market, now say that we must just suck it up and do as we are told. Why? At what point does doing what is in the best interests of Scotland come into the equation?

Who decides what is in our best interests? Is it the Tories who, like Labour and the Liberal Democrats, have a sole MP at Westminster? Perhaps it is Philip Rycroft, an unelected senior civil servant, who we hear is the person in the UK Brexit department who will decide which of the powers that come back from the EU are to be given to this Parliament. Where is the democracy in that? Indeed, where is the mandate?

Often, the members who shout loudest about mandates and the legitimacy of this Parliament’s call for a section 30 order are those whose own mandates do not bear scrutiny. The Scottish Government’s mandate on the matter is clear and irrefutable. The SNP was elected on a clear commitment that it would review the constitutional arrangements and, if necessary, call for the people of Scotland to have a choice, if there was a material change of circumstance.

A material change is upon us, and it is clear that the interests of Scotland are being completely ignored in the current process. A hard Brexit will damage our economy. It will damage the global perception of us as an inclusive, forward-thinking and outward-looking nation. If this Parliament votes by a majority today to ask for a section 30 order to legislate for an independence referendum, the UK Government will be ill advised to block what will be a clear mandate to have the power to let the people of Scotland choose their future.

Let us stand back from the emotive language and look at the cold, hard facts. For instance, in the last referendum campaign, we were told that pensions would be safe if we voted no. Members should tell that to the women of the women against state pension inequality campaign, who have to wait years longer for their pensions than they should do. They should tell it to the people who might have to work until they are 70 before they can lift their pensions, and to the pensioners who potentially face cuts to pensioner benefits after 2020.

We were told that our shipyards would be safe if we voted no, but the orders for Navy vessels have been cut and are years behind schedule. We were told that our tax offices would be safe if we voted no; members should tell that to my constituents who work at Centre 1 in East Kilbride.

We were told that voting no would deliver the “nearest thing to federalism”, only for the vow to be watered down, with Labour opposing powers that it is now promising once again, but with no hope of delivering them.

We were told that if we voted no—

Finlay Carson (Galloway and West Dumfries) (Con) *rose—*

Clare Haughey: No, thank you.

We were told that if we voted no, we would be able to keep our membership of the European Union; we now face the prospect of Scotland being taken out of Europe against her will.

As I said before, Scotland is a nation, not a region or a province and not a territory. As a nation, it has an absolute right to seek its interests and to reconsider its relationships with other nations, particularly in the current circumstances. It is also right that the decision on our future be taken during the timeframe outlined by the Government and that Scotland’s referendum be made in Scotland without external interference or obstruction.

We will have that national conversation again, as we are perfectly entitled to do. I look forward to that conversation being as engaging and uplifting as the previous one. My hope is that a new

conversation can be had without recourse to the language of threat and fear.

We know that the status quo will not be an option in the forthcoming referendum. We will choose between two futures: one, that we already see, will be damaging and isolationist; the other, while challenging, will be ours alone to fashion. Sovereignty lies with the people. I trust the people to make an informed choice that will see Scotland say, "Stop the world, we want to get on."

15:51

Jackson Carlaw (Eastwood) (Con): Any cook will tell us that the correct ingredients and the correct timing are both essential to get a soufflé to rise. Get either wrong and the whole thing will collapse irretrievably. In what increasingly has all the characteristics of the great Scottish Government miscalculation of the devolution era, Nicola Sturgeon's gambit just a fortnight ago of calling for a second independence referendum has since, to be frank, been met with the loudest raspberry from every corner of Scotland. The result is the greatest collapsed political soufflé of our times.

The threat of a second independence referendum has, until now, been the default sanction for every perceived SNP grievance. Its power—such as it has been—rested on its remaining a threat and not an action. Like every deterrent, it is a successful influencer in negotiation only if it is never actually triggered. A fortnight ago, triggered it was, and in the 15 long days since, politics in Scotland has changed—but not as the First Minister planned or assumed. If the First Minister conceived a surprise of timing on Monday 13 March, just three days later the inherent hollowness of her demand was laid bare when the Prime Minister calmly responded:

"Now is not the time."

Opinion polls over that first week and weekend reflected no increase in support for independence or, in particular, for a second referendum. While the leader of the SNP addressed her evangelical party faithful in Aberdeen, people on the streets of Scotland, in shops, in bus queues, in their homes, in pubs and restaurants—to which Ben Macpherson referred—remained unmoved. Opinion polls confirm that people in Scotland have concluded and determined, like the Prime Minister, that now is not the time. Indeed, given Nicola Sturgeon's previously preferred yardstick of clear majority demand for a fresh referendum sustained over many months, it is difficult to imagine when the people of Scotland will be persuaded that we have again arrived at that time.

In her speech in the chamber a week ago, Nicola Sturgeon generously entertained MSPs

with a repeat airing of her SNP conference address. It may have moved to tears those who sat behind her, but no glass eyes wept elsewhere: Scotland was left cold and unimpressed. No new arguments were rehearsed in support of her obsession—just the same dreary old repertoire of grievance and dirge from 2014. However, by then we knew that barely one third of Scots thought that another referendum is any kind of priority for, or response to, the failing domestic record of the SNP Scottish Government.

Nicola Sturgeon asserts that Westminster should be bound by her Scottish election manifesto, just as she asserted in the same campaign that she would stop Trident. The pledge to hold a second referendum is increasingly now seen for what it was—a pledge to deliver something over which the First Minister of Scotland does not have the power or authority. She seeks comfort in her majority-losing 2016 manifesto as her justification: a manifesto that, by the way, at a stroke leaves the SNP MPs who were elected on her 2015 Westminster manifesto—

Tom Arthur: Will Jackson Carlaw take an intervention?

Jackson Carlaw: I will in a moment.

The manifesto leaves those MPs without any mandate whatsoever to campaign for a referendum. After all, the MPs were elected on a manifesto and in a campaign in which Nicola Sturgeon explicitly said that independence was not an issue in that election.

Mr Arthur has been desperate to get in all afternoon—he has tried to intervene on everybody and has a speech coming up. I will give him his moment.

The Deputy Presiding Officer (Christine Grahame): Well done, Mr Carlaw. I call Mr Arthur.

Tom Arthur: I thank Mr Carlaw for that generous introduction. He referred to manifestos and commitments. There was a commitment in the Conservative manifesto—the same one that promised to hold the EU referendum—to the single market. Mr Carlaw and I have the honour of representing East Renfrewshire, where more than 74 per cent of people voted to stay in the single market. Can Mr Carlaw outline to members what actions he has taken to realise that democratic wish?

Jackson Carlaw: The people of Eastwood turned out in record numbers in September 2014 and voted for Scotland to remain in the United Kingdom. In June 2016, with one of the 10 highest margins anywhere in the UK, my constituents voted for the United Kingdom to remain in the European Union and they lost. My constituents

and I respect the result of both referendums; Mr Arthur and the Scottish National Party respect the judgment of neither.

The First Minister's own compromised mandate, to which she regularly refers, rests on an election in which, uniquely, she remained in office despite losing her majority—something that no Prime Minister has successfully done in more than 100 years at Westminster. Despite that compromised authority, Nicola Sturgeon asserts that Westminster must abide by the vote tonight.

Dr Allan: Will the member give way?

Jackson Carlaw: I will not, just now.

However, it has been repeatedly demonstrated that the Government is enduring defeat after defeat in the Scottish Parliament, and it is ignoring the loss of every argument and resolution with which it has confronted members and lost their support.

Earlier this afternoon, the First Minister actually advised us that she expects the Prime Minister to respond to the will of the Scottish Parliament by the end of the Easter recess—when the Scottish Parliament has waited for weeks and months for the Scottish Government to respond to the defeats that it has endured time and again at the will of the Scottish Parliament. Once again, it is a case of the First Minister saying, “Do what I say, not what I do.”

The holding of the 2014 referendum finally enjoyed the support of 92 per cent of the people, and the support of every member of the Scottish Parliament—a supermajority—from all five parties, representing every shade of opinion. Today, barely one third of the public supports such a poll, and only two of the five parties do. Neither political nor public consent exists.

No significant number of those who voted no have changed their minds. In the 15 days since the leader of the SNP plunged Scotland into this unwanted and unnecessary debate, opinion has shifted, but not as the First Minister imagined or planned. There are no silent unionists now. It is the First Minister's hubris that drives this effort to kick-start a campaign that Scotland does not want.

When we voted in 2014, Scotland's voice was clear and the people of Scotland spoke with strength and resolution: we said no and we meant it. Before Britain has left the EU and the arrangements thereafter are transparent, and until there is clear and sustained evidence of public support among Scots for a referendum, there will be no second referendum. That is our pledge, and the people of Scotland can trust us on this point: we can and will deliver on it.

15:58

Tom Arthur (Renfrewshire South) (SNP): I express my condolences to the victims and solidarity with the survivors of last week's attack at Westminster.

It is a privilege to have the opportunity to contribute to the debate on Scotland's choice. The debate, which is fuelled by competing passions, has at points exceeded the scope of the motion that is before us.

That motion is not concerned with whether Scotland should be independent. Rather, the question that we face is whether Parliament believes the people of Scotland to be sovereign and endowed with the right to determine the future of our country. I believe the people of Scotland to be sovereign. It is a belief that, consistent with the claim of right, power lies with and is derived from the people who live in Scotland. It is a belief that the people, and they alone, have the right to determine the future governance of this country. It is a belief that was shared by many people who worked for the reconvening of the Parliament, and it is a belief whose legitimacy was accepted by successive UK Governments.

However, the actions of Theresa May and the Scottish Conservatives have compromised and undermined that long-standing consensus; indeed, the Tory amendment is the only amendment that seeks to remove from the Government's motion any acknowledgement of the sovereign right of the Scottish people.

While the Supreme Court's ruling on article 50 reconfirmed the legally subordinate status of the Scottish Parliament to the UK Parliament, the Tories' response to the EU referendum result in Scotland, and their refusal to consider meaningfully a differentiated settlement, demonstrate their belief that in matters of fundamental importance to the governance of Scotland, the will of the Scottish people is subordinate to the will of the UK Government. That signifies a fundamental and material change not only from the circumstances of 2014 but from decades of shared understanding of Scotland's relationship with the other nations of the United Kingdom.

Theresa May told the people of Scotland that the UK is a “partnership of equals”. However, a partnership in which one partner forces another into actions against their will is no longer a relationship of equals, nor is it a partnership. The UK Government's intransigence towards Scottish aspirations should be deeply disturbing for any democrat because it suggests a view that would seek to diminish Scotland from the status of nation to that of regional polity.

In the referenda of 2014 and 2016, the people of Scotland chose not to endorse fundamental change. Yet, as a consequence of the UK Government's actions, change of the most profound kind is coming to Scotland. All we can do now is determine the nature of that change. Should Scotland remain an open and outward-looking nation, charting its own course and forging its own partnerships, or should we permit ourselves to be locked into an increasingly insular, intolerant and backwards-looking Britain? Only the sovereign people of Scotland can make a decision of that magnitude. That choice is not for politicians or for Parliaments to make; it is for the people of Scotland alone.

Before concluding, I wish to address two specific points that are raised in Opposition amendments—namely, timing and fear of division. The timetable that is set out for a referendum in the Government motion is predicated on both the UK Government's and the EU's chief Brexit negotiator's assessment of when Brexit negotiations will be concluded ahead of ratification. A referendum between autumn 2018 and spring 2019 will empower the people to make an informed choice on Scotland's future. Crucially, it will be before any regulatory divergence between the European single market and the UK can take place, which would compromise Scotland's existing fulfilment of the *acquis communautaire*. Any attempt by the UK Government to delay a referendum significantly beyond the proposed timescale will be seen as cynical and grossly undemocratic—not only by people in Scotland but, crucially, by our European partners, at a time when the UK will be relying on the good will of many small independent European nations.

Finally, on division, we must not allow the broader debate over Scotland's future to descend into recriminations and personal attacks. For those of us who seek to persuade a majority to choose independence, we must empathise with, understand and show respect to our fellow Scots who take a different view. There are many who look upon the prospect of a referendum with anxiety, fear and even anger. These are our fellow patriotic citizens who have genuinely held views, beliefs and principles. They are not misinformed individuals who have yet to be persuaded. Just as one side has a right to make a case, so the other has a right to reject it and to be treated with courtesy and respect. Regardless of our views on Scotland's future, our differences are far outweighed by what we have in common.

Those who oppose independence, particularly in public life, have an equal responsibility to resist cynically employing inflammatory language for political gain. Such techniques of political rhetoric are a false economy for which all sides inevitably

pay. Robust and passionate debate is the hallmark of a civilised society and a dynamic democracy. To describe such a process as “fratricidal conflict” does all politics a disservice. Let us not debase ourselves, our democracy and our country with such a pernicious approach to politics. Rather, let us have a great debate that is equal to the hopes and aspirations of the people of Scotland. On that, surely we are all united.

The Deputy Presiding Officer: Thank you. I call Pauline McNeill, to be followed by Edward Mountain, who will be the last speaker in the open debate before we move to closing speeches. Everyone who has taken part in the debate last week and today should be in the chamber for closing speeches.

16:04

Pauline McNeill (Glasgow) (Lab): I believe in self-governance for Scotland within the United Kingdom. I have always believed in the sovereignty of the Scottish people. I thank Ben Macpherson for not calling me a unionist. I have to say that in every such debate that I have ever been in, that is what I have been called. Self-determination allows me to say that I am a socialist first, an internationalist, a feminist, and a trade unionist. Like Johann Lamont, I refuse to be defined by the constitution.

I will respect everyone's views and the outcome of the vote, but I will continue to argue against an independence referendum as Scotland's answer to Brexit. I believe in the vision that I have for Scotland in the United Kingdom and will continue to argue passionately for it, because the people—including many yes voters—are predominantly not with the SNP on its self-made push for a second referendum or on the timing of the referendum.

Even in the past few days, while campaigning in local government elections, I have spoken to people who are committed to independence but who also tell me that now is not the time, and that it is not fair to put the question to them until they have seen the full implications of Brexit. The country is nervous and cautious. It is cautious because of the rise in the cost of living and the prospects of separating from two unions at the same time without a clear promise that an independent Scotland would be in the European Union. That is reflected in the polls.

The First Minister said that in two years people will know the choices. I do not believe that they will. In an excellent speech last week, Alex Neil set out his view that the terms of Brexit would not be fully known by then and that the terms and implications of international agreements will take time to assess and understand. In a lecture last week, Anton Muscatelli said that a differentiated

settlement for Scotland is still possible but that it would take some time to assess the full long-term implications of Brexit for the United Kingdom.

The choice would be fair only if people have a clear idea of what the prospects are and on what basis an independent Scotland would be predicated. I am with Clare Haughey on the WASPI women, but she says nothing about what those women can expect in an independent Scotland. It is only fair that when people have a choice, they know what an independent Scotland will look like. Andrew Wilson, who leads the growth commission, was at least honest enough to say that there might be up to 10 years of recovery. However, without clarity, it is not fair to put the choice to the people in a referendum.

I am glad that at least one member whom I know will vote differently from me recognises that the 2014 referendum had elements of deep acrimony and that it was difficult for many families that were split by thinking different ways. That is not a reason in itself to argue against the referendum, but we have to recognise that fact.

I accept that there is a mandate, and that a material change in the situation has brought about the argument, but the inconsistent logic of the SNP position of the past few days staggers me. If the material change is the fact that Scotland is being dragged out of Europe against its will, that must logically mean that the question to the people must be about whether they want an independent Scotland in Europe. However, it is clear from the past few days that that is not on offer. The SNP undermines its case by arguing that there is a mandate when it will not put that to the people.

Patrick Harvie: Shortly after the result of the EU referendum, Pauline McNeill's leader in the Parliament said that people had voted to remain in the UK and the EU and that the Scottish Labour Party wanted to secure that. Will the member give us any route to EU membership other than putting the question back into the voters' hands? Is there another path to full membership?

Pauline McNeill: As Patrick Harvie well knows, the argument that I am making is that independence in Europe is the only logical extension of the mandate that he claims to have, so surely he would want that question to be put to the people.

I will finish on this point. The biggest mandate that the SNP has in this Parliament is to reduce child poverty, which last week rose by 4 per cent. I make this plea to the front bench and the First Minister: whatever happens tonight, do not give us two years of this. The SNP should recognise that there is a job to do. In some of that job, we will be

with them, but I ask them not to give us two years of this. The people demand something else.

16:10

Edward Mountain (Highlands and Islands) (Con): I realise that time is short, so I will concentrate on four areas.

For me, the 2014 referendum was not the joyful experience that some seem to portray it as. Although there was, without doubt, political engagement, there was an undercurrent of pent-up frustration from those who sought to divide. They and, indeed, their leader saw 2014 as a once-in-a-lifetime opportunity to gain independence. However, clearly, that, along with many of the facts that were promoted in "Scotland's Future", was not quite true.

In May 2016, I was privileged to be elected to this Parliament, and I arrived ready to start work, full of enthusiasm and ready to tackle the issues that were clearly evident, such as problems with the NHS, schools and infrastructure projects, dysfunctional national computer projects and the personal concerns and worries of constituents in the Highlands and Islands. That is what I am doing: I am doing the day job. I am passionate about those issues, and we should all be looking at them, because they are the reason why we were elected to this place.

I am amazed that there are some in this Parliament who think that independence will solve all those issues, thus trumping everything else. It does not, it will not and it never will. What will make a difference is tackling the issues. I will accept the invitation of the First Minister and judge her and her Government on their performance on education. Ten years down the line and almost a year into this session of Parliament, we have to ask what difference the SNP has made. Let me give the Government its report. The Government seems distracted by previous decisions and concentrates too much on trying to distract others in order to hide the failures of its Administration.

My message is that there are five things that will not make Scotland better: disarray, distraction, discord, disharmony and, ultimately, division. What will make a difference is getting on with the day job with diligence, drive and devotion. That is what is needed to ensure that we deliver for Scotland.

A self-evident truth has been reinforced to me in every job that I have done, whether as a soldier, a surveyor, a businessman or a farmer. Success is seldom achieved by one person; rather, success is achieved by teams—teams that support one another; that know that, when the going gets tough, they can stand together; that know that somebody has got their back; and that know that

they do not have to ask for help from their neighbours because it will just come.

Dr Allan: Will the member give way?

Edward Mountain: I am sorry; I would dearly love to give way but I have no time.

Teamwork is the cornerstone of success, whether on the battlefield or in the office, and that is what the union brings. As one of my sergeant majors used to constantly remind me, by sharing the pain, we share the gain.

Scotland benefits from being part of the United Kingdom, whether through defence contracts, bail-outs for the banks, help for the oil industry or ensuring that the pain of economic downturns is offset across the whole team. Let me be clear: we are better together.

There are some who think that standing together with other parties is wrong. In the 2014 referendum, I stood beside Liberal Democrat and Labour activists. I even stood beside Mr Findlay and campaigned with him in Inverness. [*Interruption.*] I ask members to listen. He and I must be political polar opposites: if I took the majority of our political beliefs and shook them up in a jar, they would still curdle and separate. However, by promoting things that we do best together and by standing by the union, we can help Scotland. I am proud to be able to say that I will stand beside anyone who does that.

The Deputy Presiding Officer: Please conclude.

Edward Mountain: I support Ruth Davidson's amendment. I will always stand shoulder to shoulder with those who seek to protect the union. It serves Scotland well and I am happy to continue to serve it as I have done in the past.

The Deputy Presiding Officer: We move to the closing speeches. I call Mike Rumbles for the Liberal Democrats. You have eight minutes, Mr Rumbles.

16:15

Mike Rumbles (North East Scotland) (LD): At the beginning of the debate, I said that the country is divided. That is an undisputed fact: it is divided—I see the First Minister shaking her head already, so obviously it is not that undisputed. [*Laughter.*] Now there is laughter. The duty of the First Minister should be to heal that division, not to laugh at or exacerbate it. Unfortunately, she is making a bad situation worse.

It is clear, by any and all measures, that most people do not want to be faced with another independence referendum. We have heard that in contributions from across the chamber. We had a referendum just two and a half years ago. It was

fair and legal and there was a clear result. Both the UK and Scottish Governments accepted the result—or so we were led to believe.

The Liberal Democrats do not expect nationalists to give up on their support for a separate Scotland, just as we do not give up on our support for the UK in Europe. However, we should expect the Scottish Government to honour the signature that Nicola Sturgeon herself put on the Edinburgh agreement.

The First Minister: Following the logic of that argument, can the member explain why the Liberal Democrats are proposing a second referendum on the question of EU membership?

Mike Rumbles: The First Minister knows. The referendum that we had two and a half years ago was supposed to close the whole issue down. It has not done so, has it? The vote that we had recently has opened up the whole process of Brexit, and the people, rather than the Conservative Cabinet, have to make a decision on it. That is our position, and the First Minister knows it.

I make it absolutely clear that we were elected last May on a manifesto that said to voters that we would vote against any move for another independence referendum, and that is exactly what we will do.

We are having this debate because Nicola Sturgeon says that she wants the support of the Scottish Parliament for her unilateral demand that the UK Prime Minister give her the power to call a referendum on Nicola Sturgeon's own timescale. I have no doubt that she will win the vote tonight—thanks to the Greens, it is obvious that she has the numbers.

However, Nicola Sturgeon has not won the argument in this debate. I thought that one of the most useful speeches came from a most unlikely source—I hope that Neil Findlay will forgive me for suggesting that it was an unlikely source. He gave one of the best speeches in the debate. He asked the First Minister a series of questions and then gave her the opportunity to intervene. Members from across the chamber called for the First Minister to respond to Neil Findlay's questions. Not only the First Minister, but every member of the front bench—including Mr Russell, who I see is taking a great interest—kept their heads down and buried, and would not respond. I thought that that was the turning point in the debate. The debate has shown that, unlike the last time, the First Minister does not have the country with her.

My friend Alex Neil was the other great contributor to the debate. I thought that his speech was excellent. Alone among the SNP members, he had the courage to argue that an independence referendum should be separate from any question

of re-entry to the European Union. His position was honest—I respect that—and he spoke extremely well. However, he shot the fox that the First Minister has set running.

Why does the First Minister not have the country with her? As Jackson Carlaw said, she has shown that she is more interested in leading the campaign to secede from the UK than in running a Government for the benefit of the people of Scotland. I am particularly astonished that our First Minister is saying to our UK Government that it must—I repeat, must—acknowledge the will of the Scottish Parliament. I am astounded because, like St Paul, she must have had a conversion on the road to Damascus.

Nicola Sturgeon said in the debate that the will of the Scottish Parliament must be adhered to. Is that the same Nicola Sturgeon who has ignored the will of the Scottish Parliament five times in the past 10 months? Last week, in a BBC live debate, Fiona Hyslop denied that that was the case, but we have heard about it repeatedly in the chamber.

For the sake of accuracy, there have been five votes that, to date, the Scottish Government has completely ignored. On 1 June 2016, the Parliament voted to ban fracking. What has happened? Nothing. On 28 September, the Parliament instructed the Government to call in NHS closures. Did it do so? No. On 22 November, the Parliament instructed the Government to start to repeal the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012. Has there been any action on that? No. On 18 January, the Parliament voted to save Highlands and Islands Enterprise. What action have we had on that? Nothing. On 1 March, the Parliament voted to save the Scottish Further and Higher Education Funding Council, and that vote has been ignored, too. On those occasions, the Parliament said that we wanted action from the Scottish Government, but the Government has studiously ignored the Parliament's instructions. So much for the will of the Scottish Parliament.

John Mason (Glasgow Shettleston) (SNP): Does Mike Rumbles accept that if Opposition parties are against the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012, it is up to them to introduce their own bill?

Mike Rumbles: I thought that the will of Parliament needed to be upheld.

In the Parliament's business bureau, I warned the SNP's Minister for Parliamentary Business that the First Minister could not keep ignoring the will of the Scottish Parliament on votes that the SNP keeps losing, and then expect to turn that around when it wins a vote, demanding that the Prime Minister respect the will of the Scottish Parliament.

The Scottish Government repeatedly ignores the will of the Parliament, but it expects the Prime Minister to jump to it. Either that is the height of hypocrisy, or the First Minister has indeed, in the past two weeks, seen the light on the road to Damascus. Unfortunately, I do not think that the First Minister is anything like St Paul after all. She has decided that this is her opportunity to try again to achieve her life's ambition—never mind the will of Parliament.

No one should be surprised by how the debate has turned out. SNP and Green members will vote the Government's motion through and will be opposed by Liberal Democrat, Labour and Conservative MSPs. However, one thing is sure: the First Minister may have the votes in the chamber, but she has failed to bring the people with her. In Scotland, the First Minister represents the state, and the state is trying to push this yes vote through. The state is saying yes, but we are on the side of the people, and the people say no.

16:22

Ross Greer (West Scotland) (Green): In closing for the Greens, I echo Ruth Maguire and Bruce Crawford, who at the outset of the debate called for it to be passionate but respectful. We are all political opponents, but we are not enemies. We disagree profoundly on Scotland's future, but disagreement is healthy: it is essential to democracy, and it does not need to lead to lasting division. If nothing else, that is something on which we should all agree today.

None of us, I hope, wants to see a repeat of the Brexit referendum, in which voters were asked to choose, with little information—and sometimes outright lies—in an environment of hostility and anger. On the whole, that was not comparable to the successful and engaging debate that we had in Scotland in 2014, although, as Andy Wightman said, we accept that those experiences did not apply to everyone in each of those votes. If we want to see the high turnout and engagement that we had in 2014 again, we should strive to replicate the successes of 2014, not the failures of 2016.

The Scottish Greens believe that it is the right of the people of Scotland to choose between the two futures that are on offer to us, and that we should be able to do so at a time of both optimal information and optimal opportunity. We expect the Brexit deal to be known by the autumn of 2018. The European Commission's chief negotiator, Michel Barnier, has said as much, and the UK Government has confirmed that his timescale is realistic. Giving the people the choice at that point, when the details of the deal are known, would give us the time to begin extracting Scotland from this mess before the Tories hurl Britain off the hard Brexit cliff—if that is what the

voters choose. I would not presume to guess what the referendum outcome would be, although I hope that it would be independence.

I do not suggest for a second that that path would be free of challenges, and colleagues are right to raise them. However, it is incumbent on those who question the challenges of independence to defend their Tory hard Brexit position. Adam Tomkins, for example, raised a number of valid questions about an independent Scotland's EU membership—on adoption of the euro, for example. I can cite examples of nations, from Sweden to Poland, that have joined the EU since adoption of the euro has been, nominally, a criterion for joining but which have not been compelled to adopt it.

When Mr Tomkins poses those questions, I cannot help but wonder where he thinks that the Westminster Government drew its hard Brexit mandate from. No such questions in relation to Brexit were really answered in advance of the vote. As has been said, on the same page of the manifesto that records their pledge to hold an EU referendum, the Conservatives declared their support for the single market. Not only did Scotland not vote to leave the single market, neither did the UK as a whole.

Other members have mentioned the challenges of Scotland's transition to become a full member of the EU. The former chief of the World Trade Organization, Pascal Lamy, said last week that there would be "zero technical problems" with Scotland joining the EU. Guy Verhofstadt, the European Parliament's lead negotiator, has been explicit in his belief that our membership would not be a challenge, and has gone so far as to say that Europe "cannot afford to lose" Scotland.

Anas Sarwar (Glasgow) (Lab): If we were to have an independence referendum and Scotland voted to leave the United Kingdom, can the member confirm that we would be guaranteed continued EU membership? Can he give us a cast-iron guarantee?

Ross Greer: The very argument that we are making is that either option is uncertain but, with independence, the people of Scotland, rather than a Conservative Government that we did not elect, would be in the driving seat.

We have heard welcoming words—on the record—from both governing parties in Germany and from others across the continent. Jenny Marra mentioned a Spanish veto, but only a fortnight ago, the leader of the People's Party—Spain's governing party—in the European Parliament said that Scotland and Catalonia are not the same and that Spain would not veto Scottish membership of the EU. I do not claim to speak for the Spanish,

but the assumption of an automatic veto is incorrect.

In recent months, colleagues across the political spectrum have said much about this Parliament's right to call for a referendum. Just a few months ago, Alex Rowley, who made a measured and substantial speech in this debate, said that he would not oppose a new independence referendum. Ruth Davidson, while making clear her opposition to independence, said that it would be constitutionally wrong for Westminster to block a referendum. Using an interesting turn of phrase, Nick Clegg said that it would be wrong for Westminster to impose a fatwa on another referendum.

Once this Parliament has voted today, the question for our Labour, Liberal Democrat and Conservative colleagues will be who they will defend: a Parliament that the people of Scotland elected, or a Westminster Government that they did not. Miles Briggs, John Lamont and Donald Cameron said that the First Minister should be striving for unity, but what has their leader done to strive for unity? Instead of seeking unity or, at the very least, a compromise with the majorities in Scotland and Northern Ireland, Theresa May has barrelled ahead with a reckless approach to Brexit. It is a party that seeks to divide us on the basis of class, country of origin and disability, and between refugees and the rest, so I have little time for Tory condemnation of division.

Members have been keen to discuss the will of the people. In 2014, the will of the people was to stay in the United Kingdom—I was disappointed by that, but I accepted it—and, in 2016, the will of the people was to remain in the European Union. The Scottish Government offered the UK Government compromise proposals that recognised and tried to resolve those two votes—compromises that went further than the Greens would have been comfortable with—but it was roundly ignored. The two positions are now irreconcilable and it is our responsibility, as representatives who were elected by the people of Scotland, to fight for the right of the people of Scotland to choose their future.

Twenty-seven EU nations—and a number of regions and sub-state Parliaments—will have their say on Scotland's future, so it is only right that the people who live here should have their say, too. All the people of Scotland should have their say, so I urge Labour and Liberal Democrat members—even if they intend to vote against the Government motion—to support the Green amendment and the right of young people and European citizens to play their part in deciding our future, if a referendum happens.

I understand that it would be futile to make that request of Conservative members. Douglas Ross

went to great lengths to state that he would be voting against the SNP and the Greens. I am sure that his constituents are delighted that there is no match on today to keep him away from Parliament.

Douglas Ross (Highlands and Islands) (Con): Will the member give way?

The Presiding Officer: I do not think that you have your card in, Mr Ross.

Douglas Ross: I am a linesman—I have trouble with cards; that is why I use a flag.

Ross Greer tells me that my constituents would prefer that I was not here today, voting against the SNP and the Greens as they push through a second independence referendum. Would he say that to the hundreds of people who turned up at Forres town hall last night for my meeting against a second independence referendum? The people in Moray and many across the Highlands and Islands are annoyed that they are going to be forced into another independence referendum because of the SNP and the Greens joining forces.

Ross Greer: As Mr Ross is well aware, his constituents in Moray may have voted no in 2014, but they voted remain in 2016. I do not presume to speak for them on either or both of those votes; I presume to give them a choice between the two irreconcilable options that now face us.

The Greens were proud in 2014 to make the case for a progressive, internationalist, independent Scotland in Europe. This afternoon, Andy Wightman explained what drew us to that position from the four key pillars of Green politics—peace, equality, ecology and grass-roots democracy. We will be proud to run that campaign once again.

For members who have raised concerns about what we are not discussing, I echo Jenny Gilruth's point that constitutional politics—the politics of where power lies—is critical to tackling the big issues such as child poverty and to creating a sustainable, healthy economy and a compassionate society. It is more than legitimate to believe that we can and should do more with the powers that this Parliament already has, and that we can truly tackle the causes of poverty and inequality only with the full powers of a normal nation.

Our cause in this debate is a simple one: it is to give the people a choice. Early in the debate and again later on—we almost got there with Mike Rumbles's speech—some adaptations were made to Canon Kenyon Wright's famous quotation, but I think that a more apt summary would be to ask this: what if that other voice we know so well responds by saying, "We say no, and we are the

state"? Well, we are the Parliament elected by the people of Scotland, and we say let the people choose.

16:31

Lewis Macdonald (North East Scotland) (Lab): The debate has been about leaving the European Union and leaving the United Kingdom, about the will of the people and majorities in Parliament, and about the accountability of ministers, here and elsewhere. As far as Europe is concerned, Alex Neil's contribution is a good place to start. I do not share his constitutional objectives, but he demonstrated a clarity of analysis that has been largely missing from his party's front bench contributions. He said:

"A yes vote in an independence referendum cannot be interpreted as a dual mandate for independence and for an independent Scotland to join the EU."

Equally, a vote to leave or remain in the EU tells us nothing at all about a voter's views on Scotland leaving the UK. It may be an obvious point, but it is not the approach that SNP ministers have taken in the debate. Fiona Hyslop was typical. She said:

"The people of Scotland were told in 2014 that the only way to remain in the EU was to vote against independence. They were later told to vote remain to achieve the same outcome."—[*Official Report*, 22 March 2017; c 23, 18.]

The truth is that people did not vote in two quite different referendums, on two quite different questions, in order to "achieve the same outcome." It may be too painful for some in the SNP to contemplate, but the largest democratic vote in Scottish history was not on the issue of membership of the EU, explicitly or implicitly. It was a vote to remain in the UK, plain and simple. To imply otherwise, as the Scottish Government has done, seems to me to be neither honest nor transparent, and it does not respect the sovereign right of the Scottish people to reject independence, inside or outside the EU, as they have already done.

Much has been said about the Scottish Government's proposals in "Scotland's Place in Europe". It is important to stress that those proposals were not endorsed by the Parliament or by any committee of the Parliament, despite comments that were attributed to a Scottish Government spokesperson in the press at the weekend. MSPs did not vote in favour of market-sealing measures to limit trade within the UK or for rules of parallel marketability that were inspired by the relationship between Switzerland and Liechtenstein. Those suggestions were endorsed by the SNP alone.

We did vote for Nicola Sturgeon to seek agreement with Theresa May on a common approach to Brexit, to protect Scotland's interests,

and many of us were dismayed when the UK Government made a unilateral decision to walk away from the single market and the customs union. Then, two weeks ago, the First Minister took her own unilateral decision, which was to write off her proposals for Scotland to stay in both the UK and the single market by demanding a referendum on leaving the United Kingdom instead.

So much for seeking to influence the article 50 process. So much for any serious alternative to Britain leaving the single market. So much for the First Minister's mandate from the Parliament. The SNP's vaunted commitment to the EU is relegated to second place and cast into doubt.

Last week, I asked Stewart Stevenson whether he would be urging fishermen in Banffshire and Buchan Coast to vote to leave the UK in order to rejoin the European Union. In his answer, he pointed to paragraph 127 of "Scotland's Place in Europe", which says:

"we would not remain within the Common Fisheries Policy."

That is a fair point of view, which I understand entirely, but leaving the common fisheries policy means not joining or remaining in the EU. There are no circumstances in which a Scotland that refused to be part of one would be able to be part of the other. To pretend otherwise would not be honest or fair.

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): In the spirit of consensus that applies to some of the debate, I congratulate the Labour Party on not joining the Tories in seeking to delete from the motion the words

"acknowledges the sovereign right of the Scottish people to determine the form of government best suited to their needs".

The Labour Party clearly supports that. Will it be voting for the Tory amendment, which seeks to delete that from the motion?

Lewis Macdonald: We will not be voting for the Tory amendment, and we will not be voting for the SNP's proposition. We respect the sovereign right of the Scottish people to make such judgments, and the Scottish people have already made precisely such a judgment, in 2014.

A few days ago, Alex Salmond extolled the virtues of the SNP's strategy on Radio 5 Live. He said:

"The idea is to have continuous membership of the European Economic Area. That is a lot easier to achieve very, very quickly. It's not something that has anything like the difficulties of securing full European Union membership."

If that is indeed the SNP's strategy, the debate is not about finding a way for Scotland to get into or

to remain in the EU, because Alex Salmond says that now is not the time; it is about a decision to call for a second referendum on leaving the UK, regardless of the consequences in relation to Europe.

As we have heard, Nicola Sturgeon wants to have that vote in the next two years. She said earlier that Britain's future relationship with Europe will be clear by then, but the only person she can quote in support of that view appears to be Theresa May. Last week, the EU's chief negotiator, Michel Barnier, said that all the terms of the UK's withdrawal must be settled before trade talks can even start, and Pascal Lamy, a former director general of the World Trade Organization, said:

"I don't think it can be done within two years."

A few weeks ago, the former British ambassador to the EU Sir Ivan Rogers summarised the view in Brussels, which is that agreeing a trade deal with the UK may take

"until the early to mid-2020s."

I suspect that Michel Barnier, Pascal Lamy and Sir Ivan Rogers are more likely to be proved right than Nicola Sturgeon or Theresa May.

We cannot yet know what Brexit will look like, and we do not know what the SNP's prospectus will be for leaving the UK. As we have heard over the past two weeks, the SNP has no answers on Europe, the currency, the economy or the fiscal deficit. Instead, it insists that a vote in favour of a choice between two unknowns will represent the democratic will of the Scottish Parliament. Most people would assume that the phrase "democratic will" had something to do with the will of the people but, when they were asked, neither Nicola Sturgeon nor Patrick Harvie could point to any evidence that another referendum is what the people want. All the available evidence says that it is not.

Patrick Harvie: Will the member acknowledge that, throughout the debate, the Greens have acknowledged not only the contradiction between the result in 2014 and that in 2016 but the fact that none of us—however we voted in either referendum—should be here, because the UK Government has taken the result of the UK-wide EU referendum as a mandate for something that it was never supposed to be a mandate for?

Lewis Macdonald: We are here to implement the democratic will of the Scottish people, and we need to listen to the Scottish people. I am listening hard, and I am picking up no demand at all for another independence referendum.

In the heat of the last independence referendum campaign, the First Minister promised to respect the result, but she now says that it is trumped by a

reference in her party's manifesto. The Greens' manifesto said that a new referendum should

"come about by the will of the people, and not be driven by calculations of party political advantage."

It is a pity that they chose to abandon that view once the election was over. I expect that there will be a parliamentary majority in favour of another referendum that the people of Scotland do not want on a question that the Scottish people have already answered. The use of that majority for that purpose is a party-political choice and it should not be dressed up as somehow representing the people's democratic will.

We would all wish votes in this place to be treated with respect, even when we do not agree with them, but it is surely for Scotland's Government to lead on that by example. Speaker after speaker in the debate has asked the First Minister why she has chosen to ignore parliamentary majorities on issues as important as health, education, Highland control of Highland development and university funding. She will not respond to that, yet she expects others to treat this evening's vote as an expression of the will of the people of Scotland, when there is no evidence that it is what the people of Scotland want. I therefore encourage the First Minister to listen to the people of Scotland, to treat all votes of the Parliament with equal respect and, above all, to spare the people of Scotland an independence referendum that the people do not want.

16:40

Murdo Fraser (Mid Scotland and Fife) (Con):

It is normal when winding up a debate to say how excellent it has been and to pay tribute to the contributions from all sides. It is very much to my regret that I do not feel that that would be appropriate at the end of this debate because, although we have had some very good speeches, overall the debate has been disappointing and, at times, depressing—a rehash of old arguments on an issue that we believed was settled less than three years ago.

If ever there were an argument against having a second independence referendum, it has been the past eight hours of parliamentary time, which have given us a flavour of what the country would have to go through for years to come if the SNP was successful. This debate has literally been a waste of parliamentary time: eight hours that could have been spent on education, the health service or our underperforming economy.

Patrick Harvie: Will the member take an intervention?

Murdo Fraser: Not just now.

At the end of eight hours of debate, no one is any the wiser and the arguments have not advanced one iota from where they were previously.

One of the few bright spots in the debate was the contribution made last Tuesday by Bruce Crawford, who made what I thought was a very important point about tone and language. It is a pity that some of his party colleagues who contributed later that day seemed not to have paid much attention to him. There is also an issue here for the SNP leadership.

Clare Adamson (Motherwell and Wishaw) (SNP): Will the member take an intervention?

Murdo Fraser: Not just now.

A few weeks ago, I raised with the First Minister the language of the SNP deputy leader of Perth and Kinross Council, Dave Doogan, who went on an extraordinary rant in the council about "Quislings" and "occupying forces". The First Minister condemned at the time such language in general terms, but there has been no explanation, no withdrawal and no apology from Councillor Doogan. Yesterday, he was pictured on the steps of the council headquarters in Perth, as an SNP candidate for the coming elections, standing beside a grinning John Swinney.

Clare Adamson: Will the member take an intervention?

Murdo Fraser: No, thank you.

The First Minister called earlier this afternoon for a respectful debate, but it seems that the use of offensive language in her own party is rewarded with an endorsement from her deputy. If the First Minister is serious about taking Mr Crawford's sage advice, she needs to start leading by example in her own party.

Clare Adamson: A young family member of mine who happens to be in love with a French national asked the Scottish Tories on Twitter:

"Will you guarantee that my partner will be able to return to Scotland after the Brexit negotiations are complete?"

The response from Conservative candidate Linda Holt was:

"How on earth I can guarantee that? There are no guarantees in life. Grow up."

Does Mr Fraser want to apologise for that comment or has the Tory mask of respectability just slipped?

Murdo Fraser: Well, there she goes again. If the member thinks that there is any comparison between that sort of remark and someone talking about Quislings, redcoats and occupying forces, she is on a different planet from the rest of us.

Let me get on to responding to a number of points that were made in the debate, starting with the First Minister's opening speech. I congratulate the First Minister on what I think is a remarkable success for her, because in the past two weeks she has achieved something that no previous First Minister or SNP politician has been able to deliver. For years, members of the Scottish Conservative and Unionist Party have deliberated and agonised over the issue of how we make a Conservative Prime Minister in London popular in Scotland again. For decades, we have faced a situation in which, despite our best efforts, it has been difficult for the Scottish people to warm to a Conservative Prime Minister. Much sweat and tears have been expended and vast sums have been spent on speechwriters, focus groups, opinion polling and style consultants to try to turn around that state of affairs and make a Conservative Prime Minister truly popular in Scotland.

All that effort could have been saved if only we had known then what we know now. All that it takes to make a Conservative Prime Minister popular in Scotland is for her to say no to Nicola Sturgeon, for that has been the outcome of the events of the past week. As Jackson Carlaw told us, the First Minister had a plan. She would go to Theresa May and demand the power to call a Scottish independence referendum. Theresa May would say no, and such would be the outrage in Scotland at this slap in the face for Scotland's First Minister that we would see a surge in support for independence. Well, there has indeed been a surge in support, but not for independence. It is a surge in support for Theresa May. Nicola Sturgeon has achieved something remarkable for an SNP politician and for the First Minister of Scotland. She has boosted the popularity of a Conservative Prime Minister with the people of Scotland. She has created a situation in which the First Minister is not just less popular than Ruth Davidson; she is now less popular than Theresa May with the people of Scotland. On behalf of the Scottish Conservative and Unionist Party, I sincerely thank the First Minister for her efforts on our behalf and say that she should keep up the good work.

Much of this debate has centred on mandates for a second independence referendum. We remember that, in 2014, the First Minister, her deputy and the former First Minister all promised that the 2014 referendum would settle this issue for a generation. Alex Salmond seems to have forgotten that he made that promise, despite all the evidence to the contrary, but that is what we were told at the time. I do not believe that there is any clear mandate in the SNP manifesto for a referendum, but in the Green manifesto there is what we might call a cast-iron block to a second referendum.

At the Green manifesto launch back in April last year, if press reports are to be believed, the party's co-convenor Maggie Chapman said that it would take 100,000 signatures on a petition to trigger a vote for a second referendum. However, 100,000 was not enough, and party managers then changed that figure to 1 million. That is the commitment that Green MSPs were voted in on. One million signatures would be required before they would back an independence referendum.

Patrick Harvie: Will the member take an intervention?

Murdo Fraser: Mr Harvie will now distance himself from his co-convenor.

Patrick Harvie: I am sure that Murdo Fraser is quite capable of reading what is in our manifesto rather than misrepresenting what is not in our manifesto. However, can he answer the following question? Several of his colleagues have been given chances to answer it, but none of them has done it. How on earth does the UK Government take a mandate for leaving the single market on the basis of a manifesto that promised to commit to it on the very same page on which it committed to an EU referendum?

Murdo Fraser: Mr Harvie is trying to rewrite history.

The Greens pledged that they would get 1 million signatures, but there are not 1 million signatures to be seen. In fact, the Greens did not need 1 million signatures; they needed only one signature, and that was Nicola Sturgeon's signature on the bottom of the letter instructing them to vote with the SNP at decision time tonight.

The people I feel sorry for are the well-meaning Green Party voters of Scotland. All those earnest folk—we know them all—with their homespun woollens, their recycled bicycles and their vegan diets came out to vote for the Green Party because of their concerns about the environment, climate change, pollution, the birds, the bees and the beavers. They voted Green for myriad reasons, but not once did they think that they were handing a blank cheque to their group of MSPs to do the SNP's bidding at every turn. It is beyond doubt, despite Mr Wightman's protests, that the Greens have departed from the position that they set out at the election last year. No wonder so many of their voters feel betrayed by the current shower of Green MSPs.

The First Minister argues that if Parliament votes this afternoon for the section 30 powers to be transferred from Westminster and that is refused by the UK Government, it will be a democratic outrage. However, as we heard in this debate, the SNP has time and time again not followed votes in this Parliament. When this Parliament voted against NHS closures, did the

SNP Government act? When the Parliament voted against the abolition of the board of Highlands and Islands Enterprise, did the Government act? When the Parliament voted against the scrapping of the Scottish Further and Higher Education Funding Council board, did the Scottish Government act? When this Parliament voted to abolish the ludicrous and discredited Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012, did this Government listen? It did not. It ignored this Parliament and treated the views of its members with contempt. What breathtaking hypocrisy for the SNP now to claim that the Westminster Government must listen to the will of this Parliament when the Scottish Government routinely dismisses votes in this Parliament and treats them with contempt.

Let us be clear about what will happen if the SNP gets its way on the issue. It will mean campaign teams on the streets by the weekend and unionist and nationalist camps back out knocking on doors and demanding people's votes. A vote in support of the SNP motion is a vote to put schools and local hospitals to the back of the queue from tomorrow, because the Scottish Government would start work immediately on beginning another unnecessary and divisive campaign. Rather than getting back to work after this debate to sort out the mess that she has made of children's education, Nicola Sturgeon would go into the office tomorrow with a campaign for independence at the top of her to-do list. The countdown would begin tomorrow, and that is utterly unfair to voters, given that we do not know how our new relationship with Europe will play out and that we still have no idea whether we would keep the pound or go back into the EU after independence.

I expect that tonight's vote will be narrowly in favour of the Government's motion and that the Green Party MSPs will betray their own manifesto and their own voters. However, let us be absolutely clear that, even if that is how Parliament votes tonight, the Parliament, the SNP and the First Minister do not speak for Scotland on the issue. The SNP might be turning its back on the people of Scotland, but we will not. We will continue to speak up for them and say boldly and clearly to the SNP, just as we as a country did in 2014, "No thanks".

16:51

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): The First Minister opened the debate this afternoon by recalling the horror of last Wednesday's events in Westminster. I open its conclusion with the same sentiments. They are a reminder of the significance of the democratic

process that beats at the heart of our community. The debate has been about a democratic discussion and a difference of opinion. Democracy cannot thrive unless there are differences of opinion. There must be contending propositions that people put forward. That difference is at the heart of the democratic choice that every citizen has to make and every politician has to consider and wrestle with.

Those sentiments were anchored in the debate by three very strong contributions, one of which was from Bruce Crawford. Murdo Fraser paid a warm tribute to Bruce Crawford's speech but then chose to ignore most of its sentiments. Ruth Maguire's speech was a considered reflection on the need for respectful debate about issues of significance to the future of our country, and Kate Forbes made a beautiful speech that drew together the great Gaelic tradition of our country and expressed powerfully to Parliament the importance of fair and open discourse in our country. That is the debate that we need to have.

I am frequently on the receiving end of hostile and aggressive social media and political comments, and I know that other people are, too, but we have a duty in the Parliament to try to lead by example with the quality and depth of the debate that we take forward and to wrestle with the genuine choices that we all face.

That brings me on to the crux of the starting point of this debate, which is whether there is any mandate for the Scottish Government to take forward the proposition that we have put before Parliament on a second referendum on the question of independence. I go back to the wording of our manifesto in 2016 and remind members that it was supported in the constituency ballot by 46.5 per cent of the electorate in Scotland. That is the largest share of the vote that any Government in the United Kingdom has been elected with since the mid-1960s. It is a huge mandate; it is larger than the mandate that returned us in 2011. That manifesto said:

"the Scottish Parliament should have the right to hold another referendum ... if there is a significant and material change in the circumstances that prevailed in 2014, such as Scotland being taken out of the EU against our will."

That is significant because, whatever side of the argument we were on in 2014, we all know that European Union membership was a fundamental question in the debate then. The no campaign made the point clearly and firmly in my own hearing around the country that the way to guarantee Scotland's membership of the European Union was to vote no. Scotland voted no, and our membership of the European Union has been taken away from us against our will.

Pauline McNeill: Based on that logic, there has been a material breach and the Government has a

mandate to hold a referendum, but surely the question that it should want to put to the Scottish people is whether there should be an independent Scotland within the EU. I do not hear the Government saying that.

John Swinney: That is the position of the Government and my party; it is also my position. I hope that that clarifies the matter for Pauline McNeill.

That brings me on to the reconciliation of the outcomes of the referenda in 2014 and 2016—

Johann Lamont: Will the member take an intervention?

John Swinney: I ask Johann Lamont to allow me to make a little more progress on my point.

That issue brings me to the contributions of Andy Wightman and Jackson Carlaw who, in a sense, wrestled with the same question. Andy Wightman said that the outcomes of the two referenda are incompatible without a further choice being exercised, and there is a rationale to support that view. In response, I think, to an intervention from my colleague Stuart McMillan, Jackson Carlaw said that his constituents had voted no in 2014 and remain in 2016 but they had somehow lost; they are not to get the outcome in 2016 that they and others in Scotland voted for. The point is that, as Mr Wightman said, there is an incompatibility between the outcomes of the two referenda. That is the rational justification for our putting this question again to the people Scotland.

Jackson Carlaw: Will the member take an intervention?

Lewis Macdonald: Will the member take an intervention?

John Swinney: I will give way to Mr Carlaw.

Jackson Carlaw: In wrestling with that incompatibility, I said that I have taken the decision—and my constituents have taken the same view—to respect the outcome of both referenda. It seems as though the Scottish Government's response is to accept the outcome of neither referendum.

John Swinney: We have acknowledged the incompatibility of the two outcomes and we seek to give the people the choice to determine their future. That brings me to our efforts as an Administration to try to resolve those questions. When the Prime Minister came to meet the First Minister in July 2016, she made it clear that she wanted to secure an agreed UK position before she triggered article 50. On 28 June 2016, the Parliament argued what its position should be and called on us to explore a relationship that would maintain Scotland's place in the single market,

with the social, employment and economic benefits that flow from that relationship.

The joint ministerial committee has in its remit the desire to seek to agree a UK approach to objectives for the article 50 negotiations. The Scottish Government published "Scotland's Place in Europe", which was endorsed widely by many outwith the Government and supporters of the Scottish National Party as being a strong and legitimate approach to trying to secure compromise. Pillar by pillar—on the single market, on migration and on the customs union—the UK Government pulled down that agreement.

We are left in a situation where we, as a Government, have in good faith gone through the process of trying to secure agreement that would maintain the benefits of EU membership within the United Kingdom, while accepting that we are leaving the EU. However, we have got nowhere in getting such a conclusion through the process of the joint ministerial committee discussions.

Ruth Davidson: I would like the Deputy First Minister to comment on the issue of "good faith". Any efforts that were made post-Brexit came after his leader, the First Minister, stood up in Bute house and said, within three hours of the last vote being counted in the Brexit referendum, that she had instructed Scottish Government employees to draw up the requisite legislation for another independence referendum. She was always coming to that point; nothing was going to stop her.

John Swinney: That might suit Ruth Davidson's narrative, but it is not the case. It did not stop the Prime Minister coming to Bute house after that statement and inviting the Scottish Government to make its contribution to the UK Government process. However, what has not protected us has been the UK Government's decision to go for a hard Brexit, which many leave voters did not want to happen.

What we have seen, stage by stage, is the opportunity for the Scottish Government to make progress on that question being ruled out by the decisions and actions of the UK Government.

Why does all that matter? It matters because of many of the experiences that I—and a number of members who are in the chamber—went through with the Smith commission, when we spent hours of our lives agreeing on the importance of improving intergovernmental relationships, so that there would be a better way to get to an agreed UK position. The Brexit process has shown that that was not possible, given the way in which the UK embarked on it.

Finally, I come to the issue that lies at the heart of the debate on whether a referendum should take place, that is, what type of country we want to

live in and what type of society we want to be part of. Across the chamber, a lot of accusations have been made against my party, about how we apparently divide others. In her speech, Clare Adamson talked about othering and how it has been used in the UK debate. All of us have heard many individuals dividing our country with their accusations against migrants and EU nationals—people whom we need to work in our public services and in the companies in our country, and who make an invaluable contribution to our economy. Division has been sown by people who have spent years arguing against the migration that has been beneficial to Scotland and for which we should be grateful.

Alex Rowley made a fine speech.

Johann Lamont: Will the member take an intervention?

John Swinney: I do not think that I have time.

The Presiding Officer (Ken Macintosh): You may take one more intervention.

Johann Lamont: Does the cabinet secretary share my concern at the othering that is going on in this country right now, whereby it is implied that everyone in the United Kingdom apart from Scotland is unconcerned about refugees and EU nationals? There are plenty of people across the United Kingdom who agree with us, and it is unhelpful to redefine the rest of the United Kingdom as being somehow beyond the pale.

John Swinney: I am certain that there are people throughout the United Kingdom—I read their comments in the news and on social media—who are deeply dispirited by where the debate in the United Kingdom has got to.

The question is what we do about that. That brings me to Mr Rowley's fine contribution to the debate. He said that we cannot allow the Tories to dictate the terms of a hard Brexit. I unreservedly agree with him in that respect, but we are being marched, step by step, over the cliff to a hard Brexit by a United Kingdom Government that is not representing the values and aspirations that brought me into politics. I make no apology for defending those values and aspirations, because they matter deeply and personally to me.

The crucial thing is that I want to do something about that. I want to make sure that my country has the opportunity to shape its future, devoid of that awful agenda that has contaminated political debate in the UK, and which has been fuelled by the Conservative Party in its determination to see off the UK Independence Party. I want to make sure that we in this country build the best possible future for our country. We can best do that with the powers of independence.

Decision Time

17:03

The Presiding Officer (Ken Macintosh): There are five questions to be put today. I remind members that if the amendment in the name of Ruth Davidson is agreed to, all other amendments will fall.

The first question is, that amendment S5M-04710.2, in the name of Ruth Davidson, which seeks to amend motion S5M-04710, in the name of the First Minister, on Scotland's choice, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Balfour, Jeremy (Lothian) (Con)
Bowman, Bill (North East Scotland) (Con)
Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Cameron, Donald (Highlands and Islands) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Chapman, Peter (North East Scotland) (Con)
Corry, Maurice (West Scotland) (Con)
Davidson, Ruth (Edinburgh Central) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Golden, Maurice (West Scotland) (Con)
Greene, Jamie (West Scotland) (Con)
Hamilton, Rachael (South Scotland) (Con)
Harris, Alison (Central Scotland) (Con)
Kerr, Liam (North East Scotland) (Con)
Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
Lindhurst, Gordon (Lothian) (Con)
Lockhart, Dean (Mid Scotland and Fife) (Con)
Mitchell, Margaret (Central Scotland) (Con)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Ross, Douglas (Highlands and Islands) (Con)
Scott, John (Ayr) (Con)
Simpson, Graham (Central Scotland) (Con)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Thomson, Ross (North East Scotland) (Con)
Tomkins, Adam (Glasgow) (Con)
Wells, Annie (Glasgow) (Con)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Beamish, Claudia (South Scotland) (Lab)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bibby, Neil (West Scotland) (Lab)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Campbell, Aileen (Clydesdale) (SNP)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Crawford, Bruce (Stirling) (SNP)
Cunningham, Roseanna (Perthshire South and Kinross-

shire) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dugdale, Kezia (Lothian) (Lab)
 Evans, Mairi (Angus North and Mearns) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Glasgow) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Macdonald, Lewis (North East Scotland) (Lab)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Rumbles, Mike (North East Scotland) (LD)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Sarwar, Anas (Glasgow) (Lab)
 Scott, Tavish (Shetland Islands) (LD)
 Smith, Elaine (Central Scotland) (Lab)
 Smyth, Colin (South Scotland) (Lab)

Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 31, Against 97, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: If the amendment in the name of Kezia Dugdale is agreed to, the amendments in the names of Patrick Harvie and Willie Rennie will fall.

The next question is, that amendment S5M-04710.4, in the name of Kezia Dugdale, which seeks to amend motion S5M-04710, in the name of Nicola Sturgeon, on Scotland's choice, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kelly, James (Glasgow) (Lab)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McNeill, Pauline (Glasgow) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Rumbles, Mike (North East Scotland) (LD)
 Sarwar, Anas (Glasgow) (Lab)
 Scott, Tavish (Shetland Islands) (LD)
 Smith, Elaine (Central Scotland) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, David (Highlands and Islands) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)

Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Campbell, Aileen (Clydesdale) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Corry, Maurice (West Scotland) (Con)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Davidson, Ruth (Edinburgh Central) (Con)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Evans, Mairi (Angus North and Mearns) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (West Scotland) (Con)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Hamilton, Rachael (South Scotland) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harris, Alison (Central Scotland) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Lindhurst, Gordon (Lothian) (Con)
 Lochhead, Richard (Moray) (SNP)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)

Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Scott, John (Ayr) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Ross (North East Scotland) (Con)
 Todd, Maree (Highlands and Islands) (SNP)
 Tomkins, Adam (Glasgow) (Con)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wells, Annie (Glasgow) (Con)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 28, Against 100, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The next question is, that amendment S5M-04710.5, in the name of Patrick Harvie, which seeks to amend motion S5M-04710, in the name of Nicola Sturgeon, on Scotland's choice, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Evans, Mairi (Angus North and Mearns) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and

Lauderdale) (SNP)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Corry, Maurice (West Scotland) (Con)
 Davidson, Ruth (Edinburgh Central) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)

Hamilton, Rachael (South Scotland) (Con)
 Harris, Alison (Central Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kelly, James (Glasgow) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Lamont, Johann (Glasgow) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Macdonald, Lewis (North East Scotland) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McNeill, Pauline (Glasgow) (Lab)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Rennie, Willie (North East Fife) (LD)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Rumbles, Mike (North East Scotland) (LD)
 Sarwar, Anas (Glasgow) (Lab)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Elaine (Central Scotland) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)
 Thomson, Ross (North East Scotland) (Con)
 Tomkins, Adam (Glasgow) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

The Presiding Officer: The result of the division is: For 69, Against 59, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The next question is, that amendment S5M-04710.3, in the name of Willie Rennie, which seeks to amend motion S5M-04710, in the name of Nicola Sturgeon, on Scotland's choice, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kelly, James (Glasgow) (Lab)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 McArthur, Liam (Orkney Islands) (LD)

McNeill, Pauline (Glasgow) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Rumbles, Mike (North East Scotland) (LD)
 Sarwar, Anas (Glasgow) (Lab)
 Scott, Tavish (Shetland Islands) (LD)
 Smith, Elaine (Central Scotland) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, David (Highlands and Islands) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Campbell, Aileen (Clydesdale) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Corry, Maurice (West Scotland) (Con)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Davidson, Ruth (Edinburgh Central) (Con)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Evans, Mairi (Angus North and Mearns) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (West Scotland) (Con)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Hamilton, Rachael (South Scotland) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harris, Alison (Central Scotland) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Lindhurst, Gordon (Lothian) (Con)
 Lochhead, Richard (Moray) (SNP)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)

Mackay, Derek (Renfrewshire North and West) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Scott, John (Ayr) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Ross (North East Scotland) (Con)
 Todd, Maree (Highlands and Islands) (SNP)
 Tomkins, Adam (Glasgow) (Con)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wells, Annie (Glasgow) (Con)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 28, Against 100, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The final question is, that motion S5M-04710, in the name of Nicola Sturgeon, on Scotland's choice, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)

Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Evans, Mairi (Angus North and Mearns) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)

Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Corry, Maurice (West Scotland) (Con)
 Davidson, Ruth (Edinburgh Central) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (South Scotland) (Con)
 Harris, Alison (Central Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kelly, James (Glasgow) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Lamont, Johann (Glasgow) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Macdonald, Lewis (North East Scotland) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McNeill, Pauline (Glasgow) (Lab)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Rennie, Willie (North East Fife) (LD)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Rumbles, Mike (North East Scotland) (LD)
 Sarwar, Anas (Glasgow) (Lab)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Elaine (Central Scotland) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)
 Thomson, Ross (North East Scotland) (Con)
 Tomkins, Adam (Glasgow) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

The Presiding Officer: The result of the division is: For 69, Against 59, Abstentions 0.

Motion, as amended, agreed to,

That the Parliament acknowledges the sovereign right of the Scottish people to determine the form of government best suited to their needs and therefore mandates the Scottish Government to take forward discussions with the UK Government on the details of an order under section 30 of the Scotland Act 1998 to ensure that the Scottish Parliament can legislate for a referendum to be held that will give the people of Scotland a choice over the future direction and governance of their country at a time, and with a question and franchise, determined by the Scottish Parliament, which would most appropriately be between the autumn of 2018, when there is clarity over the outcome of the Brexit negotiations, and around the point at which the UK leaves the EU in spring 2019; believes that this gives people in Scotland a choice at a time when there is both the most information and most opportunity to act; further believes that 16 and 17-year-olds and EU citizens, who

were excluded from the EU referendum, should be entitled to vote, and considers that this referendum is necessary given the Prime Minister's decision to negotiate a hard exit from the EU, including leaving the single market, which conflicts with assurances given by the UK Government and prominent Leave campaigners, and which takes no account of the overwhelming Remain vote in Scotland.

The Presiding Officer: That concludes decision time. We now move to members' business. I ask members to leave the chamber quietly.

Included in the Main Campaign

The Deputy Presiding Officer (Linda Fabiani): I thank everyone for leaving the chamber quietly.

The next item of business is a members' business debate on motion S5M-04016, in the name of Graeme Dey, on the #IncludED in the Main?! campaign. The debate will be concluded without any question being put.

Motion debated,

That the Parliament recognises the campaign, Included in the Main?!, and the conclusion of a national conversation about the reality of educational experiences for children and young people who have learning disabilities, by ENABLE Scotland, which, it understands, is the largest voluntary organisation in the country for children and adults with learning disabilities and their families; notes that the national conversation looked at inclusive education and what it means for pupils who have learning disabilities; understands that the campaign has since engaged with over 800 young people, their parents and carers, and the education workforce, to talk about their experiences and consider what makes education truly inclusive; believes that the country has come a long way from when people with learning disabilities were viewed as "ineducable" but considers that inclusive education is still far from a reality for many and that this can have whole-life consequences; acknowledges that a report, *22 Steps on the Journey to Inclusion*, has been published as a result of the national conversation, which makes 22 recommendations and acknowledges that inclusive education is not about school setting or placement, but rather that all children should receive an inclusive education in a setting that best meets their educational and developmental needs, and notes the view that it is time to talk about how to make that vision a reality in Angus South and across Scotland.

17:12

Graeme Dey (Angus South) (SNP): I begin by acknowledging the cross-party support that the motion we are debating has attracted and my gratitude for that. The first seven signatures it secured were sufficient to ensure that every party represented in Parliament had backed it. That is clearly indicative of the fact that the subject matter transcends party-political allegiances. I hope that the tone and nature of the debate will reflect that. The issues covered in the Enable Scotland report, "#IncludED in the Main?!" are way too important to be the subject of point-scoring around service provision and its funding.

It is now 17 years since the presumption in favour of mainstreaming was enshrined in the Standards in Scotland's Schools etc Act 2000. That act was followed in 2004 by the Education (Additional Support for Learning) (Scotland) Act 2004, in which it is stated:

"Every education authority must—

(a) in relation to each child and young person having additional support needs ... make adequate and efficient

provision for such additional support as is required by that child or young person”

Tonight we consider Enable Scotland’s report “#IncludED in the Main?!” which makes 22 recommendations to complete the journey to true inclusion—arguing that we are not there yet—in terms of catering for not just educational but emotional needs, and ensuring that there is sufficient support in place to ensure participation in all parts of school life. We debate against a backdrop of the Scottish Government reviewing the guidance on the presumption in favour of mainstreaming and of a ministerial team that has a genuine understanding of the subject and a commitment to getting it right for every child—every child.

Time constraints will prevent me from exploring the specifics of the recommendations. I hope that, between them, colleagues who are taking part tonight might be able to at least touch on some of them.

The “#IncludED in the Main?!” report draws on the full gamut of experience. It canvassed the views of children and young people, parents and carers and the education workforce. It is telling that 80 per cent of that last category indicated that the presumption that all could and should be taught in mainstream settings means that we are not taking account of getting it right for every child. That “we” is society, not national or local Government, but society.

I contend that it is not so much the principle of mainstreaming, but the way in which it is being interpreted and implemented that is at the root of the problem. There will always be a role for specialist schools catering for kids with the most complex needs, but we can cater for the majority of ASN children in the mainstream if the will and, yes, sufficient resource is there.

This is not an easy subject. There are some difficult aspects to it. One such aspect is the reality that medical advances mean that we have children with very complex needs being catered for in mainstream school settings, with all the impact that that has on resources and, indeed, on the support being afforded to other ASN youngsters.

Another aspect is the massive spike in kids being identified as having additional support needs, which is a good thing on one level, but brings with it an accompanying resource issue.

I should acknowledge that I come to this subject as the husband of an ASN assistant. However, more than anything, my interest is driven by my experience as a constituency MSP dealing with casework. We have come a long way since 2000—there is no doubt about that—but on the ground, there is a lack of consistency in approach and resourcing.

In relation to the former, I was speaking recently to a headteacher who had decided to externally review the ASN provision within his school, which has a good reputation in that regard. His school sits in a local authority which has no special school available to cater for children with very complex needs. It buys in a small number of places annually from a facility in a neighbouring council area.

One of the external reviewers heads up a special needs school elsewhere in Scotland. The headteacher was taken aback to discover that the reviewer had at her disposal 14 teaching and 51 support staff to cater for a roll of 56 children. The special needs school had a resourcing level that was way beyond what he had at his disposal, and it was one of three such schools in that local authority.

There has to be a place for such specialist schools, to cater for kids with the most complex needs, not least because that frees up resource to support those bairns who, right now, are falling through the cracks—youngsters whose attainment levels and sense of self-worth could, with just a little help and support, be raised.

We tend, when we talk about closing the attainment gap, to link the problem to poverty but, as this report states, the attainment gap does not start and end on that point. Young folk with learning disabilities experience many other barriers to achieving their potential. Albeit in a different context, the First Minister acknowledged that last week in announcing a £2 million fund to improve access to nursery for children with ASN. In closing, could the minister outline whether and to what extent the guidance that is offered to headteachers on deploying the additional funding given to them directly to tackle attainment challenges references ASN pupils?

Of all the experiences that I have had as an MSP these past six years, there is one more than any other that has stuck with me. A couple of years back I met a young lad—a young carer—whose brother suffers from a rare disease. I could only begin to imagine what life at home must be like for him, with a younger sibling demanding not just his parents’ attention, but his. Then he explained to me that he suffered from dyslexia and was struggling to achieve his potential at school because the support that was meant to be in place for him was not being provided. He was meant to have time in the learning support base for one-to-one support to cope with school work but he told me, “There’s a girl in the base who behaves really badly and the staff are always dealing with her, so I don’t get the help I need.” There he was, with his home life as it was, and he was being let down in the educational setting—and he readily recognised

the detrimental impact of that lack of support at school.

Much more recently, just a few weeks ago, I met a mum whose teenage daughter, who has complex needs, has been unable to attend the local secondary school base for some months. Ahead of an effort to try to reintegrate her, the mum was invited to visit the newly refurbished base facilities, which she had been told would be an asset in catering for the girl, who is, among other things, autistic. However, the decor's colour scheme was not autism friendly. The sensory room was tiny and the soundproofing was so inadequate that, sitting in it, she could hear the kids passing in the adjoining corridor. Those are simple, basic things.

That parent's experience is typical of the experience that is identified in the report. When parents and carers were asked to describe their experience of the school system, 67 per cent used the word "battle", 77 per cent used the word "stressful" and 44 per cent used the word "alone". When asked if the support that was provided was enough to secure their child's participation in all aspects of school life, less than 12 per cent of parents and carers felt that it was. Even allowing for the fact that a proportion of parents—let us face it—have unreasonable expectations about what should be available, that is still a concerning number. Of course, we are not just talking about strictly educational matters, it is also about mental wellbeing, and 60 per cent of the kids with learning difficulties who were interviewed said that they felt lonely at school.

Presiding Officer, can I, having already declared an interest, give a shout out to those hard-pressed ASN staff in our mainstream schools who are having to contend with increasing demands—not just numerically, but in terms of the range of conditions—in catering for children and young people with incredibly complex needs through to those bairns like the young lad I mentioned earlier who just need that little bit of support? The staff do a remarkable job and we should take this opportunity to acknowledge that. Time and again, I hear parents of ASN children drawing a distinction between criticising the support for their kids and those who seek to provide it.

I will conclude and allow colleagues to contribute to the debate. The "#IncludED in the Main?!" report sums the situation up rather well when it says that the policy of mainstreaming

"has undoubtedly been a positive step towards equality"

and

"creating a more inclusive society"

but now we need

"to ensure that this policy is supporting children who have learning disabilities to be properly supported and fully #IncludED at their school"

because only then

"will ... our societal aspiration for full inclusion be realised."

17:20

Daniel Johnson (Edinburgh Southern) (Lab):

It is a pleasure to speak in a debate such as this in which we can agree on the broad thrust of what we need to achieve and why we need to achieve it. Indeed, discussing additional support needs exemplifies some of the strengths that we have in Scotland. We have a broad definition of additional support needs. That creates a challenge but it also represents the way that we try to approach education holistically and in a child-centred way that seeks to include and focus on what every child needs to learn.

A recent visit that I made to one of my local primary schools brought out how that approach can be brought to life and made to work. As I was led through the Victorian primary school, I was led past a stairwell where there was a fantastic canopy. It was a big, black bit of cloth with things dangling down underneath. There was a wee boy in there. It was the space that he liked to go to because of his particular needs. He needed that quiet, special space where it was just him and where he could settle his thoughts and get his head together for learning. A classroom assistant was with him to help him with what he needed to do.

I also learned from the headteacher about the training that they put in place in that school—from the local authority and externally sourced—and the groups of teachers that work on additional support needs. That brought to life how inclusion is meant to work and can work when it is done properly.

I thank Graeme Dey for bringing the motion to the Parliament. It is important that we talk about the matter. I also thank Enable because, although it is good to talk about how inclusion works, we also need to talk about where we need to improve the situation and the available resources. We need to talk about three key things: the support and training that are available to practising teachers and in teacher training before they qualify; the support staff that are required—in particular, the specialist staff—and how we embed ASN into the curriculum and classroom experience more widely.

That dovetails neatly and closely with some of the issues that we have been discussing in the Education and Skills Committee. We have been considering additional support needs in particular and recently had a round-table session on that. The experts on additional support needs at that

meeting raised some concerns. They described access to training as being patchy. They discussed training sometimes being available to teachers only through cascade training, in which one teacher receives training and then passes it on to others. They also said that, because of the many changes that we have had in the curriculum and in qualifications, some of the training and support that is required to address additional support needs has been squeezed out. There was a concerning observation that specialist postgraduate additional support needs training had declined.

Some of those concerns are borne out in the briefing that Enable has provided, which tells us that only 12 per cent of teachers say that they can meet the educational and development needs of the pupils. There are also teacher stories of training and not having the support that they need to develop the personal learning plans that they need to do.

We also need to talk about support and specialist staff. The Enable report makes it clear that, although there is a massive increase in the number of children being identified as having additional support needs—that is something to be celebrated—there is a decline in specialist additional support needs teachers. The teachers who are left are an ageing population. The Government needs to focus on that and prioritise it, because we need specialist teachers. Although classroom assistants are important in developing personalised learning, they are not a substitute for specialist additional support needs teachers.

I could carry on for a great deal longer, but I see that the clock has ticked past four minutes, so I will sit down. I thank Graeme Dey once again for bringing the debate to the chamber.

17:24

Jeremy Balfour (Lothian) (Con): I thank Graeme Dey for bringing the debate to the chamber this afternoon. I also thank Enable for its report. Based on interviews with more than 800 young people with learning disabilities, and interviews with parents, family carers and educationists across Scotland, it gives us a full picture of what is going on.

I start by saying that civic society and educationists in Scotland have come a long way over the past 30 or 40 years. By and large, mainstreaming is a positive thing. The type of language that we use about people with special needs and their requirements has definitely improved. However, the report is also a wake-up call for us, because it shows that many young people in Scotland today are not getting what they require.

With regard to my physical disability, I recall a comment that my mother made to someone else who had a disability: “Never take no for an answer.” I fear that it is still the case today that parents have to keep asking local authorities and headteachers for things that should come to them automatically. That is fine for articulate and pushy people like my mother, but it is less fine for people who do not have those skills.

I want to comment briefly on two issues on which Parliament and this country need to make progress. First, the child being in a classroom does not mean that he or she is part of the school—the fact that they are there physically does not mean that they are part of the whole experience. The report makes it clear that children with additional needs often feel excluded and lonely and may not get the same opportunities as their peers. No child should be excluded.

The report tells us that 49 per cent of young people with a learning disability or autism felt that they have not been able to reach their full potential at school, and more than a quarter said that they cannot take part in games or sport. Nearly a quarter do not go on trips with their peers and, furthermore, nearly half—46 per cent—said that they do not take part in activities in the playground or elsewhere. I accept that the situation will vary from school to school and from area to area; however, I think that the challenge for all of us is to improve that situation.

I want to give credit to the additional support needs teachers we have for the hard work that they do day in and day out. However, there is a challenge for our local authorities. We have seen numbers of auxiliaries and support staff dropping across Scotland. I think that it is unfair to ask a teacher to look after 30 or so children without such help if that class contains children who have additional support needs.

We also have to acknowledge that mainstreaming is not right for every child. Getting it right for every child means considering every child and the situation that they are in at the time. Again, it slightly concerns me that, over past years, the number of special schools has fallen—there was a 25 per cent drop in the number of special schools between 2008 and 2015. For the majority of children, mainstreaming is the way forward, but that is not true in every case.

I welcome the debate. There is a challenge for all of us across Scotland. We are making progress, and we need to keep moving in that direction.

17:29

David Torrance (Kirkcaldy) (SNP): I thank Graeme Dey for securing this debate to welcome

the #IncludED in the Main?! campaign and to raise awareness of, and stimulate conversation about, children and young people with learning disabilities. I also want to recognise the work of Enable Scotland, which is a charitable organisation whose aim is to fight discrimination against young people who struggle with disabilities, and the inequality that they experience.

The Scottish Government is committed to delivering excellence and equality in Scottish education, especially to the many young people who have learning disabilities and are often unfairly excluded by friends and peers, and from the classrooms, opportunities and experiences that make up such a big part of childhood and school life. The delivery plan for Scottish education is committed to closing the attainment gap, to ensuring that we have a curriculum and to empowering our teachers, schools and communities for children and young people.

Children and young people's education experience should open the doors to opportunities that enable children to become successful learners, confident individuals, responsible citizens and effective contributors to society. That includes children and young people who struggle with disabilities. However, inclusive education is still far from being a reality for many young people and children who are struggling.

Enable Scotland held a national conversation about the experiences of young people with learning disabilities. It received more than 800 responses over seven months from people across Scotland. Of the respondents, 60 per cent said that they felt lonely at school, only 49 per cent felt that they were achieving their full potential and 80 per cent of the education workforce believed that we are not getting it right for every child. As a result of those figures, the Scottish Government and Enable Scotland now work more closely together to revisit some of the policies on inclusive education. Enable has come up with 22 detailed recommendations on how to improve the lives of children with learning disabilities.

#IncludED in the Main?! set out to listen: it is now our turn to act. An initiative that welcomes inclusive education involves an array of complex partnerships and dialogues; students, parents, carers and teachers are all involved in creating supportive networks. The solutions and tactics should reflect the diversity of the set of actors who are involved, while creating support for individualised needs, in order to facilitate equal opportunities to participate in society.

The movement towards inclusion has spread to large-scale government. The United Nations Convention on the Rights of the Child abolished segregated education that denies children with

disabilities the right to be part of mainstream schooling. Even though that international recognition is a significant move in the right direction, Scotland will benefit from localised efforts to provide unique opportunities to place inclusive education firmly on the political agenda.

Fife Council, for example, aims to support children's needs for additional support by working closely with their families. Fife Council's priority is for all children to attend their local school and to be successful there, and not to isolate children from their peers. In my constituency of Kirkcaldy, the approach of the new Windmill community campus embodies such inclusion. Integrated into that campus—alongside Viewforth high school, council offices, community-use sport facilities and a public library—is Rosslyn school, which is a state-of-the-art facility that caters for children and young adults aged between 3 and 18 who have complex additional support needs.

The importance of collaborative teaching strategies cannot be overstated. In recognition of that, the Rosslyn school staff work closely with their mainstream colleagues. They do that not only to ensure access and achievement for all, but to enhance the opportunities for all pupils to develop and learn together.

In addition, every school in Fife has a learning support teacher who advises the class teacher on how best to assist children and young people who have additional support needs. The more choices, more chances agenda aims to increase the number of young people above the age of 16 in education, employment or training by encouraging and valuing informal learning in order to help to develop social and employability skills. In addition, active schools co-ordinators offer all children and young people the opportunities and motivation to adopt active healthy lifestyles, now and into adulthood. Such services are also extended to further education; for example, Fife College's equality, diversity and inclusion team aims to develop skills, confidence, motivation, independence and expertise. Each Fife College campus provides one-to-one support.

Inclusion is an on-going process: it is not a fixed state. Wherever learning takes place, all children deserve to be educated together, despite barriers and requirements for additional support. In conclusion, Presiding Officer, I say that I believe that our country values our diverse communities. It is important to promote inclusive learning and education, because communities are formed at school, where young people learn, play and grow together, and learn to live alongside each other.

17:34

Mark Ruskell (Mid Scotland and Fife) (Green): I declare an interest as a councillor and as a father of a child with additional support needs. I thank Graeme Dey for bringing forward this motion for debate here tonight and Enable Scotland, which does fantastic work around the country. I was privileged to attend one of its support focus groups for young people in Stirling several months ago, where I learned about the challenges and barriers that they face in their everyday lives. Thank you for that experience. I learned so much.

Since the early 2000s, all Scottish schools have had a presumption to mainstream, which is a key part of ensuring that education is inclusive and a step towards ensuring that our society is inclusive for people with disabilities.

The law has changed in response to demands and campaigns that have been led by people with disabilities. Their aim is to secure a more equal and inclusive society for us all. However, although the law has changed, it is clear that many barriers remain. There is a presumption to mainstream, but many schools do not always have the resources that they require to meet additional needs, and teachers do not always have access to adequate training on how to teach pupils with a wide spectrum of learning disabilities.

Since 2010, the number of pupils identified with a learning disability has risen by more than a quarter, but over the same period, the number of specialist teachers has declined by one in seven, and the number of specialist assistants has declined by one in 11. We have estimated that it will cost £31 million just to return the numbers of specialist teachers and support staff to their 2010 levels.

Councils have faced years of austerity, which has put intense pressure on wider education budgets that have not been ring fenced. The Scottish Government's latest response—the pupil equity fund—directs resources towards schools in areas of higher deprivation. Although that is much needed and welcome, it does not adequately address learning disabilities and additional support needs. While councils work their way through budget savings, it is hugely important that front-line services are protected, which is why in the budget this year the group of Greens prioritised additional un-ring-fenced funding to enable councils to take the most damaging proposed cuts to education off the table.

Although schools need the resources to hire more specialist teachers, we also need to ensure that all teachers have appropriate training on additional support needs. Enable Scotland found that 98 per cent of the education workforce does

not feel that teacher training adequately prepares them to teach pupils with learning disabilities. It is little wonder that so many pupils feel excluded.

Initial teacher training already sees new teachers take on a huge workload. Often that training is in the form of one-year professional graduate diplomas in education, which can be crammed with university classes and placements. As Enable Scotland highlighted, often not enough time is left for adequate training on additional support needs. Such training is often dependent on whether the teachers who are handling a placement have themselves taught pupils with learning disabilities.

In addition, Enable Scotland highlighted that access to continuing career development can vary significantly from one local authority to another. In fact, just a few weeks ago, the Education and Skills Committee heard that one teacher was told to watch “The Big Bang Theory” to learn about Asperger's syndrome.

We need the mainstreaming of additional support needs in teacher training. All teachers need both the initial training and access to high-quality further training to ensure that we are meeting the educational needs of pupils with learning disabilities and other additional support needs. The Scottish Government needs to take clear action to ensure that our schools are inclusive, and we are open to working with it to make inclusive education a reality.

17:37

Johann Lamont (Glasgow) (Lab): I am very happy to contribute to this important debate, and I congratulate Graeme Dey on securing the debate and affording us the opportunity to explore some of the issues that are important and challenging for families across Scotland. I congratulate Enable Scotland on its important work on supporting people with learning disabilities, and I recognise the work that it has done over many years, alongside other organisations, to challenge attitudes to learning disabilities and insist that services meet the needs of people with learning disabilities as much as they meet the needs of the mainstream community.

This country witnessed a social revolution in the past generation, in which we opened up the long-stay hospitals and ensured that people were defined by their abilities, including their ability to achieve their potential, rather than by a presumption of what they could not do because they had a learning disability. We should all celebrate that social revolution, and we should recognise the importance of proper support for people in our communities, to ensure that they can achieve that potential.

I also congratulate Enable Scotland on its important report, which draws directly on the experiences of young people with learning disabilities and shows the gap between the policy that we all endorse and the reality for too many young people. The idea that a youngster in school can describe themselves as lonely and unable to participate in trips and so on must come as a reality check for us all, and it must give us pause.

The presumption for mainstreaming was a hard-fought-for policy, which I remember well as someone who was in the Parliament in the early days. It was fought for by parents who argued for the importance of an inclusive society in meeting the needs of not only their young people with learning disabilities and other disabilities, but all young people. By ensuring that we live in an inclusive community, all of us can learn, but that needs to be followed through.

Mainstream education is not always the right thing for a young person and we hear, anecdotally, of some families who believe that their young person has been placed in mainstream education, despite it being guaranteed that they will fail, before they are moved on to specialist provision. By that time, they are already damaged and affected by that, so there must be proper assessment of young people's needs.

Without proper support, there is a danger that a mainstream community turns on a child with a disability as if they were the one with the problem and as if everything would be okay if it were not for the fact that children with additional support needs were in the classroom. That is a real danger and it must be resisted at all costs, because an inclusive education benefits all young people.

I recommend that members read the evidence that was taken by the Education and Skills Committee on the challenges that young people with additional support needs face and on the provision for them. Additional support is not an added extra; it is central to ensuring that people achieve their potential in education, and it cannot just be explained away or wished away. It is in the fabric of our education system and, if it is not happening, that needs to be challenged.

It is not enough to say that we care about this issue; we must ensure that budgets follow the policy. There is a consequence to cuts being targeted on local authorities and I ask the minister to respond on that point. We know from the evidence that the committee has taken that cuts to local authority budgets have not meant a reduction in the amount of classroom support and additional support that a school needs to make sure that all young people achieve their potential.

I welcome the report, which is a challenge for us all. In the minister's response, I will look for a

commitment from the Scottish Government to respond in detail to the recommendations of the Enable report, because they give a very important direction to the work that we should be doing over the next period.

17:42

Alexander Burnett (Aberdeenshire West)
(Con): I echo members in congratulating Graeme Dey on securing a debate in Parliament on his motion.

It is important that we note the great work by teachers that is already going on throughout our schools. We must recognise that this is a debate based around how the Scottish Government must support our teachers and allow them to deliver the best inclusive education to everyone.

I welcome the aims of Enable Scotland and its wish to deliver inclusive education. Its 22-step journey is admirable and I support its aims full-heartedly. There have been many good points raised in the debate and, although I agree with them, I am keen not to spend time repeating them.

It is simply not good enough that 80 per cent of the education workforce think that we are not getting it right for every child. I would like to look at how we can fix that statistic and stop failing children who are less fortunate than our own. When faced with such statistics, it is helpful to look around and see where others have got it right and how we might replicate that.

It is always difficult in such a consensual debate not to be repetitive, but I hope that members will be happy to follow me in looking beyond the classroom. The Cairngorms national park, in my constituency, has managed to successfully integrate additional needs groups into the park and we should all be able to learn from that. The national park has some of the most rugged terrain in Britain, which would usually mean no access to those in wheelchairs or unable to walk, and that would be further exclusion for those who are already disadvantaged. However, that is not the case as, over the past 10 years, the Cairngorms national park has invested £7.5 million to improve pathways across the park for those less fortunate. That includes 666 miles of designated core paths that have been made fit for purpose for all.

The park also offers a travel grant to underrepresented groups. The grants were fully subscribed in 2015 and 2016, and they were given to 28 schools and 15 voluntary groups. In addition, the park runs the backbone project, which engages over 2,500 people from marginalised groups through community engagement initiatives. The initiatives include the festival for all that will take place on the Atholl estate on 24 September, if any MSPs are interested in attending.

All those great projects are part of a much larger Cairngorms equality action plan, in which specific targets are made for inclusion in each section of the park. That results in a space where children with additional needs not only feel welcome but are able to participate just like everyone else in a place where they can interact and make friends. We must find a way to transfer the results from the national park into our schools. Unfortunately, the mountains that we must climb are not in the Cairngorms but in our schools.

17:45

Jackie Baillie (Dumbarton) (Lab): I join others in thanking Graeme Dey for bringing this debate to the chamber, and I pay tribute to Enable Scotland for its report, “#IncludED in the Main?!”, and for all the work that it does to advance the rights of people with learning disabilities. As many members may know, I am proud to convene the cross-party group on learning disability. Some members of the group are in the chamber this evening, because we had a cross-party group meeting at lunch time and—surprise, surprise—we talked about the issues thrown up by the report.

The report is a national conversation about life at school. There is no doubt that education has improved considerably, but the interesting thing is that it is 17 years since the presumption to mainstream young people with learning disabilities in education, so we have seen a whole generation go through every stage of education, and the report, reflecting as it does on their lived experience and that of their parents, carers and teachers, is valuable. What their stories and experience tell us, however, is that there is much more to do. For too many young people in our country, inclusive education is still not a reality. Many are still being excluded from classrooms and from opportunities that would enrich their everyday lives. Enable Scotland’s report sets out 22 steps that we can take to make inclusion in education the standard for all Scotland’s young people, but I want to focus on a couple of areas.

The need for specialist staff was touched on by Daniel Johnson. The research that has been undertaken shows us that 98 per cent of teachers feel that they are not adequately prepared, and 86 per cent of classroom teachers said that there is not enough additional support for learning staff in their schools to support young people with learning disabilities. As we have heard from other members, 80 per cent of education staff say that we are not getting it right for every child.

I assure Graeme Dey that I am not saying this to score party-political points, but cuts to education budgets are having an impact. I have had many cases of parents and teachers complaining about the lack of support in the classroom, which has an

impact on their children. I urge the Scottish Government to consider all the recommendations, particularly the ones concerning the education workforce, and to make that central to work going forward. I note Enable Scotland’s call for renewed investment in the role of additional support for learning teachers, and I hope that that will be supported, because it would ensure that that specialist resource is regularly available to all education staff.

I welcome John Swinney’s commitment to guidance on inclusive education. That is critically important. I want inclusive education embedded into every part of the curriculum, and I want us to ensure that the specialist teaching resource is in place to support that too.

Having training and employment for specialist support teachers matters. That will benefit not only the pupils who rely on that kind of support at school but the teachers and education staff who are routinely put under pressure at work, many of them feeling stressed and anxious due to not having the right support to meet the needs of children and young people with learning disabilities.

The need for additional support for learning teachers was highlighted by people in my constituency as part of Enable Scotland’s national conversation, and I want to draw attention to two particular responses, one from a parent in West Dunbartonshire and the other from a teacher in Argyll and Bute. Both stated that they did not believe that proper support for children and young people with learning disabilities was in place. The teacher highlighted that, in Argyll and Bute, all the training for additional support needs had been organised privately and that the local authority had provided no support whatsoever. That clearly is not good enough.

We can do better. We must do better. We owe it to future generations of young people with learning disabilities to make it better. A good start would be for the Government to implement the recommendations in the report.

17:49

The Minister for Further Education, Higher Education and Science (Shirley-Anne Somerville): I thank Graeme Dey for securing the debate, and I thank all the members who have participated in it.

Many members have touched on the fact that the ethos of Scottish education is one of inclusion. Inclusion is the cornerstone to help us to achieve excellence and equity in education for all our children and young people. Scotland has one of the most inclusive systems in Europe for the provision of support in schools. We are proud of

that approach and, as Mr Dey's motion notes, we firmly reject the idea that any child is unable to be educated.

As Jeremy Balfour said, when Enable Scotland was founded 62 years ago, children with learning disabilities did not have an equitable, inclusive experience in education—in fact, it was a challenge for them to receive any education at all. Now, 95 per cent of Scotland's children and young people who have an additional support need are educated in a mainstream school. While being ambitious for the future, it is important to recognise just how far we have come.

The introduction in 2000 of the presumption of mainstreaming gave all children and young people in Scotland the opportunity to be present in a mainstream school. It is important that we build on that to ensure that those with additional support needs are not just present, but are participating and achieving as part of the school community.

Our educationists strive to overcome barriers to learning for all and to ensure that Scotland's children and young people can achieve their full potential. The most recent statistics indicate that there is an improving picture on the qualifications and destinations of children and young people with additional support needs, but despite the progress that has been made, the Government is aware that there is much room for improvement.

Enable Scotland's report “#IncludED in the Main?!” has been an invaluable source of information on the experience of educationists, parents and carers and, perhaps most importantly, the children and young people themselves.

The Scottish Government works closely with Enable Scotland. Jan Savage of Enable Scotland chairs our advisory group on additional support for learning, and Enable is a member of the disabled children and young people advisory group. The organisation is a committed advocate for all with learning disabilities in Scotland. I am clear, as is the Cabinet Secretary for Education and Skills, that where pupils can learn in a mainstream school, they should do so. However, our law on mainstreaming has clear exceptions to enable children and young people to learn through the education provision that best suits their needs. That is in accordance with the duty of education authorities to provide for the needs of each child under the additional support for learning legislation. It also relates to our wider policy of getting it right for every child and ensuring that we tailor our approach to help each and every child to reach their full potential.

The presumption of mainstreaming has ensured that all children and young people have the right to be present in a mainstream school. As I said, the challenge now is to ensure that they participate

and achieve in all aspects of school life. Jeremy Balfour spoke powerfully about that. In that regard, we are starting from a position of strength. We have enshrined the rights of children and young people in legislation, ensuring that they are entitled to receive the support that they need to succeed. In policy, we have put the needs of each and every child and young person at the heart of our approach, and that has led to a commitment to get it right for every child.

Curriculum for excellence is a flexible and adaptive curriculum that allows the needs of every child and young person to be catered for. To help headteachers to consider how to close the attainment gap in the wider context of disadvantage, we are currently finalising national operational guidance that will support headteachers to implement the pupil equity fund; I hope that that addresses the point that Graeme Dey made.

What we now need is clarity on our vision for inclusion and how that vision can be implemented. On 19 May, we will launch a public consultation on fresh guidance on the presumption of mainstreaming. That guidance will assist educationists in making difficult decisions about provision, and it will empower parents to know their rights, and the rights of their child, with regard to placement decisions. It will set out our vision for inclusion in Scotland's schools and will embolden all actors in our education system to be ambitious for each and every child and young person in Scotland.

Some aspects of the discussion will be difficult. As the Enable Scotland report demonstrates, we are not discussing abstract concepts; we are working to improve the wellbeing and the future of individual children and young people, their families and those who provide the education.

This is an emotional debate, and rightly so because there is surely nothing more important than the start that we give our children and young people. One major theme of the Enable report is visibility and accountability, especially as regards how we accept and value difference and how we appreciate and support those who face barriers to learning. This is not just a system issue or a resource issue but a challenge to each and every one of us to examine and challenge our attitudes towards those with additional support needs.

Johann Lamont: I absolutely agree with the minister that it is not just a budget or resource issue and is about attitudes. That is why there has been such a powerful campaign over many years to secure mainstream and inclusive education for those with additional support needs. However, does the minister accept that resources matter and that the evidence that has been given to the Education and Skills Committee is that we are

losing the classroom support, the personal support and the things that make a difference to young people in accessing opportunities in education?

Shirley-Anne Somerville: I do not disagree with Johann Lamont that resources are an issue. I acknowledge that the Scottish Government will look at the Enable report and its recommendations, but I hope that every council will do that, too, because we all have to be responsible for our budgeting decisions. That applies not only to the Scottish Government but to every council that takes budgeting decisions on staffing in the education system.

We also need to remember that we should not expect, and certainly should not be content with, less for our children and young people with additional support needs. That is why accepting and appreciating difference is a crucial lesson for us all to learn, and it is one that we hope our children and young people are now learning in our inclusive education system in Scotland. Just as all of us in the chamber are different—and we are stronger for that—so too are our children and young people. Our diversity is our strength, and growing together, learning together and working together will help us build a more just society. David Torrance put that very well when he talked about communities being built in our schools, and Johann Lamont made the same point.

The debate has been an important opportunity to reflect again on how we can ensure excellence and equity for all our children and young people in Scotland. The voices of children and young people will be our best guide as we take this work forward. The most important thing for the Scottish Government to do is to listen. We will listen to the comments in the Enable report from respondents, and we will carefully consider each of Enable's recommendations. However, we will not be afraid to champion the progress that we have achieved and use it as inspiration for improvement, where we need to improve. The Scottish Government will be a tireless advocate for all Scotland's children and young people and, working alongside partners such as Enable, we will continue to strive for the best possible future for each and every child and young person in Scotland.

I close, as others have done during the debate, by paying tribute to the teachers, the learning support teachers and the support staff who play such a valuable and integral role day in and day out in every school across Scotland.

Meeting closed at 17:57.

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