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Scottish Parliament

Thursday 9 November 2017

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

General Question Time

General Practitioner Shortages (Fife)

1. Dean Lockhart (Mid Scotland and Fife)

(Con): To ask the Scottish Government what action it is taking in response to reported concerns by social workers in Fife regarding health problems being caused as a direct result of GP shortages. (S5O-01405)

The Cabinet Secretary for Health and Sport (Shona Robison): NHS Fife has refuted the claims and stated that it was not aware of any such issues having been raised with the practices concerned or with the health board. It has reported:

“these practices continue to offer the full range of appointments to all patients who need them”.

NHS Fife and the health and social care partnership routinely engage with patients and, of course, have robust processes to deal with any concerns that might be raised.

More widely, the Scottish Government is aware of the pressures that face general practice and is fully committed to supporting a sustainable model now and in the future. That is why we have made additional investment this year of £71.6 million across Scotland in direct support of general practice. The health and social care partnership and NHS Fife are developing a new multidisciplinary-team approach to support general practices. That will include, for example, nurses, pharmacists and physiotherapists working together to transform the way that services are delivered in the community.

Dean Lockhart: This week, it has been revealed that the GP recruitment and retention programme, which was announced in 2015 and has cost over £7.5 million to date, has failed to deliver the required GPs in the NHS Fife area and other areas across the country. When that programme was announced, the Government promised that it would deliver extra GPs for rural and deprived areas, including many areas in Fife. It is clear that it has failed to do so. Will the cabinet secretary please explain why that programme has failed to deliver the GPs that Fife and other areas so badly need?

Shona Robison: The retention and recruitment fund covers a huge number of areas and

initiatives, one of which is about recruiting GPs directly. Many are about building capacity in rural communities. That rather begs the question: would the Tories prefer that we had not started those initiatives? Everything possible is being done to recruit GPs; perhaps undermining of those programmes by the Tories does not really help matters.

Let me tell Dean Lockhart about some of the areas that the fund covers. It has, for example, delivered a GP enhanced returner and induction scheme; the Scottish rural medicine collaborative; the NHS Forth Valley stressed-practice pilot and supported induction programme; the deep-end pioneer scheme in Glasgow; NHS Ayrshire and Arran’s GP early-career posts; the NHS Borders GP recruitment, retention and return project; the NHS Lanarkshire recruitment, retention and return project; the NHS Lothian wisedocs initiative, GP early-career fellow posts and a local marketing campaign; general practice specialty training bursaries; the development of a national GP recruitment website by NHS National Services Scotland; the Royal College of General Practitioners’ recruitment programme; the NSS primary care workforce survey; the NHS Education for Scotland broad-based training pilot—

The Presiding Officer (Ken Macintosh): Okay, cabinet secretary. You have made the point very well.

Shona Robison: —NHS Shetland “promote Shetland” GP recruitment, retention and motivation campaign; the island-wide practice initiative on Mull and Iona; NHS Shetland’s supporting GP trainees in practice work; and, finally, NHS Shetland advanced nurse practitioner prescribing training.

Surely the Tories accept that those are good things to do. Maybe for once, they could congratulate the Government on the initiatives that are being undertaken in order to recruit and retain GPs in Scotland.

The Presiding Officer: The cabinet secretary made her point very well. I wonder whether she could be briefer in subsequent answers.

Clare Haughey (Rutherglen) (SNP): Does the cabinet secretary welcome the fact that Jeremy Hunt is now following the Scottish Government’s lead in announcing that a national workforce plan will be developed for NHS England?

Shona Robison: It is interesting that, after all that we have heard about national workforce planning from certain quarters in the chamber, Jeremy Hunt is finally getting round to developing his own workforce plan for NHS England. I record that I am happy to help Jeremy Hunt with development of that national workforce plan—in fact, we will offer to share with him the work that

we have undertaken in developing and delivering our national workforce plan. Perhaps the Tories will reflect on the fact that they need to get their own house in order before they come here and tell us what to do.

Neil Findlay (Lothian) (Lab): I have a straight question that requires a straight answer: how many additional GPs have been recruited in Lothian as a result of the £2 million fund?

Shona Robison: As I outlined in my initial answer, three projects have been funded in NHS Lothian. It is early days for such projects—many are in their very early stages. In Lothian, the wisedocs scheme, the GP early-career fellow posts initiative and the local marketing campaign have spent £115,000 in total over two years. Those projects are at an early stage, but we expect all of them to come to fruition over the next few months to deliver what is required. Neil Findlay will be aware of the other initiatives that are being taken to try to recruit and retain GPs in some of the hard-pressed areas in his constituency. He should be assured that the Government and NHS Lothian are making every effort to recruit and retain GPs in his area.

Equality and Human Rights (Older People)

2. **Jeremy Balfour (Lothian) (Con):** To ask the Scottish Government what its position is on equality and human rights for older people. (S5O-01406)

The Minister for Social Security (Jeane Freeman): Older people are a huge asset to Scotland. We are committed to working with others to promote and protect older people's equality and human rights and to empower them so that they continue contributing to Scotland's communities.

Jeremy Balfour: Will the Scottish Government use the Social Security (Scotland) Bill to replace, for people over 65, attendance allowance with the personal independence payment? Does the cabinet secretary agree that attendance allowance is discriminatory against older people and their human rights?

Jeane Freeman: I suggest that the best way to improve benefits for our older citizens is for our colleagues in the Conservatives to put significant pressure on their UK Government colleagues to address those discriminatory practices and thereby to ensure that the funding that is transferred to the Scottish Government is adequate for doing the things that Conservative members now press us to do.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I might declare an interest as an older person, given some of the looks that I am getting.

Richard Lyle (Uddingston and Bellshill) (SNP): No—never.

Christine Grahame: Thank you.

Is the minister aware that, over the 15 years since the introduction of free personal care in 2002, the UK Treasury has retained £600 million in attendance allowance? Does she agree that Jeremy Balfour and the Conservatives should demand not only that that practice cease, but that we be repaid the £600 million that the Treasury has kept from Scotland's older people?

Jeane Freeman: Ms Graham has just made my previous point for me very well. I should say that it is not entirely at the hand of the current UK Government that that money has been taken from the Scottish budget and therefore from older people in Scotland, because it was a previous UK Government that initiated the practice. However, it is open to the current UK Government to address that wrong and to provide us with the guarantee that we have sought but have not yet received, that our intention to increase provision for under-65s—an intention that I think was welcomed across Parliament—will not impact on those individuals' benefits or on the Scottish Government's budget.

Year of History, Heritage and Archaeology (Scottish Witch Trials)

3. **Ruth Maguire (Cunninghame South) (SNP):** To ask the Scottish Government what it is doing to mark the Scottish witch trials during the year of history, heritage and archaeology 2017. (S5O-01407)

The Minister for International Development and Europe (Dr Alasdair Allan): The year of history, heritage and archaeology has provided a range of exciting events and activities during 2017, celebrating our traditional music, our storytelling, our world-renowned historic collections and our heroes. The year has been very well received, but a full evaluation of its success will be carried out. There are no plans to mark the Scottish witch trials during the remainder of the year, but we recognise the significance of that episode in Scottish history.

Ruth Maguire: I note that 2017 marks the 420th anniversary of the great witch hunt of Scotland. The minister will be aware of the calls for memorials to be erected to mark the deaths of the thousands of women who were brutally tortured and murdered during the Scottish witch trials. Does he agree that the current lack of recognition is representative of a wider dearth of visible monuments to Scotland's women? Does he support the efforts of those who are striving to raise awareness of that significant period in Scotland's history?

Dr Allan: Although we do not maintain a register of existing statues and memorials, it is fair to say that women are almost certainly underrepresented in those that we have. Historic Environment Scotland runs a commemorative plaque scheme to celebrate the achievements of figures in our history, and I am particularly pleased to note that half of this year's successful nominations were for women.

Rachael Hamilton (Etrick, Roxburgh and Berwickshire) (Con): Although the Henry Wellcome library in London has digitised and made available online its witchcraft collection regarding the Scottish regions, will the minister join me in asking it to consider a Scottish tour of that material?

Dr Allan: Although it is certainly not up to me to make decisions, curatorial or otherwise, about what exhibitions are held, it is fair and reasonable for us all to recognise the tragedy that took place at that point in our history and to recognise any attempt to commemorate it throughout Scotland.

Migration Advisory Committee

4. **Linda Fabiani (East Kilbride) (SNP):** To ask the Scottish Government what discussions it has had with the Migration Advisory Committee. (S5O-01408)

The Minister for International Development and Europe (Dr Alasdair Allan): This week, we published our response to the Migration Advisory Committee's call for evidence on the economic and social impacts on the United Kingdom labour market of the UK's exit from the European Union. While developing our response, Scottish Government officials met the chair and secretariat of the committee. Officials welcomed the committee's intention to look at regional systems of immigration and made clear the importance of stakeholder engagement in Scotland to ensure that Scotland's interests are represented in the committee's work. My officials will continue to engage with the committee as appropriate to set out the evidence for an immigration system that meets Scotland's specific immigration needs.

Linda Fabiani: I ask the minister to impress on Westminster colleagues—and to ask Scottish officials to impress on them—that Scotland has very different needs when it comes to immigration, all the way through our country and our systems. That has been recognised not just by the Scottish Affairs Committee but by committees of the Scottish Parliament and, I understand, by the vast majority of MSPs. Can it be put to the Migration Advisory Committee in no uncertain terms that Scotland's voice needs to be heard in this regard?

Dr Allan: I was in committee this morning making some of those very points. It is important

to recognise that Scotland faces a different migration need from the rest of the UK. In the UK, 50 per cent or thereabouts of population growth in the next 25 years will come from people coming from other countries, but it is important to note that 100 per cent of Scotland's population growth in the next 25 years will come about as a result of the fact that we are open to people from other European countries living here. We should recognise that, and the UK should recognise it in the policy that it allows Scotland to have on migration.

Richard Lochhead (Moray) (SNP): The minister will be aware that there is a shortage of teachers in Moray, as I raised that with him in committee this morning. I am aware of two young teachers who were born overseas who wish to work in Moray schools but cannot get visas. Is that something that the Scottish Government could intervene on and move forward?

Dr Allan: Although the Scottish Government has no say over who gets a visa, we have raised many times—and I am happy to continue to raise—the UK's unhelpful policy on this and many other aspects of migration. It seems to be driven by the very unhelpful net migration target that it has set itself with absolutely no regard for the skills and workforce shortages that exist in Scotland or its migration needs as a country.

Social Housing (Accessibility)

5. **Pauline McNeill (Glasgow) (Lab):** To ask the Scottish Government what action it is taking to ensure that there is an adequate supply of ground floor properties in the social housing sector for people with accessibility needs. (S5O-01409)

The Minister for Local Government and Housing (Kevin Stewart): All local authorities have a statutory requirement to produce a local housing strategy that is supported by an assessment of housing provision and related services, which is known as a housing need and demand assessment. The local housing strategy sets out the priorities and plans for the delivery of housing and housing-related services within the local authority's area, including for those with additional accessibility requirements.

The delivery of affordable homes to meet specialist provision is important to achieving this Government's desired housing outcomes, as evidenced in "A Fairer Scotland for Disabled People—Our Delivery Plan to 2021 for the United Nations Convention on the Rights of Persons with Disabilities". The plan states that we will work with local authorities, disabled people and other stakeholders to ensure that every council sets a realistic target within its local housing strategy for the delivery of wheelchair-accessible housing

across all tenures and reports annually on progress.

Pauline McNeill: According to Inclusion Scotland, 14 per cent of households in Scotland include someone who uses a wheelchair or a mobility aid, yet only 0.7 per cent of local authority homes and 1.5 per cent of housing association homes are accessible to wheelchairs. There are an estimated 17,000 affected wheelchair users in Scotland.

The Presiding Officer: Question, please.

Pauline McNeill: I am struck by the number of people who come to my surgery who for health reasons are unable to do everyday things easily because they are trapped in their homes—I am sure that I am not alone in that. Will the minister consider an aspirational target of 10 per cent of new stock being wheelchair accessible? At the very least, will he assure me that he will be proactive in encouraging more new-build properties to be accessible?

Kevin Stewart: I assure Pauline McNeill that I will be proactive in that area. Since this Government came to power in 2007, we have seen an increase in the amount of homes that are specifically designed for wheelchair users. I have had the great privilege in recent times of going to new developments across the country and seeing wheelchair-accessible houses that are new on stream, including the developments by Glen Oaks in Arden in Glasgow and by Blackwood in Dundee.

I understand Ms McNeill's aspirational figure, which Glasgow has used in its housing strategy. However, the Government has asked for more details on how that percentage was arrived at and how it will be achieved. She can be assured that I will keep a very close eye on that. Ms Freeman has been robust in dealing with those matters, and I continue to encourage all local authorities and housing associations to take due cognisance of the need and demand assessments in their areas.

NHS Grampian (Funding)

6. Mike Rumbles (North East Scotland) (LD): To ask the Scottish Government, in light of the reported funding problems that are faced by NHS Grampian, what its position is on whether providing the lowest funding share of the national average, per head of population, meets its priorities for healthcare in the north-east. (S5O-01410)

The Cabinet Secretary for Health and Sport (Shona Robison): Population level is only one of the range of factors that are taken into account when allocating funding to national health service boards. Other factors include, for example, relative deprivation.

NHS Grampian has received an additional £16.2 million in 2017-18, which is an increase of 1.8 per cent that brings the board's overall funding to £898.6 million and within 1 per cent of its target share of funding in line with the NHS Scotland resource allocation committee formula. Since 2015-16, NHS Grampian has received additional funding of £47 million for the specific purpose of accelerating NRAC parity.

In furthering the Scottish Government's priorities for healthcare, I also recently announced a new collaborative group to transform scheduled care and put services on a sustainable footing, and I look forward to NHS Grampian engaging in that.

Mike Rumbles: Is the cabinet secretary aware that, according to the Scottish Parliament information centre, over the past 10 years, Grampian NHS Board has been underfunded against the Scottish Government's own target—never mind that fact that it has the lowest share of the national average—by £165 million? The cabinet secretary's response is that it has had £16 million, or up to £47 million, to redress the balance; are my constituents in the north-east supposed to be grateful for that?

Shona Robison: The NRAC formula is specifically designed to distribute funding equitably across all communities, including deprived communities. NHS Grampian is within 1 per cent of parity. As I said in my initial answer, it has received £47 million for the specific purpose of accelerating that NRAC parity, and it has received a £3 million share of the £50 million additional funding to enable it to tackle some of the waiting times challenges that it currently has.

Alexander Burnett (Aberdeenshire West) (Con): I have recently been contacted by constituents who are concerned about the lack of mental health facilities for those with eating disorders in the NHS Grampian area. Will the cabinet secretary give her reassurance to those suffering from such conditions that they will not be disproportionately affected, despite being in the lowest-funded region, and that more support will be given to NHS Grampian to support sufferers and their families?

Shona Robison: I visited the eating disorders unit in Aberdeen, which is an important specialist service. I am happy to write to the member with more details about the eating disorder issues that he raises.

First Minister's Question Time

12:00

Police Scotland (Emergency Call Handling)

1. Ruth Davidson (Edinburgh Central) (Con):

We all recognise the work that is done by hard-pressed staff who answer 999 calls, but this week we heard more evidence of things going tragically wrong. Elizabeth Bowe called 999 to report a domestic abuse situation. Eighty-four minutes later, she had been murdered in cold blood by her brother, yet the control room had told her that they were refusing to send officers to her house. We know that the incident is not isolated, and the question that people are asking is: how many more times will a call for help go unheeded before the situation in our emergency control rooms is sorted out?

The First Minister (Nicola Sturgeon): This is an extremely serious issue and involves an extremely serious case. The first thing that I want to do is to convey my heartfelt thoughts and sympathies to the family of Elizabeth Bowe. It was a tragic incident. Police Scotland has rightly offered an apology to the family for its handling of the initial call that was made. It is beyond doubt that there were significant failings and that Police Scotland went outwith its own procedures for dealing with that type of call. In other words, Police Scotland did not provide the response that was expected. That is not acceptable, and it is crucial that the police service learns lessons from that.

On Ruth Davidson's wider question, significant improvements have been made to police call handling. That is not just my view; we know from the update report published by Her Majesty's inspectorate of constabulary in Scotland earlier this year that that is also the view of the inspectorate. Following another tragic case, a review of call handling was carried out and published in November 2015, so a number of improvements have been made, and it is vital that the police continue to make those improvements.

Indeed, since the incident that Ruth Davidson raised today, further action has been taken. For example, the police have rolled out risk and vulnerability training to more than 800 staff; further guidance has been issued to all control room staff in relation to the regrading and closing of incidents; and a national quality assurance unit for police call handling has also been established.

The case that Ruth Davidson raises was tragic and unacceptable, and nothing that I say today is intended to detract from the seriousness of that, but it is simply not the case that significant improvements to call handling are not being or

have not been made, and it is important that lessons from such cases continue to be learned.

Ruth Davidson: The First Minister points to the assurance review by Her Majesty's inspectorate of constabulary in Scotland—which was done in January this year, in her Government's defence—but let me run through some of the 200 incidents from the past year that we have uncovered, mostly since that report was made. In one case, a suicidal man was told to hang up. In another, two separate call handlers failed to record a report of a dead body in a house. In another, a couple rang 999 to report that their front door was being kicked in, but did not get any help because, first, the wrong address was written down and, secondly, police officers were not even dispatched. That is the reality of what is happening right now. Does that sound to the First Minister like a system that is functioning well yet?

The First Minister: Every single one of the incidents that have been cited by Ruth Davidson today is serious and unacceptable. As I said in my initial answer, I do not want anybody to hear anything that I say today as detracting from the seriousness and unacceptability of those incidents.

However, it is also important to put the situation in context. Ruth Davidson has cited the figure of 200 incidents. As I said, that figure is completely unacceptable, but Police Scotland handles 2.6 million calls every year. I will quote what Derek Penman, the chief inspector of constabulary, said on this very issue when he appeared earlier this year before the Justice Sub-Committee on Policing:

"We must realise that there will always be risks and things will always happen. Some people fail to accept that, but we need to recognise that improvements have been made and that there is no crisis in police call handling."—*[Official Report, Justice Sub-Committee on Policing, 23 February 2017; c 13.]*

I am very clear that one incident of the type that Ruth Davidson has cited is one too many and that lessons must be learned from all those incidents, as lessons will be learned from the one that the Police Investigations and Review Commissioner reported on this week. However, we also need to recognise the number of calls that are handled and use that as context; and recognise, as has been recognised by HM inspectorate of constabulary, the significant improvements that have been made. The responsibility of the police, overseen by the Scottish Police Authority and with the ultimate accountability of this Government, is to continue to make sure that those improvements are made and that all lessons are learned when they need to be learned.

Ruth Davidson: We keep hearing that things are getting better, but time and again members of

this chamber are raising concerns about how the centralisation of our police force has been administered and time and again the Cabinet Secretary for Justice brushes those concerns aside and insists that the rushed closure of control rooms under his watch is safe. However, incidents such as those I have just read out are continuing and the problems—in part of this Government's making—are still live. The public have a right to expect better. The justice secretary claims that he is on top of this. Does the First Minister share his confidence?

The First Minister: Ruth Davidson, to her credit, is raising a significantly important issue that is of concern to the public across Scotland. I do, however, think that she risks doing herself a bit of a disservice in how she is characterising the approach of both the police and the Government. It is simply not true or fair to say that the Government or the justice secretary has ever brushed aside concerns of the nature that have been raised. Indeed, it was the justice secretary who commissioned the investigation and report on call handling that HM inspectorate of constabulary carried out and published in November 2015, the update report of which we have referred to and was published in January this year.

It is also not just me or, indeed, the justice secretary who is saying that significant improvements have been made, because that is also the view of HM inspectorate of constabulary. The vast majority of the recommendations that were made in the original report have already been implemented. Significant actions, some of which I have already narrated today, have been taken to strengthen the call-handling processes and ensure that the whole process is of the quality that people deserve.

However, I will never ever stand here and say anything other than that the type of cases that we heard reported this week or that Ruth Davidson has quoted in the chamber are anything other than completely unacceptable. In accepting that, though, it would be equally wrong for me somehow to say that no improvements have been made, and it is wrong for Ruth Davidson to say that, because it is not the case. Significant improvements have been made and will continue to be made, and all lessons that are required to be learned absolutely will be learned.

Ruth Davidson: The issues that I am citing have happened since that report was published. So, this is not an issue that has been resolved: it is still on-going. All of us in this chamber were promised that taking control rooms out of local areas would not result in a loss of local knowledge, but I will cite some more cases from this year: a woman threatened by her ex-partner who did not get a response from the police

because they were sent to the wrong address; a man threatened with a knife, and police were sent to the right flat in the right street but in the wrong town; and a caller who rang as their mother and niece were being assaulted but, again, the police were sent to the wrong location.

The justice secretary promised that if performance dropped at any of Police Scotland's call-handling centres, there would be "rapid intervention". He made that promise two years ago, but we are still seeing hundreds of serious incidents. Can the First Minister look those families in the eye and say that her Government has lived up to its promise?

The First Minister: I would say to any family who has experienced the kind of experiences that Ruth Davidson has cited today that that is completely unacceptable. There is no dispute between Ruth Davidson and me on that fact.

As First Minister, I would like nothing better than to stand here and be able to give an absolute categorical guarantee that, in a police system that handles 2.6 million calls every year, nothing will ever go wrong, but no country on the face of this planet has a Government that can stand up and give such a categorical guarantee. However, we will continue to take all appropriate and necessary steps to make sure that the system that is in place is as robust as possible.

The point that I am making is that significant steps have been taken that have led to significant improvements since the 2015 report. If it was only me standing here saying that, I guess that the scepticism that Ruth Davidson is articulating might have more justification, but HM inspectorate of constabulary is also saying that significant improvements have been made, and it has made the point that, given the volume of calls, there will, unfortunately—and this is of deep regret to everybody—be cases in which things go wrong.

Our duty is to try to make sure that that risk is minimised as much as possible, and that is what we will do. The lessons will continue to be learned and we will continue to give our police service the support that it needs to make sure that the public have assurances that the call-handling arrangements that are in place are robust.

I have already quoted HM chief inspector; let me quote Niven Rennie, who used to be the president of the Association of Scottish Police Superintendents, who said recently:

"I do know that police receive loads and loads of calls, millions of calls a year. The vast majority of them are answered extremely well, very professionally".

I recognise that sometimes things will go wrong. Our duty is to make sure that we act in any case in which that happens so that all appropriate lessons are learned. That is what we will continue to do.

Sexual Harassment

2. **Jackie Baillie (Dumbarton) (Lab):** Will the First Minister join me in commending the bravery and courage of all those who have come forward to speak about sexual harassment?

The First Minister (Nicola Sturgeon): Yes, absolutely. I join Jackie Baillie in doing that.

Many organisations, all political parties, this Parliament and other Parliaments have had to confront some very difficult situations in recent days, but it is absolutely right and proper that we have been prepared to do so. These are not easy situations, but the priority for all of us in this is to encourage women to come forward and to make sure that, when they do so, the environment that is provided for them is as supportive as possible, that they have confidence that they will be listened to and believed and that any concerns or complaints that they bring forward will be robustly investigated. The situation has led all of us to look afresh at our procedures and tighten them. I know that my party has done that and that the Scottish Parliament is doing likewise. We should pay tribute to women who come forward and encourage others to do so if they want to.

Jackie Baillie: I agree with the First Minister on that point. It takes incredible bravery to speak out about harassment, especially because it is often a woman who has to report the behaviour of a man in a position of power. A helpline is a welcome first step, but it is pointless if it does not ring, and it will not ring if victims do not see that allegations that are made are then investigated transparently. An absence of complaints does not mean an absence of harassment.

Our response needs to go further, because we know that apologies are not always enough. Will the First Minister tell us what changes she wants to see in the Parliament to create that safe space in which people can speak out?

The First Minister: That is not just a matter for me; it is a matter for the Parliament collectively. I met the Presiding Officer and representatives of other parties last week, and we talked about the changes in procedures that the Parliament should make. At that meeting, I made the point—which I have made publicly—that changes in procedures are necessary and important but it is the underlying culture that allows some men—I stress that it is only some, but it is predominantly men—to behave in a way that leads to women feeling the way that many have felt, so we have to change the underlying culture. Last week in the chamber, John Swinney rightly said that it was for all men to reflect on their behaviour and I reiterate that point.

I stress, before the Presiding Officer points it out to me, that the Parliament's procedures are not a matter for me as the First Minister but a matter for

Parliament. The situation of there being no women on the Scottish Parliamentary Corporate Body is unacceptable and will have to be addressed and resolved by the Parliament. We, as a Parliament, are about to consider legislation about gender balance on public bodies, and the Parliament has a duty to lead by example. That is a matter for the whole Parliament to address, but I think that I am making my views on the issue pretty clear.

Jackie Baillie: Again, there is much on which I agree with the First Minister, but we all know that a woman will not speak out if she thinks that she will be ignored, if the man's behaviour goes unchallenged or if it is simply excused as a joke.

This should be a watershed moment. This is our opportunity to tackle sexual harassment in our Parliament, in our country and in our society, and the Scottish Parliament must lead the way. It does not matter whether we are back benchers or ministers, or whether it is at Holyrood or Westminster; sexual harassment needs to be challenged, and challenged transparently.

If the standard of someone's behaviour is not good enough for them to remain a minister, how can it be good enough for a member of the Scottish Parliament?

The First Minister: Jackie Baillie is referring to the situation with Mark McDonald. He did what John Swinney asked all men to do last week: he reflected on his behaviour. He came to the conclusion that that behaviour—whatever he might have thought of it at the time—was not appropriate and, in my view, he did the right thing in resigning.

I want to be clear that that behaviour was to do with language and not physical conduct. Although I think that it justified the step that Mark McDonald took, I want to make it clear that it was not language that would come anywhere close to requiring to be referred to the police. That context is important.

I agree 100 per cent with Jackie Baillie's point that women will not be encouraged to come forward if they do not believe that they will be taken seriously, if the behaviour that they are complaining about will simply be dismissed or if they feel that they will be ignored. However, there is another issue, which is particularly relevant to and difficult for politics. Women might also be discouraged from coming forward if they think that, the moment they do, every aspect of their concern will be all over the media. In that situation, we might unintentionally give politicians more protection than we give others in society, and that is not what any of us wants to do.

The supportive environment that we want to create for women who come forward must involve respecting the confidentiality and privacy around the issues that those women are raising. That will

sometimes mean that we have to find balances that are not always easy for those of us who stand up in Parliaments to explain the situation. None of this is easy, but we must make sure that we provide the right environment for women. I want every woman who has had any experience of this nature and wants to come forward to feel that she can do that in the right way and get all the support, including confidentiality, that she requires.

The Presiding Officer (Ken Macintosh): I will take a couple of constituency supplementary questions. The first is from Alexander Stewart.

Flaring (Fife)

Alexander Stewart (Mid Scotland and Fife) (Con): Flaring at Mossmorran has been causing anger, distress and upset among many Fife residents in my region. The flare, which lights up the sky with a pulsating glow, can be seen from as far away as Angus. The night sky has been turned to daylight in areas of Cowdenbeath and Kelty, causing anxiety, sleeplessness and distress. Day after day, residents have had to endure noise pollution and vibration, to say nothing of the impact on air quality and the environment.

Will the First Minister take affirmative action to hold Exxon Mobil to account over its unannounced flaring and give my constituents proper answers after months of worry and a lack of updates?

The First Minister (Nicola Sturgeon): I understand the issue that the member raises and have a great deal of sympathy with the concerns that the public is expressing about the situation. As with all similar issues, concerns about accountability must be taken seriously.

The regulatory body, the Scottish Environment Protection Agency, is closely engaged on the issue. It is looking into it and I understand that it is also engaging with the local population.

I will ask the environment secretary to write to the member to update him on the action that is being taken and the investigations that are under way at SEPA. It is a serious matter that must be properly and transparently resolved.

Kirsty Maxwell (Support)

Alison Johnstone (Lothian) (Green): What action is the Scottish Government taking to support Adam Maxwell, who has barely slept since the death of his wife Kirsty, in Benidorm in April this year, as he and Kirsty's family press for a full investigation into the circumstances of this tragic loss?

The First Minister (Nicola Sturgeon): I offer my sincere condolences to Mr Maxwell and all of Kirsty's family on their tragic loss. It is impossible for any of us to imagine what Mr Maxwell and his

family are going through at this time, but they should know that my thoughts and the thoughts of everyone across the Parliament are with them.

The justice secretary met the family in September, to listen to their concerns. I understand that the investigation by the Spanish authorities into the circumstances surrounding Kirsty's death is on-going and that Police Scotland officers continue to offer support to the Spanish authorities. I give Alison Johnstone the assurance that Police Scotland will continue to liaise closely with the family and will interview any potential witnesses who reside in Scotland. The family deserves answers about what happened to their loved one, and the police in Scotland will do everything that they can to make sure that they get those answers.

VG Energy

Brian Whittle (South Scotland) (Con): Following the sudden decision by VG Energy in Galston to go into liquidation, what action will the Scottish Government take to support the firm's 39 members of staff?

The First Minister (Nicola Sturgeon): This will be an extremely difficult time for the staff of the company concerned. As is always the case in such situations, the Scottish Government will liaise with the company to see whether there are any ways in which employment can be protected. However, partnership action for continuing employment—PACE—which is our approach to supporting people who face redundancy, will also be fully engaged, if it is not engaged already, in offering appropriate support to those who are affected. I am sure that the employment secretary will be happy to discuss the situation further with the member if there are any other issues that he wishes to raise.

Bilston Glen Call Centre

3. **Willie Rennie (North East Fife) (LD):** I am sure that the First Minister will join me in wishing a speedy recovery to the police officer who was stabbed at Edinburgh College on Monday. We all stand together in appreciation of his service and his duty.

The case of Elizabeth Bowe, who was from my constituency, is deeply troubling. Since the recent centralisation of the call centres, I have raised such issues repeatedly. It is reasonable to ask such questions, because Bilston Glen call centre was at the centre of the M9 crash tragedy, in which two victims were left dying at the side of the motorway for days because of a shortage of experienced call handlers.

In this particular case, the Police Investigations and Review Commissioner has recommended that

there should be additional training. Will the First Minister give members a guarantee that all the staff at Bilston Glen have the appropriate experience, and that the staff who were involved in this individual case have the appropriate experience, too?

The First Minister (Nicola Sturgeon): I join the member in wishing well the police officer who was stabbed earlier this week. We wish him a speedy recovery. That incident is a reminder of the risks that our police officers take each day as they work hard to keep us safe.

It is entirely reasonable and legitimate for questions such as Willie Rennie's to be raised, and he has raised the issues over a period of time, which is to his credit.

On the Elizabeth Bowe case, about which I have already had exchanges with Ruth Davidson, I give an assurance that all the recommendations in the PIRC report will be taken forward and implemented by Police Scotland. I will not go into detail on the specifics with regard to individual officers, but I am happy to ask the Cabinet Secretary for Justice to write to Willie Rennie if he wishes to have more detail.

As I said earlier in response to Ruth Davidson, Police Scotland has already taken action to deliver risk and vulnerability training to more than 800 staff, and that process will continue. That training is about helping staff to better identify and assess risk, and to capture all relevant information on calls. We will continue to ensure that everything that requires to be done following those cases is done. As First Minister, I will continue to pay close attention to the issue, and the Cabinet Secretary for Justice will continue to be engaged with the issues on an on-going basis.

Willie Rennie: I would appreciate a more detailed response from the Cabinet Secretary for Justice on the case, because it is particularly important to understand the level of experience of the staff at Bilston Glen.

It is disturbing that the M9 crash happened more than two years ago, yet the family have still not had the fatal accident inquiry that was promised to them at the time. We need to understand what needs to be done in order for improvements to be made. There are still questions about the underlying reasons for what went wrong in St Andrews and we still do not know what exactly went wrong on the M9. Can the First Minister give a guarantee that we will be told, before another tragedy happens?

The First Minister: First, on the fatal accident inquiry, I absolutely understand the desire of the family in that case to have all the answers to their questions. It is important that I make it clear that, as Willie Rennie knows, decisions about fatal

accident inquiries are not for me as First Minister or indeed for the Cabinet Secretary for Justice; they are for the Crown Office. I am sure that the Lord Advocate would be more than willing to update Willie Rennie on the decision making on a fatal accident inquiry in that case.

I want to make it clear, as I did to Ruth Davidson, for the benefit of not just those of us in the chamber but the wider public, that there is no sense, in any of these cases, in waiting until fatal accident inquiries before action is taken to learn lessons and address any failings that have been identified. The work of Her Majesty's inspectorate of constabulary and the PIRC is hugely important in that regard.

I repeat what I said to Ruth Davidson. I stress that I do not seek in any way to diminish the seriousness of these cases, but significant lessons have been learned, significant improvements have been made—that has been recognised by the inspectorate—and we will continue to ensure that that is the case in all cases and that whatever action requires to be taken is taken.

Support for Veterans

Bruce Crawford (Stirling) (SNP): In this important week in the run-up to remembrance Sunday, I ask the First Minister to outline what support the Scottish Government provides for veterans to make the transition from military to civilian life. My constituency, Stirling, has a long and proud connection with the military and I am sure that veterans across Scotland will be interested to hear the First Minister's response.

The First Minister (Nicola Sturgeon): As we approach remembrance Sunday, the interests and sacrifices of our armed services and indeed our veterans are very much at the forefront of our minds. Last year, the Scottish Government published a summary of our work to support our armed forces community in Scotland. Next week, the veterans minister will update Parliament fully on that. Since 2008, we have invested more than £1 million through the Scottish veterans fund to support more than 140 projects across Scotland that provide valuable housing, health and employment support for veterans. We have also established a veterans employability group to lead work in that area. This year, we committed £5 million to ensure that veterans in receipt of social care receive the full value of their war pensions. Although transition issues are reserved, we will continue to give veterans across Scotland the support that they deserve.

All year round, but particularly at this time of year, all of us recognise that nothing that we can do of that nature will ever repay fully the debt of gratitude that we owe to our armed services and veterans community.

Wind Farms

Graeme Dey (Angus South) (SNP): While the legal obstacle to the development of four offshore wind farms in the Firths of Forth and Tay has now been removed, three of the proposed developments, including Inch Cape off the Angus coast, still require contract for difference support to proceed. In this, offshore wind week, will the First Minister join me in encouraging the United Kingdom Government to provide such backing and ensure that we are able to take a significant step forward on renewable electricity generation and meeting our climate change obligations?

The First Minister (Nicola Sturgeon): I absolutely agree with Graeme Dey. The Beatrice project is now well under construction, to be followed by Neart na Gaoithe and Moray wind farms in the coming years. Together, those projects will provide 2GW of renewable energy plus huge economic benefits for the entire country. The UK Government has committed to a third contract for difference auction in spring 2019, which will provide an opportunity for the remaining projects in the Forth and Tay to secure a contract that will build on the momentum to deliver a sustainable and inclusive economy for Scotland. We are absolutely committed to protecting our marine environment, which is threatened by climate change, and we all need to play our part in tackling that global challenge.

It is widely recognised that Scotland is a world leader in this field and we want to make sure that the support is there to ensure that we can continue to be so.

Tax Avoidance Measures

4. Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): To ask the First Minister what measures the Scottish Government can put in place to curtail tax avoidance. (S5F-01688)

The First Minister (Nicola Sturgeon): Unfortunately, the Scottish Government only has power to directly tackle tax avoidance in relation to two fully devolved taxes—land and buildings transaction tax and the Scottish landfill tax. We take a simple, clear and very robust approach. We have a general anti-avoidance rule that is wider than the corresponding United Kingdom rule. It allows Revenue Scotland to take action against tax avoidance arrangements considered to be artificial, even if they otherwise operate within the law.

Following recent reports about the use of offshore tax havens, the Cabinet Secretary for Finance and the Constitution has written to the Chancellor of the Exchequer to seek urgent reassurance that the United Kingdom Government

will now take the issue of tax avoidance seriously, and to demand that concrete action is now taken.

Christine Grahame: I thank the First Minister for her answer and particularly for the steps that the Scottish Government is taking to reduce tax avoidance.

Does she share my disgust, particularly at those who have been disclosed in the paradise papers whose salaries are paid by the public, such as Fiona and Martin Delany and Paddy Houlihan, who are actors in the hit show, “Mrs Brown’s Boys”, who have their wages paid by the BBC and funded by the licence payers, and who are squirreling away some £2 million offshore to avoid income tax? Does she agree that they should consider disbarring themselves from using, for example, any health service across the UK, which they obviously do not want to pay for—or would they not like that script?

The First Minister: I think that Christine Grahame is right, and I am sure that the anger that underlies her question is shared by the vast majority of people across the UK. People should pay the taxes that they are due to pay.

Paying tax is the collective duty that we have, to ensure that we have public services that are there for all of us when we need them. The taxes that we pay provide our national health service and our education system, and they provide the infrastructure and the other support that our businesses need if they are to prosper and thrive. When somebody does something that is about not paying full tax, such as putting money into an offshore haven, they are depriving those public services of the money on which they rely. That is wrong.

According to HM Revenue and Customs estimates, the Treasury lost out on £6.9 billion through evasion and avoidance in 2015-16, and £1.7 billion of that was down to tax avoidance. For individuals and businesses, tax contributions should be a matter not of what they can get away with but of respecting the spirit of the law and paying a fair contribution.

That is my message to individuals; my message to the UK Government is that it is within its power to crack down on some of this stuff, and it is a matter of regret and shame that it has not done so. I hope that we will now see action, before the next set of papers is released, no doubt some time in the future.

Murdo Fraser (Mid Scotland and Fife) (Con): I accept that there is always much more to do to clamp down on tax avoidance and evasion, but will the First Minister acknowledge that the tax gap in the UK, at 6 per cent, is the lowest that it has ever been and is among the lowest in the world?

On the subject of regret and shame, does the First Minister regret being part of a Government that paid £10 million of taxpayers' money to Amazon, a company that hardly has an excellent record when it comes to paying tax?

The First Minister: If I had had to guess which MSP would leap to their feet today to defend the tax avoiders, I would probably have put Murdo Fraser quite close to the top of the list.

Yes, okay, we can cite figures, as Murdo Fraser has just done, about the tax gap being less than it is in other countries, but let me repeat what I said: close to £7 billion is being lost to public services in our country because of tax avoidance and tax evasion. That is unacceptable, and even if Murdo Fraser cannot quite bring himself to see that and say so, I think that the vast majority of people in the country will do so.

We call on all companies, Amazon included, to pay their due tax, and we call on the UK Government, where power on this lies, to take the action to ensure that people pay the tax that is due.

James Kelly (Glasgow) (Lab): As the First Minister correctly pointed out, companies that participate in tax evasion and tax avoidance reduce the amount of money that goes to public services to address the issues that we talk about in this chamber, week in and week out, such as building a better health service and supporting education.

Will the First Minister therefore agree to call in and cancel public contracts where companies have been shown to have participated in tax avoidance, to ensure that all public contracts are awarded to companies that organise their tax affairs in a fair and transparent manner and pay fairly into the public purse?

The First Minister: I generally agree with the sentiment of the question. As James Kelly knows, we have made significant reforms to public procurement over a number of years, to ensure that where companies are benefiting from public contracts they are expected to behave not just within the letter of the law but in a way that people would think is acceptable.

I hope that James Kelly recognises that the powers around tax avoidance and cracking down on it lie principally not with this Parliament, unfortunately, but with the United Kingdom Government, and I hope that he will join us in calling on the UK Government to at last do something about it.

Andy Wightman (Lothian) (Green): The First Minister will be aware of reports in the paradise papers regarding the St Enoch Centre in Glasgow. She will also be aware that, for example,

Edinburgh airport is owned by a complex structure, located in Grand Cayman and Luxembourg, and that a large rural estate sale that is currently being negotiated involves a transfer of shares in offshore companies to avoid land and buildings transaction tax. What additional work is the Scottish Government undertaking to ensure that those risks of tax avoidance by offshore companies are identified and ended?

The First Minister: We will continue to do everything in our power to try to crack down on such behaviour. I have already spoken about the fact that the rules on the two taxes for which we have responsibility are more robust than those for taxes across the UK.

Andy Wightman is aware of and has a keen interest in some of the work that we are progressing in the context of land reform to increase transparency with a register of controlling interests.

I wish that this Parliament had more power in this area. Unfortunately, we do not. Let those of us who think that that is wrong come together to demand that the UK Government takes action that so far it has dragged its feet in taking, and perhaps ultimately to call for those powers to lie in the hands of this Parliament, so that we can have the crackdown that people want.

Emergency Responders (Safety)

5. Liam Kerr (North East Scotland) (Con): To ask the First Minister, in light of reports of crews being attacked when dealing with bonfires over the weekend, what action the Scottish Government is taking to ensure the safety of emergency responders. (S5F-01686)

The First Minister (Nicola Sturgeon): None of us should ever tolerate attacks against firefighters or, indeed, any member of our emergency services, who do a remarkable job in very challenging circumstances.

The minister for community safety visited Dalkeith fire station on Tuesday and spoke to firefighters who had been attacked while on duty on bonfire night. Thankfully, none of them sustained any significant injuries. Unfortunately, one police officer suffered burns from a firework-related attack, which I understand to be serious but not life threatening. I am sure that the whole chamber will join me in wishing that officer a speedy recovery.

We fully support the police and our courts in dealing robustly with such offences. Those who are charged with attacks against our emergency service workers can face a prison sentence, a £10,000 fine, or both.

Liam Kerr: As the First Minister pointed out, last weekend our emergency services were the target of mindless violence, and today there are reports that front-line officers demanded specialist public order support, but were refused. As a result, an officer suffered serious burns from a firework that was thrown at her face.

The Scottish Government does not collate data on how many such incidents take place. If it does not know the scale of the problem, it cannot have any idea whether its solutions will be the right ones. As a first step to protecting those who dedicate their lives to protecting us, will the Scottish Government immediately begin gathering and publishing data on the number of assaults that have taken place against the emergency services, and will it commit to an urgent review of resourcing and protective equipment based on that data?

The First Minister: I believe that work is already progressing on the very reasonable issue of data that the member raised, and I will have the justice secretary or the minister for community safety, who I believe is overseeing the work, write to him with further details. The point about data is important and reasonable, not just when we are looking at this issue but generally. We will take that forward and reflect on whether further action is required on that front.

More generally, I am sure, as I said, that all of us want to send our sympathies and good wishes to the officer who was injured. I understand that Police Scotland had put in place a significant amount of planning for bonfire night. A significant number of additional officers had been deployed: double the number that is normally on duty. A formal debrief to review the events has been scheduled, to ensure that any lessons that require to be learned are learned for the future.

If lessons are to be learned, they should be learned, but all of us should come together to send the clearest of messages. Our emergency service workers literally put their lives on the line, each and every day, to keep us safe. It is unconscionable and awful that anybody could ever contemplate attacking a member of our emergency services while they are going about their duty. We must condemn that and make clear that there will be zero tolerance towards it.

The Presiding Officer: There is a lot of interest in this question.

Alex Cole-Hamilton (Edinburgh Western) (LD): Last year, the antisocial use of fireworks resulted in several convictions for mobbing and rioting in the Muirhouse area of my constituency. As Liam Kerr mentioned, this year, a police officer was hospitalised for burns following a direct hit from a firework that was deliberately thrown at her. Year on year, we are seeing an escalation in such

behaviour. Does the First Minister agree that, as well as having a mature discussion on the licensing of private firework use, we need to dramatically invest funding in detached and sessional youth work in areas such as Muirhouse as a means of diverting young people from such activities in the first place?

The First Minister: Yes, I do. That is a reasonable point to make. We need to do a number of things. First, we need to make sure that our police officers and firefighters are properly resourced on and around occasions such as bonfire night—I have already said that double the usual number of officers were on duty given some of the disorder that we have seen previously.

There is a discussion to be had on and probably a look required at the rules, regulations and laws on the sale of fireworks and their permitted use. As the member is aware, there is split responsibility between this Parliament and the Westminster Parliament. The Scottish Government has responsibility for legislation on the use of fireworks, but responsibility for the sale and possession of fireworks is reserved to Westminster. I am sure that there is no one in this chamber who has not had concerns raised by constituents this week about firework use. The Scottish Government will certainly, in those areas where we have powers, take a look at whether we should do any more or take any further action.

Alex Cole-Hamilton's point about diversion is important, not just in this context but more generally. I have already praised and paid tribute to emergency service workers, but we also need to pay tribute to those who work with our young people, such as youth workers, who seek to engage them in more productive conduct than some of the conduct that we are speaking about. The member makes a valid point in that regard.

Neil Findlay (Lothian) (Lab): I support everything that the First Minister has said about attacks on fire service crews. However, attacks on the fire service come in many guises. Will the First Minister also condemn any proposals to reduce fire service staffing numbers and to close fire stations? Those are further attacks on the fire service. Will she commit today to halt any proposals that may come forward that would reduce fire service jobs and reduce the number of fire stations?

The First Minister: We will continue to take action to protect the front line of our fire service to do the job that it is there to do. There have been no closures of fire stations since the reform of the fire service took place.

It is absolutely right that the fire service, given the changing demands on it, looks at the action that it has to take to ensure that our firefighters are

properly equipped to do the job that we expect them to do. As we see in this year's budget, we have increased the fire service's revenue operating budget. We will continue to work with the fire service to make sure that it is equipped to do the vital job that all of us depend on it to do.

Common Agricultural Policy and Common Fisheries Policy

6. Rhoda Grant (Highlands and Islands) (Lab): To ask the First Minister what discussions the Scottish Government has had with the United Kingdom Government regarding reports that the UK could leave the common agricultural policy and common fisheries policy in March 2019 with no transition period. (S5F-01699)

The First Minister (Nicola Sturgeon): On Monday, the rural economy and environment secretaries met the Department for Environment, Food and Rural Affairs secretary of state, along with the Welsh cabinet secretary for rural affairs. During the meeting, the secretary of state was pressed on the issue of transition for the common agricultural policy and the common fisheries policy. The UK Government was not able to give any clear position at all.

Farmers and fishermen need to know what regime they will operate under in less than 18 months' time. It is simply unacceptable that the UK Government has so far been unable to provide the clarity that has been requested and which is required. We will continue to press DEFRA and UK ministers on that critical issue in the coming weeks.

Rhoda Grant: The First Minister knows that many of our fishers and farmers depend on access to UK markets to sell their products; they also depend on European Union subsidies to make our food more affordable and to protect the environment. What steps can she take to provide them with some comfort that that situation will continue post March 2019?

The First Minister: We will do everything that we can to ensure that the support that our farmers and fishermen depend on continues after the UK leaves the European Union. However, right now, it is the UK Government that requires to provide that clarity. We do not even know right now whether the UK's membership of the common agricultural policy and the common fisheries policy will continue during any transitional period or whether the UK will exit them at the point of Brexit in March 2019.

Just to underline the confusion that reigns in the UK Government, I will read out two quotes, spoken a matter of days apart. Speaking to the National Farmers Union Scotland, Lord Duncan, from the Scotland Office, said:

"The Secretary of State has been very clear that he believes that farming and fishing should not be part of any transitional deal."

Five days later, Michael Gove—the secretary of state who was referred to by Lord Duncan—said:

"Certainly a transition period of around two years will follow."

I have some thoughts about what might happen to CAP during that period.

It is unconscionable that our farmers and fishermen, who, as the member said, rely on EU subsidies, still have no clarity whatsoever. I hope that everyone across the chamber will join us in putting pressure on the UK Government to resolve the situation and give the clarity that is so urgently needed.

Global Entrepreneurship Week

The Deputy Presiding Officer (Linda Fabiani): The next item of business is a members' business debate on motion S5M-08105, in the name of Gillian Martin, on global entrepreneurship week. The debate will be concluded without any question being put.

Motion debated,

That the Parliament welcomes the return of Global Entrepreneurship Week, which will run from 13 to 17 November 2017; celebrates the work of Women's Enterprise Scotland (WES) in promoting and supporting women into business during the awareness week and throughout the year; notes that as part of the 2016 awareness week, WES brought women business owners to the Parliament to receive training on giving evidence to committees, and that this work has been ongoing since; welcomes the refreshed Framework for Women's Enterprise in Scotland; commends the contributions of women business owners and WES to the Cross Party Group on Women in Enterprise; notes the view that so-called gender-blind policy making, as evidenced by recent research by WES, must be replaced by a gender-aware approach to economic development, enterprise and growth policies; believes that the collection and analysis of gender-disaggregated data is critical to help policy makers meet the needs of women-led businesses, and understands that, if the rates of women-led businesses equalled those of men, the contribution to Scotland's gross value added (GVA) would increase from £7.6 billion to £13 billion, representing 5.4% in economic growth.

12:48

Gillian Martin (Aberdeenshire East) (SNP): I would like to thank my colleagues in the chamber today for their support for this debate, which marks the return of global entrepreneurship week. I also acknowledge the hard work of my friends and colleagues in Women's Enterprise Scotland, who are in the gallery today. They lead the way in promoting and supporting women into business—work that they are tirelessly committed to all year round. Each year, they go from strength to strength.

I convene the cross-party group on women in enterprise. In the 18 months since the group started, we have had tremendous support from a wide range of stakeholders, including WES, which helps me to run the CPG, and I feel that the voices of women in business have been amplified somewhat by our work in the group. It is not just a talking shop: we get things done—not the least of which has been our securing of funding from the Scottish Government for supporting women in business through training and mentorship programmes.

In 2016, WES brought female business owners to Holyrood, where they received training on giving evidence to committees. Since then, we have met women who are starting out in business at several

recent events in Parliament, such as last month's business in the Parliament event and Christine Grahame's excellent evening event showcasing the business achievements of the army spouses from Glencorse barracks, in her constituency, which resulted from workshops that were put on by WES.

The Economy, Jobs and Fair Work Committee published its report on the gender pay gap earlier this year. It has become a key indicator of where we are and the strides that we must take in order to close the gap. Alongside the gender pay gap is the gender enterprise gap. We must close that gap as a matter of economic urgency. If we could get the same amount of women as men running businesses, the injection to the Scottish economy would be significant; there would be an increase of more than £7 billion, which represents 5.4 per cent economic growth. Any Government minister would be shouting that growth figure from the rooftops.

Following on from that, the Economy, Jobs and Fair Work Committee inquiry into data is identifying that the lack of gender-disaggregated data only masks the issue further. The scale of the shortfall in women-led businesses getting business support, for example, needs to be identified and such businesses need to be targeted in the future.

I am delighted to see so many colleagues in the chamber today, because that must mean that they, too, are keen to champion the benefits of helping to support and encourage more women into business. As it is global entrepreneurship week, our goal has to be that we support women-led business to trade and work all over the world. We all know the Scottish Government's four Is strategy of innovation, inclusion, investment and internationalisation. Women-led business must be included in all those elements if Scotland is to fulfil its potential. If I had given it a wee bit more thought at the time of lodging the motion for debate, I would have called it "Inclusion in Internationalisation". Maybe next year. No one is allowed to pinch that—it is mine.

Two weeks ago I had the pleasure of attending the Business Women Scotland awards in Glasgow, at which the keynote speaker was our First Minister. The winners and runners-up of awards are an inspiration to those who follow in their footsteps. I say "follow", but we often hear that, in reality, women who run businesses are very giving of their expertise to other women who are starting out. They pull others up behind them; they mentor, support and champion one another.

All over Scotland in global entrepreneurship week there are celebrations of those who are operating abroad from Scotland—rightly so. I say to women in business that they should not look at globally operating business and think that they will

never get there—that it is for someone else or that it is too hard—because the women who win the awards were once them. I say to them that they should not look at success and think that they cannot achieve it, but should instead speak to those women who win the awards and tell them that they would like to achieve what they have achieved, and ask whether they have time to tell them how they did it. Women will share that experience gladly.

Across the mentoring and support systems that are growing among female entrepreneurs, there will be many conversations that revolve around experience sharing that can encourage women who are not already doing so to reach global markets. Next week, in global entrepreneurship week, I hope that there will be as many conversations challenging and offering support to business to go global as there will be conversations revelling in the success of those who have already done so.

I move on to the traditional member's debate speech section—my favourite bit—in which we get to make a fuss about someone in our constituency. I am looking forward hugely to hearing my colleagues use the opportunity to champion women-led businesses in their constituencies, but I will get in first with one of Aberdeenshire East's success stories, right on my doorstep in the wee village of Newmachar, where I live.

Eight years ago, Lindsay Ritchie took a part-time course at North East Scotland College to learn how to make kilts. Since then, her passion has turned into a business, and she now employs eight staff in the local area and is a fully fledged global brand with customers all over the world. By the end of this year, her firm, Kilts Wi Hae, will have achieved a turnover just shy of £1 million. I have had the pleasure of visiting Lindsay's business both as her MSP and as one of her customers. The way she runs her business is an exemplar of all that I frequently rave on about in Parliament.

Those who know me know that I never tire of talking about the benefits of flexible working. Lindsay says her workplace prides itself on its flexible working, which means that she and her staff can put as much effort and enthusiasm into their business as possible and still arrive on time at the school to pick up their children. The business is all the better for that, and her employees are loyal and committed.

Lindsay Ritchie has become a global ambassador for her business and for female entrepreneurs. She has shown that they can spin a small idea into their very own brand and do that in a way that fits in with their lives beyond work. In the packing area of Kilts Wi Hae, there is a map of

the world with dots that show where the company has shipped kilts, gifts and accessories to. That map is absolutely covered in dots. If a small business from Aberdeenshire that is tucked away on a B road beside fields of horses can sell kilts and sporrans to four continents, any business can do it.

We can all point to reasons why not as many women as their male counterparts operate globally and why not enough women set up in business, but I want to leave that for another day, because today is about encouraging entrepreneurship and recognising that, without women, we would not hit the four Is. Today is about making a right good fuss of the women in our constituencies who are reaching out beyond our borders and making things happen for their businesses across the world. It is about women who are going global and who will help Scotland to reach its potential.

12:56

Alexander Burnett (Aberdeenshire West) (Con): I refer to my register of interests—in particular, my general involvement with businesses that I have started.

I congratulate Gillian Martin on achieving cross-party support for a members' business debate on such an important topic. Removing obstacles and ensuring that women have the same tools and opportunities that men have to flourish in business and beyond is important not only for our economy, but for our society. I have seen the impact that empowering women through business can have.

For 10 years, I worked in Azerbaijan, where I was involved in setting up and supporting many small businesses. One enterprise in particular that stands out as one that I am proud to have been involved with was a carpet workshop in Azerbaijan's northern region of Guba. That workshop was not only a culturally valuable enterprise that kept traditional carpet-weaving skills alive; more important is that it provided a unique refuge for women who were suffering from domestic abuse. In a country in which there is still much progress to be made on women's rights, seeing the enterprise and entrepreneurship of those women was an eye-opening experience.

The Scottish Conservatives fully support efforts to support women into business in Scotland, but I am cautious that that should not detract from efforts to improve business start-ups across other sectors of society. The latest statistics show that Scotland has a significantly lower rate of businesses per head of population than the rest of the United Kingdom has. The UK figure sits at 499 enterprises for every 10,000 adults; Scotland lags behind at 393 enterprises for every 10,000 adults. Because of the Scottish Government's poor track

record, there are 27 per cent fewer businesses in existence in Scotland than there are in the rest of the UK. In addition to considering the motion, I call on the Scottish Government to ensure that it reviews the burdens that it puts on businesses and which impact on the number of enterprises that flourish.

The best and brightest people start out in an integral part of our lives: our education system. Enhancing our education system is the foundation of improving business start-ups in Scotland. The Federation of Small Businesses is campaigning to have every Scottish school offer specialist courses that teach pupils about running their own business. A European Commission study found that 28 per cent of those who took part in enterprise education wanted to start businesses and become entrepreneurs. I fully support the FSB's campaign.

I am proud to represent my Aberdeenshire West constituency for many reasons. This week, I was delighted to see that the FSB has named Aberdeenshire West as one of Scotland's top five most entrepreneurial Holyrood constituencies, and that it contains some of the healthiest local business communities in Scotland.

I will continue to add my support to promoting women in business, and I look forward to working with members across the chamber to help to achieve a gender-balanced business society.

12:59

Jackie Baillie (Dumbarton) (Lab): I thank Gillian Martin for bringing the debate to the chamber again this year, and for highlighting the hugely important work that Women's Enterprise Scotland does to promote and support women in business. As I said last year, it should be our ambition to focus on women's enterprise every day—not just for one week of the year.

I declare an interest, as the deputy convener of the cross-party group on women in enterprise. I feel privileged to have the opportunity to work with a great number of inspiring women including, of course, the convener, Gillian Martin, and with many organisations that aim to advance the position of women throughout the business sector.

For me, global entrepreneurship week is about celebrating women and the work of Women's Enterprise Scotland. It is agreed that developing women's enterprise is critical for Scotland's economy. Currently, just one fifth of Scottish small and medium-sized enterprises are majority owned by women. They make an important and valuable contribution to our economy but—goodness me!—it could be so much more substantial. If the number of women-led businesses in Scotland were to increase to equal the number that are led

by men, our economy would grow by a staggering £7.6 billion. Think of how much our economy could flourish with the injection of an extra £7.6 billion to the pot.

One of the fantastic small enterprises that are run by women is just up the road, at Cranachan & Crowdie on the Canongate. When I visited last year, I was inspired by the passion that Beth and Fiona have for their business. Not only are they women owners, but the majority of the products that they stock are created by women: I can recommend the gin, Presiding Officer. Although businesses such as that give us a lot to celebrate, there is still much more to be done to advance the opportunities for women in business, so we need more than warm words; we need substantive action.

There are real challenges. Research that was undertaken by Women's Enterprise Scotland shows that gender stereotyping persists around women-owned businesses, with 80 per cent of survey respondents stating that they faced specific challenges as women business owners, including in achieving credibility for their business, and with 46 per cent saying that they had experienced discrimination. That is not good enough. Although I welcome the Government's efforts and the framework for women's enterprise, we must do more to address those issues. I urge the Scottish Government to take on board the recommendations from WES and the European Institute for Gender Equality to adopt a gender-aware approach to all enterprise and growth policies, and to introduce gender-specific training and gender-specific business support, because women's enterprise is different in nature.

As the Minister for Employability and Training knows, I always like to talk to him about how much funding we should be providing, and it will not be any different today. I am sure that the minister absolutely agrees with me that Women's Enterprise Scotland is the acknowledged expert in advancing opportunities for women in enterprise, but its women's training and leadership programme, which delivers such positive results and which was launched with Fife Council in June, receives no Scottish Government funding. I absolutely believe that that is an oversight.

In contrast, Scottish Enterprise, an organisation that receives hundreds of millions of pounds of funding from the Scottish Government, was awarded £60,000 from the Government to fund a similar programme. I welcome the fact that Women's Enterprise Scotland enjoys other support from the Scottish Government, but it is a fraction of what is needed. Just think what could be achieved with its training programme: it is a tested scheme that is so successful that the number of places has had to be doubled. It would

be a good investment. It is nearly Christmas, and I know that the minister wants to do the right thing, so I look forward to him finding the extra bit of money that will allow Women's Enterprise Scotland to do so much more.

Only when we do such things and encourage more women into business will we unlock the huge potential of our economy. We could increase our economy by £7.6 billion and our gross value added to £13 billion, which would be an increase of 5 per cent. At a time of economic uncertainty, slowing growth and public sector job cuts, we want more growth, more jobs and more revenues through taxes. Let us support women's enterprise, because that is the right thing to do.

13:04

Jenny Gilruth (Mid Fife and Glenrothes) (SNP): I start by congratulating my friend and colleague Gillian Martin MSP on bringing a motion on global entrepreneurship week to Parliament. It rightly focuses on women in business and as entrepreneurs. Here we stand in the national Parliament of our country, where 35 per cent of our members are women—aren't we lucky?—and the Parliamentary Bureau, which decides on the business that we debate as MSPs, comprises six men. In this institution, we boast of our progressive commitment to equality on the one hand, but the average woman's salary in Holyrood is 11 per cent lower than that of the average man. Yesterday, the Parliament's Local Government and Communities Committee met with five male MSPs and me.

However, this debate is not about this place or our lack of direct action to tackle gender inequality. Let us talk about the entrepreneurs and the women who succeed in business even when the odds are stacked against them. Figures from the UK Office for National Statistics show that women in Scotland, where average salaries are lower than those south of the border, are still being paid on average 15.2 per cent less than men.

I was interested in Jackie Baillie's comments about Fife Council, but there is not a single mention of gender in its draft economic strategy for 2017 to 2027. As Gillian Martin's motion notes, we need

"a gender-aware approach to economic development, enterprise and growth policies".

In June last year, women in my constituency had a 10 per cent lower employment rate than Scottish women nationally. It is clear that Fife Council needs to consider gender in its plans for driving economic growth. Later today, I will be writing to the chief executive of Fife Council to ensure that it goes back and looks again at how it can adequately address the gendered barriers that

women face in accessing work and starting their own businesses.

In 2017, women are still paid less than men and find it harder to get into the labour market, so I welcome the First Minister's recent announcement of funding to tackle the gender gap in business. I note that Business Women Scotland's BWS live events programme is to receive £60,000 for networking and to support events across Scotland. I invite Business Women Scotland to consider Glenrothes or Leven in my constituency as locations for future events.

Women's Enterprise Scotland has also trained members of staff at business gateway Fife on gender balance. That is welcome, but we could be doing better and moving faster in the kingdom. As Gillian Martin notes in her motion,

"if the rates of women-led businesses equalled those of men, the contribution to Scotland's gross value added ... would increase from £7.6 billion to £13 billion".

More women in business is clearly good for business.

I would like to give a specific mention to Eden Fyfe Accounts, which operates nationally from its headquarters in Glenrothes in my constituency. It was founded in 2007 by Christine Convy, and all staff in the company are women. Eden Fyfe's director, Lisa Bray, works with the Fife women in business networking group to give women more confidence and more contacts in business.

I would also like to mention the fantastic Lesley Reid, who runs her own business, the Willow & Plum Soap Company. Lesley established her business in 2013 and it specialises in cold-pressed soap, using natural ingredients that are kinder to skin than conventional soap. Lesley taught herself how to make soap from scratch, and she even managed to train her husband as well. Today, the company is a thriving family business that ships its products globally, all from its premises in Kinglassie. Business gateway supported Lesley when she came up with the idea in 2013 while she was very pregnant. Lesley states:

"they liked the idea, they saw my vision and I qualified for the 'Create In Fife' fund, which covered start-up costs."

What an accountancy firm and a soap maker share in common is female ingenuity and the spirit of entrepreneurial aspiration that says, "I've got an idea and I'm going to make it happen." There are female politicians in this place who, later today, will work across the party divide to hold this institution to account. The work of people such as Lesley Reid and Christine Convy teaches us all, regardless of our workplace, that women's voices are powerful, that they are valid and that, if we truly listen to them, that is good not just for a fairer society but for business.

13:08

Bill Bowman (North East Scotland) (Con): I thank Gillian Martin for bringing this debate to the chamber. It gives us an opportunity to show our support for global entrepreneurship week and the work of Women's Enterprise Scotland, both of which I support for their efforts to promote women in business not just this week, but every week.

Each November, entrepreneurial events are held around the world, inspiring millions. It is therefore a little disappointing that it appears that none will be held in North East Scotland this year, but perhaps that will happen in future. With the recent downturn across our region, such an event would have been a tremendously positive sign to send out to prospective entrepreneurs and investors alike.

That is perhaps a sign of a larger problem, however, and we must ask ourselves why more businesses are not being formed in Scotland. Part of the solution is to encourage talent and to attract more investment.

The Scottish Conservatives are dedicated to pro-growth policies, but there are barriers to overcome. Sadly, some are of the SNP Government's own making: increasing taxes and business rates will merely serve to stagnate economic growth and place increasing burdens on businesses. The barriers that entrepreneurs face must be tackled. I say that not to be combative, but in the spirit of wishing to see the best environment possible for small entrepreneurial businesses to grow.

Making Scotland the highest-taxed part of the UK does not create such an environment. Neither does complacency about the challenges that we face, as we saw from the assertion by the Cabinet Secretary for Economy, Jobs and Fair Work, Keith Brown, that Scottish growth statistics are "good news". Compared with the UK as a whole, Scotland's growth is sluggish, its businesses face enormous rates increases and we only narrowly dodged a recession earlier this year.

It is not just my Scottish Conservative colleagues and I who are making those points; the Institute for Fiscal Studies and the Scottish Chambers of Commerce have warned about a high-tax agenda. Those warnings must be heeded if we are to help Scotland's incredible small to medium-sized businesses, which made up 99 per cent of Scottish firms last year and helped to drive our economy forward. We must ensure that they can flourish.

I acknowledge that efforts have been made to offer support, such as the unlocking ambition challenge, which will support up to 40 budding entrepreneurs each year and will help Scotland to become a world-leading entrepreneurial nation.

According to the First Minister, it will ensure that the most talented entrepreneurs create the companies that we need to grow the economy. However, the First Minister must not forget the businesses that have already set up shop in Scotland, which are struggling with slow economic growth and business rates and are looking to her for help, not hindrance. There is little evidence that the Scottish Government's tax hikes will be beneficial to the country; they will have a particularly negative impact on those who are looking to start their own businesses, and the First Minister must consider that.

Where there has been success, we must recognise and encourage it, for example the increase in the number of self-employed women from 76,000 in 2007 to 113,000 this year. That is welcome news, which is thanks to the efforts of organisations such as Women's Enterprise Scotland, which aims to create a commercial culture in which women-led business ownership is not simply an aspiration but an achievable goal for women everywhere.

Unfortunately, gender imbalance in Scotland is still an issue, with men twice as likely as women to launch their own businesses. That is why it is important that Women's Enterprise Scotland is successful in making its efforts a reality for women in Scotland. Its success would benefit the entire country; Scotland's female entrepreneurs boost the economy by £268 million, and, as the motion and other members have said, if women started businesses at the same rate as men, it could add up to £7.6 billion to the Scottish economy. It is a simple message, but then truths often are: more women-owned businesses are good for Scotland.

13:12

Ivan McKee (Glasgow Provan) (SNP): I thank Gillian Martin for bringing the debate on global entrepreneurship week to the Parliament and, in particular, for her focus in the motion on the role of women in enterprise, which is correctly identified as part of raising levels of entrepreneurship across the economy as a whole.

First, I will respond to comments made by Bill Bowman. The small business bonus is enabling 100,000 businesses in Scotland to be lifted out of rates altogether, helping many businesses, including women-owned business. Scotland's council tax—£400 lower than the UK average—makes Scotland the lowest-taxed part of the UK, not the highest. While the Conservatives might want to focus on the top 10 per cent who benefit from the tax cuts given down south, in Scotland this SNP Government focuses on all business, including small business, and all people, at all points on the income spectrum.

It is estimated that women comprise the majority of shareholders in only about 21 per cent of Scotland's businesses. That is bad news not just for equality, but for the bottom line. We cannot afford not to fully engage the talents of half of the population. Studies have shown that women-owned businesses are more resilient in recession. We can help to future proof our economy and create more stable prospects by investing in and nurturing women in business. If women started businesses at the same rate as men, it would add another £7 billion to the value of Scotland's economy.

I take the opportunity to mention Fiona Colbron-Brown, who runs the East End Connections business network in my constituency, a fabulous initiative that is bringing together businesses from all around the east end to share ideas and opportunities. Business start-up requires creativity, seeing opportunity where others do not, and figuring out new ways of meeting demand. Women often bring a different perspective to problems, a different appreciation of market needs and a different understanding of how to meet them.

Women's Enterprise Scotland, the organisation leading the way on this issue, makes some simple recommendations to support and encourage more women-led business start-ups. In business, gender-balanced panels and role models are important, along with appropriate imagery and language in advertising. We need to set an example for women and girls, and men have to play their part in delivering that. They can do so by challenging gender-stereotypical attitudes that restrict the start-up and growth of women-led businesses. That will deliver benefits not only here but in other areas of the economy where gender imbalance is marked.

The pay gap is one of the most significant imbalances. Although Scotland's pay gap is significantly below the UK average, the gap is still too high, and much of that inequality is caused by gender stereotypes that help nobody. Many women are still expected to go into the caring professions and men into technical work. Having more women go into science, technology, engineering and maths careers can go a long way towards redressing the balance, as can getting more men into traditionally female-dominated jobs, such as the care and early learning sectors.

The issue of home-work balance, including childcare responsibilities, is a fundamental barrier to equality in employment and in running businesses. Eight per cent of women are economically inactive because they are looking after the house and/or family, compared with only 1 per cent of men. Redressing that balance, and challenging the assumption of women being primary care givers, will also go a long way

towards enabling more women to become entrepreneurs. Gabriela Ramos, chief of staff at the Organisation for Economic Co-operation and Development, named lack of childcare provision as the single biggest barrier to inclusive growth in developed countries. I am proud that the Scottish Government has recognised those barriers and is actively trying to break them down by doubling childcare provision in Scotland.

The universal basic income can play a role in encouraging entrepreneurship. Although it is often cited as a means of tackling poverty in our country, we should not underestimate the potential of a basic income to support a new wave of entrepreneurs by derisking the decision to start up a business—for both men and women, but particularly for women entrepreneurs—as a consequence of the flexible approach to work that a basic income can enable. I am glad that the Scottish Government has given some focus to understanding how to deploy a basic income, and I look forward to an assessment of what it could do to boost inclusive economic growth.

A gender-balanced economy is a more stable economy, a fairer economy and a more prosperous economy. Inequality hurts us all, and we need to engage the talents of all of our citizens, men and women, to take part in our economy to the fullest extent.

13:17

Kezia Dugdale (Lothian) (Lab): Like my colleagues, I pay tribute to Gillian Martin for hosting today's debate, for the consistency with which she comes to the chamber to highlight the role of women in business and for her unstinting commitment to gender equality throughout her life—a life that brought her to this place. Equally, I congratulate everyone involved in global entrepreneurship week and all those involved in Women's Enterprise Scotland.

Like so many issues affecting women, this fundamentally boils down to two things—the injustice of women's inability to fulfil their potential, and the missed economic opportunity. Those arguments have been well rehearsed by other speakers already today. I have been angry enough on behalf of my gender this week, so I want to spend the rest of my time in the debate celebrating some women in business. It has been a privilege and pleasure for me to travel the country as leader of the Scottish Labour Party and meet women in business, and I want to talk specifically about some of those women I met along the way. Using Gillian Martin's words, I want to make "a right good fuss" of a few of those women. Gillian Martin also encouraged us to think about the words "inclusion" and

“internationalisation”, and those words apply to the four women I am going to mention.

Earlier this week, I had the great privilege of hosting the social enterprise awards in the Parliament, and I was struck by how many women are involved in social enterprises that not only operate as businesses but contribute back to their communities. My favourite one of those is Comas, which runs the Serenity Cafe just round the corner. Ruth Campbell is a huge social innovator, having left her civil service career behind to set up a social enterprise that provides work and employment opportunities for Edinburgh’s drug and alcohol recovering community. It also runs a project in Dumbiedykes, across the road, trying to increase the incomes of some very vulnerable and disadvantaged people there.

Something that could not be more different from that is the Firth of Forth Lobster Hatchery in North Berwick, which is run by Jane McMinn. She is single-handedly providing sustainable lobsters from the North Sea, and we can all enjoy the fruits of her labour in North Berwick. She was a skipper before she went into business, so she is quite an inspirational woman.

From those examples of inclusion and people who provide employment in their local communities, it is worth moving to the internationalisation agenda. The two women I want to mention here come from the Western Isles. When thinking about the challenges that people in the Western Isles face, I am often reminded of Peter May’s novels, where he tells us of how the adversity of the land in the Western Isles forces people to be more creative in their outlooks. Two of the women I met there are inspirational figures, not least Rhona Macdonald, who runs Charlie Barley’s black pudding business. She is an expert and her product, which I am sure we have all appreciated in our time, is exported to some of the finest restaurants in London and, indeed, around the world. Separately from that, it is worth recognising the work of Margaret Macleod, who is the brand development director for Harris Tweed Hebrides. I spent the day with her in the Western Isles and she even let me have a go on the mill, although I do not think that the fruits of that labour will ever leave the Western Isles.

Those are four examples of inspirational women succeeding in business who I am sure we can all learn from. I could go on and mention people such as Jacqui Gale, the chief executive officer of Arran Aromatics, who has taken an Arran product around the world to Japan, where it is sold and provided in some of the most exclusive hotels. However, I will stop there and simply say that I am delighted to participate in this debate and to spend a week celebrating the work of women in

business. I know that everyone in the chamber will take part in that celebration but then redouble their efforts to get back to the business of supporting women in business.

13:21

The Minister for Employability and Training (Jamie Hepburn): I join others in thanking Gillian Martin for bringing the debate to the chamber and I pass on my officials’ thanks to her for giving us a year’s heads-up as to what her subject matter will be next year, so they can get prepared nice and early. I also thank both Gillian Martin and Jackie Baillie for all the important work that they do as the convener and deputy convener of the cross-party group in the Scottish Parliament on women in enterprise.

Global entrepreneurship week is very welcome and it is right and just that we have this debate on it today. The week is designed to get people to think about taking any ideas that they have and making them a reality to help drive our economy and social improvement. The week is also designed to connect people with regard to collaboration, mentoring and investment opportunities. It is an important initiative generally but, as we have debated previously in this specific context and in many contexts that relate to other aspects of the economy, it is especially important for us to reach out to those who are underrepresented in all parts of our economic activity. That has to include the area of entrepreneurship, so I very much welcome the terms of Gillian Martin’s motion in focusing the debate, particularly in relation to female entrepreneurship.

That a gender gap exists in enterprise is not in question. Currently, only around 20 per cent—a fifth—of Scotland’s small and medium-sized enterprises are led by women, and men are almost twice as likely as women to start businesses. Ivan McKee, like others, was correct to set out that that represents a huge waste of potential and a huge loss to Scotland’s economy and society. We are working to change that, and I will talk a little bit about that in a few moments. However, as I should do, I will first try to pick up on as many of the speeches that have been made during the debate as I can.

I was delighted to hear about the range of good activity in local areas across the country. All members referred to that but none more so than Kezia Dugdale, who I think finagled a reference to every part of the country into her speech. However, it is well worth putting all that activity on the record. If there is a particular activity that any member thinks I would benefit from visiting or seeing, I would be happy to receive an invitation to do that.

It was useful and salient for Kezia Dugdale to mention the Serenity Cafe in particular, because we tend to think—there is nothing wrong with this, of course—of entrepreneurship in terms of commercial activity, but it is not always about that. There is also a tremendous amount of entrepreneurial activity around creating social capital. Kezia Dugdale might like to know that, as part of living wage week, I was delighted to visit the Grassmarket Community Project, which won an award on Tuesday.

Given that this is global entrepreneurship week, I welcome the fact that Alexander Burnett brought an international perspective to the debate, which was useful—although I cannot promise to visit Azerbaijan.

Alexander Burnett mentioned the suggestion from the Federation of Small Businesses about classroom activity. Clearly, we will not sit here and direct what should happen in each classroom, but there is an opportunity for us to better influence that through the developing the young workforce activity that we are taking the length and breadth of the country, which is bringing employers in all sectors closer to the school environment. That represents an opportunity to take forward some of that work.

Ivan McKee and Jackie Baillie both spoke about gender stereotyping, which is an issue right across economic activity and it clearly filters through to entrepreneurial activity. We are working to challenge gender stereotyping, but I think that we would all accept that that is a long-term activity, because gender stereotypes are so well ingrained. I have said before that even all of us in the chamber who are working to challenge such stereotypes will be susceptible, from time to time, to reinforcing them unconsciously, so we always need to challenge ourselves as well as challenging others to step up to the mark.

In respect of economic activity, the Scottish Further and Higher Education Funding Council has a gender action plan. Skills Development Scotland has its equality action plan, within which there is a specific commitment to better balance modern apprenticeship frameworks. Some progress has been made, but more has to be done.

A couple of weeks ago, my colleague Shirley-Anne Somerville launched the STEM strategy, a hugely important part of which is about challenging gender stereotyping, which is important to this debate. We know that there is a lot of activity in STEM areas and that a critical part of entrepreneurial activity is the creation of new ideas.

Jackie Baillie tried to invite me to an early Christmas. I should say that my children are

already badgering me about Christmas, so why should members of the Scottish Parliament not start to do so, too? I cannot say that I will give Jackie Baillie a Christmas present here and now—

Jackie Baillie: Be Santa!

Jamie Hepburn: I have not brought my Santa suit, so I will not be Santa today. However, the project that Jackie Baillie mentioned sounds very worthy, so if she provides me with more details, I will be very willing to look at that area to see whether we can do more.

Bill Bowman welcomed the rise in self-employment activity. I welcome that cautiously, because I think that members would accept that a number of reasons have driven that rise. Some of those are positive—we are debating those today—but emergent changes in our economy have also led to a rise in self-employment in a way that is not so positive, because people are being driven to forms of employment where they do not have the full benefits and protections that someone in a traditional form of employment would have. Our labour market strategy is focusing on that, as is the strategic labour market group that I chair, so that we can better understand it.

I have taken more time than I meant to take in responding to everyone's contributions. There is a range of activity under way through our framework. I will shortly be taking forward an action group to further embed the work that we do so that we can bring forward new ideas and continue to build on them.

I am delighted that we have had this debate. I should of course quickly thank Women's Enterprise Scotland, because it has representatives in the gallery, for all the work that it does. It will be a part of the action group. It is a fantastic organisation that I have been happy to work with in the past and I will be happy to work with it again.

Let us commit to returning to this subject annually. It is clear that Ms Martin has grabbed the market in this regard and I am sure that it will be the subject of her members' business debate again next year. I agree with Jackie Baillie that we should not just commit ourselves to having this debate once a year; we should think about the subject regularly. I commit myself to doing so and I am very happy to work with members the length and breadth of the chamber, across all parties, to that end.

13:30

Meeting suspended.

14:15

On resuming—

Business Motion

The Deputy Presiding Officer (Christine Grahame): The next item of business is consideration of business motion S5M-08734, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, setting out a timetable for the stage 3 consideration of the Seat Belts on School Transport (Scotland) Bill.

Motion moved,

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

Groups 1 and 2: 50 minutes.—[*Joe FitzPatrick*]

Motion agreed to.

Scottish Parliamentary Corporate Body Question Time

14:16

Sexual Harassment (Definition)

1. **Gail Ross (Caithness, Sutherland and Ross) (SNP):** To ask the Scottish Parliamentary Corporate Body, in light of the recent reports on the issue, how it defines sexual harassment. (S5O-01451)

David Stewart (Scottish Parliamentary Corporate Body): Sexual harassment is a form of unlawful discrimination under the Equality Act 2010. The law says that behaviour is sexual harassment if it is either meant to violate, or has the effect of violating, someone's dignity or

"creating an intimidating, hostile, degrading, humiliating or offensive environment".

The corporate body's dignity at work policy defines harassment as

"any unwelcome behaviour or conduct which has no legitimate workplace function and which makes you feel: offended, humiliated, intimidated, frightened and/or uncomfortable at work. Harassment can occur as an isolated incident or as persistent behaviour and is essentially about what the recipient deems to be offensive, not about what was intended."

Further, I reiterate what the Presiding Officer said in his letter last week. He said:

"Parliament has a zero-tolerance approach to harassment and sexual misconduct".

Gail Ross: I have spoken to women who have told me that different levels of harassment and inappropriate behaviour have made them feel uncomfortable. As David Stewart says, it is not just unlawful but is about how they feel. I am glad that that has been included.

What support is given to people who come forward with allegations of abuse, harassment or inappropriate behaviour?

David Stewart: Gail Ross makes some excellent points. Harassment and sexual misconduct are never warranted, and those who are harassed are never to blame. As the First Minister said today, we need a change in culture.

We have launched our helpline, which we want to be a single source that people can go to for advice on what procedure might be available to them. Today, we circulated posters throughout the Parliament, and I am delighted that the helpline is up and running. If the helpline gets referrals that require more specialist and detailed follow-on counselling, our trained human resources staff will

refer them on to specialist organisations that can provide advice, counselling and assistance.

Ruth Maguire (Cunninghame South) (SNP): Given that sexual harassment and violence against women are a cause and a consequence of wider women's inequality, does the corporate body agree that we have to tackle the wider issues, including representation?

David Stewart: The member makes an excellent point. As the First Minister said earlier, the key thing is that we have a change in culture. That is an issue not only for the corporate body but for political parties and society at large.

Harassment and sexual misconduct are never warranted in any walk of life, and I am glad that we can take a leadership position on the matter with an excellent suite of policies. If any member of the corporate body's staff, any MSP, any member of MSP staff or any intern feels that there is any form of harassment or sexual misconduct going on, they should contact our helpline, which is now up and running. The phone number is 0800 519 0023.

Corporate Body and Parliamentary Bureau (Gender Composition)

2. **Kezia Dugdale (Lothian) (Lab):** To ask the Scottish Parliamentary Corporate Body, in light of recent reports regarding sexual harassment, how it intends to influence the gender composition of the corporate body and the Parliamentary Bureau. (S5O-01435)

Andy Wightman (Scottish Parliamentary Corporate Body): It is probably worth clarifying the way in which the members of the corporate body are appointed. As the member is aware, they are elected by the Parliament, and that happened in May last year. By convention, the nominations for those positions are made by the political parties of the Parliament.

The Presiding Officer and individual corporate body members have previously raised concerns about the issue. With the agreement of the corporate body and the Parliamentary Bureau, the Presiding Officer sought and secured changes to the Parliament's standing orders earlier this year to require political parties to

"consult each other and have regard to gender balance"

when putting forward names for either of those bodies. However, as the member will be aware, the standing order change has not yet translated into gender balance on either the corporate body or the Parliamentary Bureau. That remains a matter of regret.

I emphasise that we all need to work together on the issue and that, given their role in nominating candidates, political parties are key to

the changes being made. That is why the Presiding Officer will today write to all party leaders, asking them collectively to sit down with him and look at how we can address the issue quickly to achieve change.

Kezia Dugdale: The gender balance of committees, shadow cabinets, the Cabinet and backroom teams is equally important, but this is an opportunity to talk about the composition of the Parliament's governing body and I pay tribute to its members, not least David Stewart from my party, for their work, which is often a thankless and time-consuming task.

We have, at various times, heard members of the corporate body talk about the importance of advancing gender equality. I hope that those same members understand that, for women to have access to power and decision making, it sometimes requires men to give that power away. On that basis, I invite members of the corporate body to resign their roles so that we can achieve gender balance in this place before demanding it from the world beyond it.

Andy Wightman: I am sure that my colleagues agree with the sentiment behind that question. Obviously, it is not for the corporate body to take a view on the future of any of its members—that is a matter for the individual members. However, as I indicated, as a body, we stand ready to work with political parties in this place and with the Parliament as a whole to achieve gender balance in the corporate body. I cannot speak for committees or the Parliamentary Bureau, whose members are selected on slightly different grounds.

I understand that Gordon MacDonald MSP resigned from the corporate body earlier today for health reasons. I am sure that all members will join me in wishing him a speedy recovery. On behalf of the corporate body, I put on record our thanks for the valuable service that he has given to the body. Kezia Dugdale says that it is a thankless task, but it is actually quite enjoyable some of the time. It plays an important role in setting standards, practices, culture, policies and procedures for the Parliament.

Jenny Gilruth (Mid Fife and Glenrothes) (SNP): Andy Wightman says that it is an enjoyable task, but I can comment for the female members who are here: none of us would know.

Linda Fabiani (East Kilbride) (SNP): I do.

Jenny Gilruth: Except Linda Fabiani.

What is the SPCB's view on mandating committee conveners to gender balance witness panels?

Andy Wightman: That would be a matter for the Parliamentary Bureau and the Parliament as a

whole. It is perhaps an issue for the standing orders. At this stage, the corporate body does not have a view on matters relating to the gender balance of witness panels and so on. Some responsibilities are for committee members, conveners, clerks and other people in this place.

Nevertheless, the member raises the important point that we should all be striving to achieve gender balance and gender equality in all walks of life, in every workplace and in every process. There are good historical reasons why we continue to suffer from patriarchy, and I agree that we need to challenge it wherever and whenever it arises in the processes and procedures of all aspects of public life.

Reporting Procedures and Parliamentary Culture (Review)

3. Monica Lennon (Central Scotland) (Lab): To ask the Scottish Parliamentary Corporate Body, in light of recent reports regarding sexual harassment, whether it will initiate an independent review of reporting procedures and parliamentary culture. (S5O-01441)

Jackson Carlaw (Scottish Parliamentary Corporate Body): I thank the member for her question. The Parliament's commitment to diversity was underlined by the publication of its diversity and inclusion strategy in February this year, and a diversity and inclusion board will oversee the implementation of the strategy.

That board has been asked to review the procedures for reporting and investigating harassment. It is co-chaired by two members of the Parliament's leadership group and is made up of representatives from the Parliament's six equality networks and the Parliament's trade unions, and an external board member, Professor Sir Geoff Palmer, a prominent academic who is currently honorary president of the Edinburgh and Lothians Regional Equality Council. In addition, we are pleased to report today that Emma Ritch, from Engender, will provide advice to the board on this work.

We will also issue a survey to all who work at Holyrood and in members' local offices, to help us to understand the issues and barriers that exist and to build up a picture of the overall culture in the Parliament and across the political parties. We will seek external expert advice in drawing up the survey, analysing the results and looking at our next steps.

Monica Lennon: Reporting sexual assault or speaking about sexual harassment is never easy. What we are all discussing today is not a sex scandal, as some parts of the media have inaccurately reported it, but the abuse of power, usually by senior men, over women. Our

Parliament and our parties have been rocked by serious allegations. No politician can dare to try to score points.

I welcome the steps that the Scottish Parliament is taking. The anonymous phone line, confidential survey, posters and 24-hour counselling service are all practical and welcome steps.

Last Tuesday, during topical questions, I said:

"Unless we understand how difficult it is for women"—

and I include myself—

"to come forward with complaints, given their fear that they will not be believed or supported, and unless we recognise that we are talking about a cultural problem ... we will never fully resolve the issue"

of the abuse of power that we are talking about. I went on to say:

"nothing short of an independent review ... is required".— [Official Report, 31 October 2017; c 6.]

I welcome some of the progress towards that, including today's news that the Standards, Procedures and Public Appointments Committee will launch an inquiry into how the Parliament deals with incidents of sexual harassment and what procedures, rules and support are available in that regard. However, that on its own will not be sufficient.

I appreciate that experts, including Emma Ritch—of whom I am a big fan, by the way—will take part in the work. However, does the Scottish Parliamentary Corporate Body agree that we need to make it very clear that what we are doing is independent of members of the Scottish Parliament? I mentioned the SPPA committee, and I admire its work; but it is made up of five men and two women. Can we do everything possible to show that we are taking independent steps to look at every part of the issue, including the culture, the procedures and policies and the support?

Jackson Carlaw: I understand and sympathise with the sentiments that underpin Monica Lennon's supplementary question.

The purpose of the survey, in the first instance, is to try to ascertain in some detail the scope and range of the issues that the Parliament might have to face. When we see the analysis, we will have an opportunity to be able to understand what next steps we might take.

It is important—or at least useful—to say at this stage that we are working on the structure of the survey at the moment. We want to get it out before the end of the month, so members' ideas about what and how questions might be included will be welcomed by the corporate body as we take that work forward.

Kezia Dugdale (Lothian) (Lab): I understand that the Parliament confirmed to The Guardian

newspaper this morning that the hotline is not a reporting mechanism for victims of sexual harassment. Given that the leaflet says, "Speak up and speak out", will Jackson Carlaw clarify that?

Given that the hotline is operating only between 9 am and 5 pm, people will have to use it during the working day. Does Jackson Carlaw understand that that is an additional complication?

Jackson Carlaw: People who have concerns can also represent them through the confidential website, because we recognise not only that the hotline is available only during certain hours of the day but that it might be difficult for someone to access a secure area in which to make a confidential phone call. The website link will allow a conversation to be facilitated at a time and in a place that is suitable for the individual who wants to make the call.

Sexual Harassment (Audit of Female MSP and Staff Experiences)

4. Gillian Martin (Aberdeenshire East) (SNP): Quite a lot of what I wanted to bring up has probably been covered already.

To ask the Scottish Parliamentary Corporate Body, in light of recent reports regarding sexual harassment, whether it will consider a confidential and independent audit of the experiences of female MSPs and staff of sexual harassment to inform any decisions on how to protect them in the future. (S5O-01439)

Jackson Carlaw (Scottish Parliamentary Corporate Body): As I said in response to the previous question, we will be issuing an anonymised survey to understand more about the extent of the problem and how we can further promote and underpin a positive working environment for everyone. We have a wide range of employers on the parliamentary campus, including MSPs, political parties, the Scottish Government and others, and the survey will be sent to everyone who works in and for the Parliament, including MSPs, MSP staff and parliamentary staff.

Gillian Martin: You mentioned that you have engaged Emma Ritch. Are you reaching out to any other women's groups to inform your progress as you take these things forward?

Jackson Carlaw: We are still considering the various individuals and bodies who might be able to assist. If the member has any suggestions of other bodies with which we might engage in drafting the survey, the corporate body would be very happy to consider them.

Operation of Bars and Receptions (Procedures and Policies)

5. Daniel Johnson (Edinburgh Southern) (Lab): To ask the Scottish Parliamentary Corporate Body what changes it plans to make to its procedures and policies regarding the operation of bars and receptions in the Parliament, in light of the role that such contexts and alcohol had in recent reports regarding sexual harassment. (S5O-01449)

Jackson Carlaw (Scottish Parliamentary Corporate Body): As I have said, our diversity and inclusion board will review our processes and procedures. Our survey is intended to give us a better understanding of all the issues. If the survey's findings suggest to us that further reviews need to take place, we will consider the best way to take that forward.

We have only one bar that is open in the evening. It serves bistro-style meals, snacks, teas, coffee and home baking, and additionally serves alcohol between 4 pm and 11 pm on sitting days.

Daniel Johnson: There is no excuse or satisfactory justification for the behaviour in the instances of sexual harassment that have come to light in recent weeks—full stop. To tackle it, we must consider the culture of politics and Parliament.

I have been struck by the observation of many people outside this place that it is odd that we have a bar in what is meant to be a place of work. The consumption of alcohol is not an excuse for harassment, but bars and free alcohol at receptions make a drinking culture part of this job. Does the corporate body agree that if we are to tackle the culture that has given rise to these incidents, we must question what role alcohol has played and, by extension, the policies and practices of Parliament with regard to it?

Jackson Carlaw: I understand the point that the member is making. I suppose that it may apply to the broader political world, but we do not have the same sitting pattern here as there is at Westminster, where many of these things are reported, and we do not have as many bars. As I said, we have one evening bar, which on sitting days serves alcohol between 4 pm and 11 pm and also serves a variety of meals and snacks. We also must remember that events and receptions have a key objective of creating opportunities for public participation and engagement, and they inform the work of Parliament and its members.

As I said a moment ago, if this is an issue of concern, the anonymised survey that we are issuing will allow all those who receive it to make representations in that regard. My experience, which I know is the experience of many other members, is that the bar that we have is an asset

to the Parliament. As far as I have been able to determine, we can regard its use as responsible.

The Deputy Presiding Officer: Five members want to ask supplementaries—I wonder why. I will take them all, but I ask members to be brief.

Clare Haughey (Rutherglen) (SNP): The context or setting for sexual harassment, whether at receptions, in bars or following the consumption of alcohol, is no excuse for such behaviour. I am deeply concerned that a question such as Daniel Johnson's might give the impression that women should avoid such settings in order to protect themselves. Indeed, in the worst-case scenario, it could in some way be viewed as victim blaming.

Does the SPCB agree that it is the perpetrators of sexual harassment who are responsible for their actions, and that women who have been harassed are in no way to blame for what has happened to them?

Jackson Carlaw: I agree entirely with that. It is absolutely fundamental to say that alcohol is not an excuse and should not be used as evidence of a reason why people might excuse behaviour that is totally unacceptable. The member put the point very well.

Ruth Maguire (Cunninghame South) (SNP): Will the SPCB reiterate that alcohol does not cause sexual harassment? It is often used as a self-justification by perpetrators; that is the point that we should be aware of.

Jackson Carlaw: Again, I agree with the sentiments that have been expressed. It is important to say that, in the view of many, we have responsible use of alcohol in the Scottish Parliament. Alcohol is not something that people should be allowed to point to to excuse behaviour that is completely unacceptable and which could take place anywhere in the Parliament. Wherever such behaviour takes place, it is completely unacceptable.

Monica Lennon (Central Scotland) (Lab): I reiterate that alcohol is never an excuse or a justification for the behaviour that we are talking about, and the vast majority of people drink responsibly. What we are not hearing enough about today is the behaviour of men and of the perpetrators. I ask members and the corporate body to reflect on that point and to take it seriously because, quite frankly, the current discussion is a distraction from the point that we are trying to make today.

Jackson Carlaw: The events team that serves alcohol at events in the Parliament—which are packaged on the basis of 2.5 drinks per person attending an event, not on the basis of the use that members make of the bar—knows many of the customers and monitors what has been

consumed; it is not that it simply allows alcohol to be consumed without reference to how much has been drunk. However, there are other issues that are of more fundamental concern—I agree with that.

Sandra White (Glasgow Kelvin) (SNP): Having served on the Justice Committee, I have heard on many occasions about offenders using alcohol as an excuse for abuse. Does the member agree with me that alcohol is never an excuse for abuse and that, as has been said, it is the perpetrator who must look at his responsibilities?

Jackson Carlaw: I agree with that unreservedly, and not simply in relation to this Parliament; that unreserved agreement is without qualification. Alcohol is not an acceptable reason for behaviour of that character anywhere, never mind in this Parliament.

Claudia Beamish (South Scotland) (Lab): I simply wish to reiterate other members' point that alcohol is not an excuse. Alcohol is not the issue; abuse of power is. I hope that the member agrees with me on that point. That is what we must go forward together to address and what the general tone of our discussions must drive towards.

Jackson Carlaw: It is important to note that the anonymised survey is not about the consumption of alcohol in the Parliament—if people want to raise alcohol as an issue in any response that they make, they can do so; rather the survey is about precisely the very issues that Claudia Beamish raises.

The scope of the questions that we put must manage to address all the points and give people every opportunity to express the concerns that they might have, so that we can then decide on an informed basis what further action needs to be taken, with whom and how.

Sexual Harassment (Action)

6. Claire Baker (Mid Scotland and Fife) (Lab): To ask the Scottish Parliamentary Corporate Body what action it is taking to address sexual harassment in the Parliament. (S5O-01443)

Liam McArthur (Scottish Parliamentary Corporate Body): As David Stewart said earlier, the Presiding Officers and, indeed, all the party leaders, have made it emphatically clear that the Parliament takes a zero-tolerance approach to sexual harassment.

We have a number of policies and processes in place to deal with complaints, and the number of reported cases of sexual harassment is low. As Jackie Baillie helpfully reminded us at today's First Minister's question time, that does not necessarily mean that sexual harassment is not taking place. Therefore, we are taking steps to ensure that

people who experience harassment feel able to talk about it and are aware of the right route for reporting their concerns.

We have set up our helpline to offer information and guidance on the routes that are available and to encourage reporting. We are looking at whether any of our procedures need to be strengthened and, as Jackson Carlaw said, we will issue a survey to all building users. It is important that we look at all our policies and procedures, but it is equally important that those who harass others realise that they need to change their behaviour.

Claire Baker: I am concerned that there is not a common grievance procedure. MSP staff do not have the same equality of treatment as Parliament staff, because they are not covered by the dignity at work policy. It is confusing and potentially intimidating for an MSP staff member to make a complaint, and I imagine that it is difficult for an MSP to raise a complaint against a colleague. I am concerned about how those concerns are dealt with. If a complaint concerns MSPs and their staff, it will be the parties that deal with it, and I am a bit unclear about the role of the Scottish Parliamentary Corporate Body in that. I am also concerned that we do not have the same level of confidence with regard to the robustness of the procedures that the political parties might have in place. Does the SPCB have a role in co-ordinating the way in which the parties might deal with this type of complaint?

Liam McArthur: I understand some of the concerns that arise around possible confusion about the arrangements that are in place in each of the political parties. A helpful feature of the discussion of this issue in recent weeks is the amount of discussion that has taken place between parties as well as within parties about the procedures that are in place.

It is probably important or necessary to acknowledge the role of MSPs as employers. That presents a challenge. The SPCB has sought to enable that dialogue within and between parties and to provide—not least through the helpline and the publicity that we are putting in place around the complex—reassurance that that source of guidance and support is available to whoever wants to raise a complaint.

Donald Cameron (Highlands and Islands) (Con): Given that the Parliament is an employer, the Scottish Government is an employer and MSPs are individual employers—as well as the fact that, in addition, parties will have their own policies and codes of conduct—is the SPCB concerned about the need for a consistency of approach in terms of procedures and policies for everyone who works here, and does it have any observations with regard to how that consistency can be achieved?

Liam McArthur: It is helpful that there has been a discussion within and between parties, and I hope that there is common learning to be done. None of us has a monopoly on wisdom here. Through our experience, we will be aware of things that have worked and things that have not worked, and there are lessons to be learned in that regard. It is up to political parties to look to their own procedures and see where they could be strengthened. The SPCB can perhaps help to facilitate that but, ultimately, it is an issue for political parties.

Donald Cameron is right to remind us of the range of employers in the complex, and I would add to that list media organisations and the contractors who work here in large numbers. Providing total consistency across the board might be difficult, but I accept that there is common learning to be done about what works.

Underlying all of what we are talking about are not only processes but the need to convey the message that, as colleagues have said, there is zero tolerance of this behaviour, not only in the Parliament—where we should be taking a lead—but across society.

Sexual Harassment (Code of Conduct for MSPs and Staff)

7. Ash Denham (Edinburgh Eastern) (SNP): To ask the Scottish Parliamentary Corporate Body whether it will consider producing a code of conduct for MSPs and staff regarding their behaviour in relation to sexual harassment. (S5O-01437)

David Stewart (Scottish Parliamentary Corporate Body): Section 7 of the code of conduct for members sets out the rules for general conduct that members must follow. Under the code, members must abide by policies that are adopted by the SPCB, and that includes the dignity at work policy. In practice, that means that members are expected to abide by the spirit of the policy, while the separate code of conduct for members sets out the procedure that is to be followed if a complaint is made against a member.

The dignity at work policy sets out the definition of harassment, the type of behaviour that is likely to constitute harassment and the responsibilities that people have to create a safe working environment where people are treated with respect.

The Parliament's diversity and inclusion board is going to review our procedures for reporting and investigating harassment and, as we have heard, the Standards, Procedures and Public Appointments Committee is going to review the code of conduct to ensure that it remains fit for purpose.

Ash Denham: Would the corporate body consider producing a stand-alone handbook-style publication on sexual harassment? Ideally, that would be drawn up with input from organisations that specialise in that area. It might be helpful if the publication were to include some examples to assist individuals in recognising inappropriate behaviour.

David Stewart: That is an excellent idea. I will contact the clerks to the diversity and inclusion board to pass on that advice. I will ask them to contact Ms Denham directly so that we can pick up that best practice.

Harassment (Protection for MSP Staff and Interns)

8. **Sandra White (Glasgow Kelvin) (SNP):** To ask the Scottish Parliamentary Corporate Body, in light of recent reports regarding harassment, what provisions are in place to protect staff and interns employed by MSPs. (S5O-01447)

David Stewart (Scottish Parliamentary Corporate Body): As I said in response to Ash Denham's question, the members' code of conduct sets out the rules on general conduct that members must follow and the routes that should be followed if someone has a complaint. That would include complaints from interns. The code does not cover the conduct of members towards their own staff, which is covered by employment law.

The contract of employment under which all staff are employed comes under the auspices of the members' expenses scheme, including the diversity and inclusion policy. It is important to emphasise that that policy states that members, in their role as employers, must have a zero-tolerance approach to any form of discrimination, harassment, bullying or victimisation. The policy directs staff to raise grievances on such matters using the established grievance procedure. Although, technically, those complaints can be investigated by the employing member or someone appointed by them, I strongly point to the human resources advice that, in the interests of fairness, members should always appoint someone else to investigate. Harassment of any kind is cited as gross misconduct under the established disciplinary procedure.

Sandra White: I sometimes wonder whether it would be better for MSPs not to employ staff and for those staff to be employed directly by Parliament. That might give greater protection to staff and interns. That is another story, and I might come back to Parliament with a question on that.

I welcome the action that has been taken in setting up the confidential phone line and the dedicated room where staff and interns can go for

advice. I also welcome the fact that posters, which we all received today, have been produced. They have the heading—in very large print—"Sexual harassment", but as has been said before, harassment can come in many guises, such as bullying and intimidation, and need not just be sexual. Will David Stewart confirm that the measures put in place will cover all forms of harassment?

David Stewart: Forgive me, Presiding Officer, but I will not address the issue of whether the corporate body should employ members' staff. That is perhaps a question for Sandra White to put at a future meeting—whether I am here to deal with it is another question.

I emphasise that harassment is a general and broad term. Given our zero-tolerance position, anyone who feels harassed, bullied or subjected to sexual misconduct should contact the Parliament. The advice line is one way of doing that; other ways of doing so are available through the code. The key point is that we have zero tolerance. I encourage anyone, irrespective of the job that they do in the Parliament, to contact the helpline if they feel that they are being subjected to harassment in any way.

Sexual Harassment Hotline (Calls from Bystanders)

9. **Jackie Baillie (Dumbarton) (Lab):** To ask the Scottish Parliamentary Corporate Body whether its new sexual harassment hotline will accept calls from bystanders who witness inappropriate language and behaviour. (S5O-01445)

Liam McArthur (Scottish Parliamentary Corporate Body): I can say unequivocally that it will. We have set up a dedicated web page with details about the helpline. We are also distributing posters and cards around the building, on all of which we make it clear that if people have seen, heard or experienced sexual harassment, they should phone the helpline for information about the appropriate reporting channels.

Jackie Baillie: I thank Liam McArthur for his positive response. As he will know, it is widely acknowledged that it is difficult for people to report harassment, so we need to ensure that the phone line is open to as wide a group as possible. It is not altogether clear from the posters that bystanders are encouraged to report, too. I hope that the SPCB will reflect on that, because there are occasions when MSPs or staff witness inappropriate behaviour or it is reported to them and we need to encourage reporting of that, too.

What will the process be if a third party makes use of the helpline? How will their complaint be progressed?

Liam McArthur: Jackie Baillie has made a fair point. It is the first print run of the posters. If there are suggestions about how we might improve their profile around the Parliament complex, we will certainly look to take them on board.

On bystanders reporting, it is very clear that the zero-tolerance approach will work only if all of us take responsibility, whether we are directly affected by an incident or see it happening to a colleague, a member of staff or a building user. That point was very well made.

On bystanders making use of the helpline, advice is available on how the complaint or concern can best be triaged. As David Stewart mentioned in response to an earlier question, quite specialist support and a more specialist response might often need to be provided. The helpline will provide a portal for onward dissemination of the complaint in an appropriate fashion. Obviously, that would depend on whether it was made by a bystander or somebody who had been directly affected.

Writers to the Signet Dependants' Annuity Fund Amendment (Scotland) Bill: Preliminary Stage

The Deputy Presiding Officer (Christine Grahame): The next item of business is a debate on motion S5M-08600, in the name of Alison Harris, on the Writers to the Signet Dependants' Annuity Fund Amendment (Scotland) Bill.

14:52

Alison Harris (Central Scotland) (Con): I am pleased to open the preliminary stage debate on the Writers to the Signet Dependants' Annuity Fund Amendment (Scotland) Bill. First of all, I thank my colleagues Tom Arthur and Mary Fee for their work in getting the bill to this stage. The bill, which was introduced on 18 May 2017, is being promoted by the trustees of the writers to the signet dependants' annuity fund. It is the third private bill to be introduced this session and the second to be discussed in the chamber.

It might be helpful if I give members a little bit of background to the fund before I outline the bill's purpose. The writers to the signet have a long history. The signet was a private seal of the kings of Scotland, and its first recorded use was in 1369. Writers to the signet began as clerks to the keeper of the signet and were officers of the court who were entitled to work on behalf of the Crown. The Society of Writers to Her Majesty's Signet in Scotland—or the WS Society—was established in 1594 as the professional body of writers to the signet. As I have said, the writers to the signet have a long history; indeed, the society believes that it is the oldest professional body in the world.

The WS Society is now an independent professional body of solicitors. The society is a not-for-profit corporation for public benefit, and it provides legal training and support in the form of library services, research and drafting services as well as charitable trust administration. It also owns and operates the Signet Library in Edinburgh.

Historically, the WS Society looked after writers to the signet and their widows by making ad hoc charitable donations. The fund was formalised by private legislation in 1803 to provide for the payment of annuities to WS Society members' widows. The legislative rules governing the fund were updated by private acts of Parliament in 1955 and 1965, and the Writers to the Signet Dependants' Annuity Fund Order Confirmation Act 1982 provided for the fund's name to be changed from "widows' fund" to "dependants' annuity fund" to recognise the fact that women were by then being admitted as members of the WS Society

and to reflect the opening up of the fund to orphans as well as widows and widowers. Most recently, the fund regulations were updated to cover the civil partners of contributors to the fund.

The fund is administered by a collector, who must be a contributor to the fund and who is elected annually by other contributors at the fund's annual general meeting. The committee heard that the number of contributors to the fund is 538, the youngest being in their early 50s and the oldest over 100. Currently there are 141 beneficiaries of the fund—who are known as annuitants—with possibly over 500 potential annuitants, and predictions suggest that the fund will continue to pay annuities into the 2040s. The promoter's memorandum states that the value of the fund was £55.5 million in April 2016 and that the value of a current annuity is £8,400 per annum.

The decision to close the fund to new members in 1989 was based on changes to the tax regime as a result of the Income and Corporation Taxes Act 1988, which made it more difficult for the fund to compete as a tax-efficient way of saving. Clearly, the closure of the fund has meant that the pool of eligible contributors from which a new collector can be elected has diminished and will continue to do so. One of the bill's objectives, therefore, is to remove the requirement for the collector to be a contributor to the fund, and the change will open up the eligibility for the post of collector beyond the contributors to the fund.

The bill's second objective is to amend the definition of "actuary" in the 1982 act to reflect the merger in 2011 of the Faculty of Actuaries in Scotland and the Institute of Actuaries. The promoter's legal advice is that it is not strictly necessary to change the definition, as any court would interpret the term to reflect the merger of the two organisations, but the promoter has included the provision for the avoidance of doubt.

On the basis of the evidence received, the committee is satisfied with the promoter's view that there are no alternative solutions that would address the problem presented by the existing requirement for the collector to be a contributor. The committee is also content to update the definition of "actuary" as set out in the 1982 act.

I move,

That the Parliament agrees to the general principles of the Writers to the Signet Dependents' Annuity Fund Amendment (Scotland) Bill and that the bill should proceed as a private bill.

The Deputy Presiding Officer: I call Tom Arthur. You have four minutes, Mr Arthur.

Tom Arthur (Renfrewshire South) (SNP): It is Mary Fee next.

The Deputy Presiding Officer: Has there been a change of plan of which I have not been informed?

Tom Arthur: Yes.

The Deputy Presiding Officer: Well, I cannae guess. I call Mary Fee.

14:57

Mary Fee (West Scotland) (Lab): Thank you, Presiding Officer, and I apologise for the mix-up.

I thank the convener, Alison Harris, for moving the motion. As this is only the second private bill that has been debated in the Parliament in this session, I thought that members might be interested in some brief information about private bills more generally and why they are necessary.

A private bill is introduced by an outside promoter and makes specific changes to the law affecting the promoter instead of changing the public and general law. Traditionally, many private bills are about updating bits of private legislation that were passed some time ago and which have become increasingly outdated. In that context, there is always a right for people or organisations who consider that a private bill would adversely affect their interests to formally object to the bill. However, in some cases, including the one that we are discussing today, no such objections are received. Nevertheless, the Parliament has an obligation to scrutinise the bill and to satisfy itself that the changes to the law that the promoter seeks are reasonable and appropriate.

As with public bills, most of the detailed scrutiny of a private bill is undertaken by a committee. However, there are a number of important differences between the two types of committee, including the fact that private bill committees are always ad hoc ones that are set up to scrutinise a particular bill. Any MSP who has a close connection to the area that is affected by the bill is prevented from serving on the committee.

The first stage of the private bill committee process is almost equivalent to stage 1 of a public bill and is known as the preliminary stage. There are three aspects to the committee's task at the preliminary stage: to take evidence and reach a view on whether the general principles of the bill should be approved; to reach a view on whether the bill should proceed as a private bill; and to give preliminary consideration to any objections. If the Parliament approves the bill's general principles and agrees that it should proceed as a private bill, it goes on to the consideration stage, which is roughly equivalent to stage 2 of a public bill, and then on to the final stage, when the Parliament debates whether the bill should be passed.

The committee is pleased to support the bill's promoter in its quest to remove the stipulation that the collector be a contributor to the fund and to substitute a new requirement that the collector be an individual. That will open up a wider field of potential experienced candidates for the post of collector and ensure that the fund can be administered effectively in the longer term. The committee also unanimously supports the change to the definition of "actuary" as laid out in the 1982 act to reflect the merger in 2011 of the Faculty of Actuaries in Scotland and the Institute of Actuaries.

The Deputy Presiding Officer: Thank you, Ms Fee. Please forgive the confusion. I do not know where it came from, but we will find out.

I now call Tom Arthur to close the debate.

15:01

Tom Arthur (Renfrewshire South) (SNP): Thank you, Presiding Officer. I apologise for any part that I played in the confusion.

I thank our convener, Alison Harris, and my committee colleague Mary Fee for their contributions. I also place on the record my thanks to the committee clerks and the Scottish Parliament information centre for their support.

In my speech, I wish to expand on the issues that the committee considered when it heard evidence from the promoter, specifically on the provision relating to the identity of the collector. I will cover that by highlighting three areas.

First, the committee asked whether the Society of Writers to Her Majesty's Signet had considered any alternative approaches that would enable the fund to continue to meet the existing requirement for the collector to be a contributor. Solutions such as reopening the fund and changing other eligibility criteria for the collector were suggested. The deputy keeper said that there were no alternative approaches and referred to an actuarial report that advised against reopening the fund to new members, because, essentially, the reasons that prompted the scheme's closure in 1989 still apply. The committee is content with that explanation and agrees that there is no alternative to widening the eligibility for the post of collector.

Secondly, the committee asked why the collector has to be an individual and whether employing a firm to undertake the role would provide greater flexibility and expertise than employing an individual. The promoter stated that the provision was based on consultation with the contributors, who wanted a named individual in the role. The promoter stressed, however, that the contributors recognised that the role can be undertaken only with the support of a professional

firm behind the collector. We were told that all collectors—in living memory, at least—have had the support of their solicitor's firm.

We inquired further as we wanted to satisfy ourselves about the legal responsibility for any work undertaken by the firm, but the promoter has assured us that the relationship, which is akin to that between a solicitor and their client, is one that all contributors are familiar and content with. The promoter confirmed that legal responsibility for all the functions that are carried out by the collector, whether directly by them or on their behalf by colleagues, rests with the collector. We are content with that explanation and note that all the contributors, as former solicitors, will be more than familiar with the solicitor-and-client relationship.

Thirdly, and finally, we were interested in the promoter's longer-term plans for the management of the fund when the pool of contributors is significantly diminished. The promoter spoke about the likelihood that, at some stage in the future, the fund will be converted to cash and annuities bought. At that point, the fund would be spent and so wound up. We agree that that seems to be the most appropriate way forward.

With those assurances, the committee recommends that the Parliament agrees to the general principles of the Writers to the Signet Dependants' Annuity Fund Amendment (Scotland) Bill and that the bill should proceed as a private bill.

The Deputy Presiding Officer: That concludes the preliminary stage debate on the Writers to the Signet Dependants' Annuity Fund Amendment (Scotland) Bill.

Seat Belts on School Transport (Scotland) Bill: Stage 3

15:04

The Deputy Presiding Officer (Christine Grahame): The next item of business is stage 3 proceedings on the Seat Belts on School Transport (Scotland) Bill. In dealing with the amendments, members should have to hand the bill as amended at stage 2, that is, Scottish Parliament bill 7A; the marshalled list; and the groupings.

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

Section 3—Meaning of other key terms

The Deputy Presiding Officer: Group 1 is on commencement of section 1 duty. Amendment 1, in the name of Gillian Martin, is grouped with amendment 2.

Gillian Martin (Aberdeenshire East) (SNP): The legislative measures in the bill have been arrived at using a partnership approach. The Scottish Government and I have consulted and listened. I am sure that, to all those members who are in the chamber, the term “school transport” appears to be a straightforward phrase that does exactly what it says on the tin. However, as I and, I am sure, the members of the Rural Economy and Connectivity Committee, can attest to, this is a deceptively nuanced area with various overlapping factors and delivery bodies.

I will let the Minister for Transport and the Islands outline in more detail the significant engagement that the Scottish Government undertook during the devolution of powers that have allowed the introduction of this bill. Collaboration has been key to ensuring that the legislative proposals are practical and fit for purpose. What we heard loud and clear was that a phased approach to introduction was necessary. It became apparent that it would take longer for councils to adapt and absorb the changes for secondary school transport. In general, secondary schools use more double-decker buses, which are exactly the type of vehicle without seat belts that the bill aims to target. That is why Scottish ministers announced implementation dates of 2018 for primary school transport and 2021 for secondary schools. School authorities have been

working towards those timescales and councils have in good faith signed contracts based on them.

At stage 2, we were aware that accelerating implementation dates for secondary provision could lead to contracts having to be broken or renegotiated. Inevitably, that would lead to significant practical, financial and, potentially, legal consequences. We have now canvassed local government and know that five councils find themselves in such a situation: Falkirk Council, Glasgow City Council, West Lothian Council, Stirling Council and Clackmannanshire Council have all signed contracts beyond 2018. Given the lack of precedent of having to renegotiate or to break and retender such contracts, it is not straightforward to forecast the cost implications. However, we are aware that there would be stark and troublesome ramifications for those concerned.

Over the bill's parliamentary passage, we have listened to the views of MSPs that cost forecasts with regard to other elements were too high. The Scottish Government therefore helped to prepare the supplementary financial memorandum, which addresses those concerns and places a formal review period to help mitigate costs. Therefore, to accelerate commencement dates and force such uncertain and problematic consequences does not seem necessary or sensible to me, especially in times of challenging resources for local government. While I absolutely understand the motivation for implementing these safety measures for young people as quickly as possible, it is incumbent on us to be mindful of the wider backdrop. That is why I am moving amendment 2 to allow for a long-stop date for commencement in 2021 for school authorities that have entered into such contracts. The amendment is specifically to address the issues that I have outlined, rather than being intended to offer any sort of catch-all exemption for such school authorities. As such, it has been deliberately drafted as narrowly as possible to allow regulations on commencement to make only a limited exception to the general 2018 commencement that was agreed to at stage 2.

Members may remember that we listened to the views of Parliament on the importance of the legal requirement that covers vehicles that are used for school trips. My amendment on that gained approval at stage 2. Under my amendments today, vehicles that are used for school excursions would still be subject to the 2018 commencement date. The exemption here applies only to home-to-school transport.

Amendment 2 would not allow school authorities to enter into further contracts beyond the date on which the bill receives royal assent that do not meet the new legal requirement in section 1 to

have seat belts fitted. There is no possible loophole for school authorities, and the exemption relates only to pre-existing contracts at royal assent. Furthermore, the amendment relates only to transport for secondary school, meaning that provision for primary school transport will not be exempt and will therefore be subject to the accelerated 2018 commencement date. Consequentially, amendment 1 reinstates the term "secondary education" in the list of definitions in the bill taken from the Education (Scotland) Act 1980.

Members may remember that the Rural Economy and Connectivity Committee's stage 1 report endorsed the commencement dates that were originally committed to for the bill as "reasonable and practicable". Now that we know the blatant implications of those dates for a number of local authorities, there seems to be an even more compelling case for that approach and for a phased commencement of the bill, but with that phasing being carefully limited, as I described, and with an ultimate deadline of 2021 in order to respect the decision that this Parliament took at stage 2.

I move amendment 1.

Mike Rumbles (North East Scotland) (LD): Throughout the first two stages of the bill, when both officials and the Minister for Transport and the Islands appeared before the committee, I and other members of the committee repeatedly asked how many local authorities already had contracts in place to ensure that our schoolchildren travelled to and from school in buses with seat belts. Throughout stages 1 and 2, the necessary detailed information was not forthcoming, and it has not been forthcoming until now.

Now, we find that five local authorities have contracts with transport providers that have not insisted that seat belts are fitted. Those contracts run, we are told, until 31 August 2021. The lack of that detailed information from the Scottish Government led some of us on the committee to believe that the bill might not actually be necessary at all. I certainly could not understand why the Scottish Government could not provide us with that information before now.

As it turns out, the bill is indeed very necessary, as are the two amendments that Gillian Martin has lodged, because five councils out of the 32 have been far too slow to act. The last thing we want is for those five councils to be held liable for what would be illegal contracts if her two amendments are not passed. For that reason, therefore, I can confirm that the Liberal Democrats support Gillian Martin's amendments, but it is a poor show that that information was not made known to members considering the bill in committee at stage 2.

John Finnie (Highlands and Islands) (Green): We do not live in a perfect world. If we lived in a perfect world, we would not need this legislation, which is pragmatic, as are amendments 1 and 2. As Mike Rumbles has said, they are necessary as a transition. There is nothing to stop operators fitting seat belts, and I hope that they will do so, but the amendments are pragmatic. I note, significantly, the exclusion of primary pupils from the exemption, so the Scottish Green Party will certainly be supporting the amendments.

Peter Chapman (North East Scotland) (Con): I am glad that, at stage 2, my amendment to bring forward the date for the requirement of seat belts on secondary school buses was agreed to. However, Gillian Martin's amendment today falls short of my intentions at stage 2. I think that it is right and proper that all school transport, irrespective of contracts, should have seat belts fitted by the end of 2018. We accept that there may be contracts that are in place before royal assent that run to August 2021 and that they may have to be adjusted, but we believe that there will not be many and that making those adjustments is a small price to pay for schoolchildren's safety and parents' peace of mind.

There is £8.9 million set aside in the bill's financial memorandum, and we believe that that is an ample amount for the additional cost implications of changes to existing contracts with bus companies. We believe that amendment 2 impedes the progress of ensuring that seat belts are compulsory on secondary school transport by the end of 2018, so we will be voting against the amendment for those reasons.

15:15

Edward Mountain (Highlands and Islands) (Con): I find myself in the same place as Peter Chapman in that I am unable to support amendment 2. During the committee's scrutiny, we heard that the financial costs of the bill had been estimated and that they would be paid to local authorities without being ring fenced or accounted for separately. It appears from the evidence that we have recently received that only five of the 32 councils have not had seat belts fitted on secondary school transport, which means that 27 councils that have gone the whole hog and had seat belts fitted to such transport will be penalised or will not be seen to have done as well as they have done because five councils have not performed. It appeared to me, when questioning Gillian Martin, that we did not know what the costs would be of ensuring that there would be seat belts on school transport for secondary schools. However, as we have heard from Mr Chapman, £8.9 million has been set aside for the costs. I will give way to Gillian Martin if she can explain

exactly what the costs will be for each of those five local authorities, so that I can understand that. Can I give way, Presiding Officer?

The Deputy Presiding Officer: Yes, it is up to you and Gillian Martin.

Gillian Martin: I am happy to intervene. Mr Mountain asked about the costs, but I am unable to give an answer on that. What I have to clarify, though, is his statement that only five councils do not have contracts for school transport with seat belts, because that is not the case. We are talking about five councils that would have to break their current contracts before 2021. At the moment, 24 councils have contracts in place that have stipulated that school transport must have seat belts. I think that there has been a bit of confusion here. We are talking about five councils that would have to break a contract in order to fulfil what Mr Chapman's amendment sought at stage 2.

Edward Mountain: I thank the member for that answer, but this is the problem that we have met right the way through the scrutiny process: no exact costs can be given. The member is unable to give me a cost today. If I pushed the member to say how many of those five councils have entered into contracts since the bill was first mooted, could she say? I have to say that I cannot agree to delay the provision of seat belts on secondary school transport for a moment longer than we have to. I do not believe that the people of Scotland will go away after this afternoon's debate and understand why having seat belts on school transport for secondary schools has to be delayed a moment longer than it needs to be. God forbid that we have an accident involving secondary pupils in 2019 on a bus that does not have seat belts.

Members: Oh!

Edward Mountain: I am sorry—members might sigh, but I feel this personally and I believe that the people of Scotland will feel the same as I do on the matter, so please do not mock me for having an honest opinion. I cannot support amendment 2, because I could not live with myself if any accidents happened because seat belts were not fitted to school transport.

Rhoda Grant (Highlands and Islands) (Lab): I think that we all agree that the bill is a good thing and that seat belts should be fitted on school buses as soon as possible. However, we are concerned that, if amendment 2 were not passed, there would be financial penalties for councils. I wonder whether the Scottish Government will sit down with the five councils concerned and their contractors to see whether they can have seat belts fitted earlier than the contracts currently allow, if there is good will on both sides. I ask the Scottish Government to take that forward.

Jamie Greene (West Scotland) (Con): Does the member know, with regard to the current financial memorandum and the numbers that have been given to us in the Rural Economy and Connectivity Committee, whether the costs include or exclude the potential costs of breaking those contracts? That point is entirely unclear to us.

Rhoda Grant: The evidence that we received in the committee was that the money indicated in the financial memorandum was to be distributed to councils under the normal formula, which meant that those councils that had been proactively ensuring the fitting of seat belts were not going to be unduly penalised compared with councils that had decided not to do that at an early date. I do not think that I could suggest that councils that had not ensured the fitting of seat belts would get financial assistance that councils that had already done so would not get, nor that we could impose further cuts on councils that had already been forced to cut services because of austerity. We will therefore reluctantly support amendment 2, because we think that it is a pragmatic way forward, while pushing for an early resolution to the matter.

The Minister for Transport and the Islands (Humza Yousaf): As members are aware, there is some history to the measures that we are debating. As Ms Martin said, they came about following the devolution of competence on the issue via a section 30 order. They take forward aspirations that were first presented to the Public Petitions Committee and, in that vein, are a compelling example of how a kernel of an idea has progressed through our democratic system towards legislative change.

The Scottish Government made good use of the time taken to progress the legal and administrative procedures for devolution of competence. We used that time to engage with partners and undertake appropriate groundwork to prepare and shape measures that would be workable on implementation.

As Ms Martin outlined in speaking to the amendments, there is no uniform model for the organisation of dedicated school transport. Indeed, there is not a bespoke model of vehicle such as the iconic yellow school bus in the United States. To a large extent, it is that flexibility that makes the system work. Scotland's 32 local authorities are a diverse patchwork. By allowing school authorities, particularly councils, to tailor their provision, we ensure that they are best able to meet the needs on the ground in their area.

Mike Rumbles: This is a contentious point. Throughout stage 1 and stage 2, other members of the committee and I asked repeatedly how many councils had contracts in place already, but we were not given that information. For that

information to come forward now at this late stage, when we are finishing stage 3, is not satisfactory. Will the minister reflect on that?

Humza Yousaf: Yes, of course I will reflect on that. I get the point that the member is making. We have a good constructive relationship with our partners in local authorities and the Convention of Scottish Local Authorities, but we cannot force them to give us that information if it is not forthcoming. I will reflect on the member's point that it would have been better to have had that information at stage 2. That is a valid point, but we are where we are and we now have the information that Ms Martin has provided about the five councils.

The variety of provision on the ground has meant that collaboration has been key to ensuring that the legislative proposals are practical and fit for purpose. That is why, from an early stage, the Scottish Government undertook such close engagement with groups such as local government, the bus industry and parenting and education bodies. The seat belts on dedicated school transport working group was established in 2014 and it enabled such discussions. Through that dialogue, it became clear that a phased introduction period would be a sensible and prudent approach.

When my predecessor Keith Brown announced plans for future legislation in 2014, ministers were clear that implementation dates of 2018 for primary school transport and 2021 for secondary school transport would be in place. We have heard from Ms Martin what the glaring consequences of accelerating those dates could be.

Looking back at the parliamentary passage of the bill, we can see that one of the issues that we have spent most time examining and revisiting in committee sessions and in the chamber is costs. To add a measure that could significantly drive up the financial implications seems at odds with the broad thrust—

Jamie Greene: The minister talked about the glaring consequences of bringing forward the implementation of the legislation, but no one in the chamber has heard the specific costs associated with doing that. A risk has been identified, but no cost has been associated with it. What is the cost?

Humza Yousaf: The costs are in the financial memorandum, but if the member is asking specifically about the cost of breaking contracts, I have to say that, if the contracts have not been broken, it is difficult to quantify a cost. The point that Ms Martin is rightly making is that there clearly would be a cost. I do not know anybody who has ever broken a contract without a cost being attached to that. Mr Greene's colleagues sitting on his left and his right know, as businessmen in their

own right, that if they broke a contract, there would be a financial implication. Mr Greene is absolutely right to ask what the cost might be, but let us not break the contracts unnecessarily to increase the financial burden on those councils, as Rhoda Grant rightly said.

Edward Mountain: Will the minister give way?

Humza Yousaf: Let me make some progress.

I agree with the sentiment that has been expressed by members, including Mr Chapman and Mr Mountain, that all of us in the chamber would like to see the proposals implemented as quickly as is practicable. Indeed, since the bill was introduced I have heard many people question why this was not law already, as John Finnie said. However, we cannot ignore the practical implications on the ground.

I will take forward Rhoda Grant's suggestion about the Government being involved in facilitating discussions on the basis of good will. We will have to be wary in the sense that obviously the Government cannot renegotiate contracts, although that is not what Rhoda Grant was asking, but if we can facilitate such discussions, I do not see why we cannot look to do so.

As we have heard, the Rural Economy and Connectivity Committee endorsed the plans for phased commencement dates in its stage 1 report. Since then, we have learned of the potentially stark consequences for the five councils involved. Taking that together with the history of consultation of local government and the industry, I think that there is a compelling case for a limited and narrow exception to the full accelerated commencement of the bill, as Gillian Martin has requested. That is an important point and is why the Scottish Government strongly supports amendment 2.

The Deputy Presiding Officer: I call Gillian Martin to wind up and press or withdraw amendment 1.

Gillian Martin: I move my amendment—

The Deputy Presiding Officer: No. You need to wind up and then tell the chamber whether you are pressing or withdrawing your amendment. I was trying to be helpful, but I obviously confused you.

Gillian Martin: As you will know, Presiding Officer, this is the first time I have done this. I would like to press amendment 1. I do not need to make a winding-up speech.

The Deputy Presiding Officer: The question is, that amendment 1 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division and, as this is the first division at stage 3, I will suspend the meeting for five minutes.

15:25

Meeting suspended.

15:31

On resuming—

The Deputy Presiding Officer: The question is, that amendment 1 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

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)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Beamish, Claudia (South Scotland) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 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)
 Campbell, Aileen (Clydesdale) (SNP)
 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)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fee, Mary (West Scotland) (Lab)
 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)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)

Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Glasgow) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 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, 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)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rumbles, Mike (North East Scotland) (LD)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Scott, John (Ayr) (Con)
 Smith, Elaine (Central Scotland) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 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 Deputy Presiding Officer: The result of the division is: For 98, Against 0, Abstentions 0.

Amendment 1 agreed to.

Section 4—Annual compliance statement

The Deputy Presiding Officer: We move to group 2, which is on the promoting and assessing of the wearing of seat belts. I ask members to settle down.

Amendment 3, in the name of Neil Bibby, is grouped with amendments 4 to 8. Mr Bibby knows what he is doing—at last, someone does—and will move amendment 3 and speak to all the amendments in the group.

Neil Bibby (West Scotland) (Lab): When Rhoda Grant lodged similar amendments at stage 2, her intention was to make clear who needs to promote the wearing of seat belts by pupils on school transport, given what was thought to be some uncertainty over where that part of a school's legal duty of care towards pupils should fall.

The Deputy Presiding Officer: Wait a wee minute, Mr Bibby. I want to hear what Mr Bibby has to say, even if some members do not, which is very rude of them. Proceed, Mr Bibby.

Neil Bibby: Rhoda Grant was assured that, although there were technical legal difficulties with the amendments that were proposed, the Scottish Government did not object to the proposed changes to the bill in principle. Therefore, we have worked with the Scottish Government and with Gillian Martin to revise the drafting of the amendments to answer their concerns. I will explain the amendments individually.

Amendment 8 would insert a new section after section 4, creating a duty on the Scottish ministers to publish statutory

"guidance about the steps which a school authority may take to promote and to assess the wearing of seat belts by pupils carried by the authority's dedicated school transport services"

and a corresponding duty on school authorities to

"have regard to such guidance."

That would leave it to the Government, in consultation with school authorities, to decide how best to encourage the wearing of seat belts and to use the guidance to cite good examples of the procedures that schools should have in place to do so.

As Rhoda Grant said at stage 2, the guidance could recommend that, if the resources are available, there should be monitors on buses

"to ensure that seat belts are worn".

Alternatively, it might

"ask authorities to engage in an education programme with young people to promote wearing of seat belts."—[*Official Report, Rural Economy and Connectivity Committee*, 28 June 2017; c 52.]

In the amendment as it was drafted for stage 2, the word "monitor" was used regarding the wearing of seat belts, which was queried as potentially implying the need for bus monitors on each journey. That has been replaced in amendments 6 and 8 with the word "assess", which, as Rhoda Grant suggested during the stage 2 proceedings, is what was meant by school authorities monitoring the wearing of seat belts by pupils.

The minister's concerns at stage 2 over the practicality of consulting every school authority have been remedied with a requirement to consult representative bodies before publishing the guidance. That would mean, for instance, the Government consulting the Scottish Council of Independent Schools rather than having to consult every independent school in Scotland.

The added discretion to consult others as appropriate means that the Government has the ability to consult, among others, young people themselves. As the Scottish Youth Parliament made clear to the committee at stage 1, it is far more effective for young people to be proactively involved in promoting and assessing the wearing of seat belts than for them to be forced to wear them by a third party.

Amendments 5 and 6 add an extra requirement to the self-reporting duty in section 4. Section 4 obliges school authorities to publish an annual statement on compliance with section 1—the duty to have seat belts fitted on dedicated school transport services. The extra requirement created by amendments 5 and 6 is that school authorities should also include information in that statement on what they have done to promote and assess the wearing of seat belts by pupils on their dedicated school transport.

Amendments 3, 4 and 7 are consequential amendments that rename the compliance statement a seat belts statement, as it will now cover information broader than just compliance with the bill.

I move amendment 3.

Jamie Greene: I should say from the outset that the Conservatives support the Seat Belts on School Transport (Scotland) Bill. We welcome the constructive approach to the issue that there has been not just in the chamber but in the Rural Economy and Connectivity Committee.

We considered Neil Bibby's amendments carefully, and I am pleased to say that we will support them. There were initially some reservations about the wording, particularly of amendment 8, which inserts quite a substantial number of words into the guidance on the wearing of seat belts. Paragraph 2 of the proposed new section says:

"A school authority must have regard to such guidance."

The wording is perhaps weak in that it does not specify what additional duties would be placed on schools. Are those duties to be on teachers, headteachers, bus drivers, monitors or senior pupils? There is some ambiguity there, and I would welcome it if Mr Bibby were to define how he thinks that might manifest itself in practice.

That said, we have absolutely no problem with the overall concept that Scottish ministers must publish guidance on the steps that schools must take to promote the wearing and use of the seat belts that will have to be fitted as a result of the bill. For the above reasons, we will support all of Mr Bibby's amendments.

John Finnie: The Scottish Green Party will support all of Neil Bibby's amendments. I agree with Jamie Greene that there has been very constructive engagement.

Our party's view is that it is unfortunate that we could not include enforcement in the bill, because we do not have those powers. Education is key to the issue, however, and, for the reasons that Neil Bibby outlined, young people play a significant role.

Humza Yousaf: I thank Neil Bibby for lodging the amendments and for working with the Scottish Government on them. It is clear from Labour's endeavours that it shares my and Ms Martin's aspiration that Scotland's schoolchildren should wear seat belts, and the Parliament has gone to the trouble of ensuring that they will be fitted as a matter of law.

Keeping our young children safe on the journey to and from the classroom and on school excursions is not a partisan issue. I am sure that all of us in the chamber want the best for school pupils on those journeys. The work that was undertaken by Rhoda Grant on her stage 2 amendments, which led to the amendments that are proposed by Neil Bibby today, shows how that consensus can take us forward.

Many times throughout the scrutiny of the bill, the matter was raised that any legal requirement for children between the ages of three and 14 to wear seat belts on larger buses and coaches would be a reserved issue. The Department for Transport previously indicated a desire to transpose relevant elements of a European Union directive that would create such a law. If the UK Government chose to act, there would be such a law. However, going by the most recent correspondence that I have had, the likelihood of that is not particularly high.

We have been clear that the bill represents a great opportunity to raise awareness of the safety benefits of seat belts, and we plan to implement guidance to help to facilitate the wearing of them. Scottish ministers are therefore prepared to accept the explicit requirement for them to publish such guidance that would be created in amendment 8. It is right that there should be a corresponding duty on school authorities to have regard to such guidance, as the issue of pupil safety on transport is something that school authorities treat as a matter of the utmost importance.

We fully intend to engage widely in the creation of the guidance, on which I understand that Ms Martin will give more detail. Therefore, the Scottish Government is willing to accept the consultation requirements in amendment 8.

Amendment 6 requires school authorities to publish details of the steps that they are taking to promote and assess seat belt wearing. We think that the wording is clearer than the wording of the amendment that was lodged at stage 2 in that it avoids the ambiguity that is associated with the word "monitor".

I welcome all the work that the committee has done in considering the bill. In particular, I commend Rhoda Grant and her Labour colleagues for their willingness to work with us to reach a mutually agreed approach. The Scottish Government will support the amendments in the group.

Gillian Martin: I, too, welcome the sentiments behind Neil Bibby's amendments and I thank him and others in his party—in particular, Rhoda Grant—for their work in helping to shape the bill.

As the transport minister says, the Scottish Government appears willing to accept the legal duties that the amendments in the group would place on the Scottish ministers. In the context of that consensus, I reiterate the importance of our continuing to work together to ensure that young people wear seat belts on dedicated school transport. Although it is not in the gift of the Parliament to change the law on reserved matters, we should not allow that to lessen our aspirations.

It is often said that the wearing of seat belts in cars has become second nature to youngsters. Indeed, that came through in the Scottish Government's public consultation on the measures. We know that the habit of wearing seat belts can be further encouraged if schools, parents and carers take an active role in promoting seat belt use from an early age, including in lessons and through road safety education events. That is why I regard the bill as not a narrow legal instrument but a key piece in the wider jigsaw of road safety initiatives in schools. It will act as a catalyst that gets seat belt wearing and the safety benefits that it brings up the agenda.

I am aware of a raft of measures that are being adopted across the country to reduce risk on the school run, such as reduced speed limits around schools, safer routes to school programmes and bicycle safety training for pupils. The measures in the bill and better practice in getting pupils to wear seat belts can make a vital contribution to those efforts.

Extensive dialogue is taking place with local authorities, parenting groups and other stakeholders about guidance, publicity and

educational materials. Road Safety Scotland, which produces materials that are available to every school in Scotland, has also been engaged. There is a wealth of good practice and innovation in Scotland, not least in the councils that already require seat belts on all dedicated school transport. The Scottish Government will use that good practice as a basis on which to work with stakeholders and come up with effective materials and approaches.

Councils can and do implement measures such as closed-circuit television monitoring of journeys and codes of conduct for pupils and parents to sign, and the requirement in Neil Bibby's amendments to consult various school authority sectors and others will be key to exploring such issues. If the options that are open to school authorities are set out, and if good practice that people might want to implement is highlighted, it will be possible to come up with innovative and tailored solutions.

In all of this, there is a group that we must not forget to consult: the young people themselves. I am aware that the Scottish Government intends to undertake such engagement soon, and I welcome the fact that Neil Bibby's amendments allow for that. I will support the amendments in Neil Bibby's name.

Neil Bibby: I thank the minister and Gillian Martin, with whom we worked on the amendments in the group.

As Gillian Martin and John Finnie said, we do not have the power of enforcement, but we can take measures to promote the wearing of seat belts on school transport.

On Jamie Greene's point about the guidance that is provided for in amendment 8, it will be for the Government, in consultation with school authorities and local authorities, to decide how best to encourage the wearing of seat belts and how to use the guidance to cite examples of good practice and procedure in schools.

I press amendment 3.

Amendment 3 agreed to.

Amendments 4 to 7 moved—[Neil Bibby]—and agreed to.

After section 4

Amendment 8 moved—[Neil Bibby]—and agreed to.

Section 5—Commencement

Amendment 2 moved—[Gillian Martin].

15:45

The Deputy Presiding Officer: The question is, that amendment 2 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

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)
 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)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fee, Mary (West Scotland) (Lab)
 Finnie, John (Highlands and Islands) (Green)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Glasgow) (Lab)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 Macdonald, Lewis (North East Scotland) (Lab)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rumbles, Mike (North East Scotland) (LD)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 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)
 Todd, Maree (Highlands and Islands) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (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)
 Greene, Jamie (West Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Tomkins, Adam (Glasgow) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

The Deputy Presiding Officer: The result of the division is: For 67, Against 25, Abstentions 0.

Amendment 2 agreed to.

The Deputy Presiding Officer: That ends the consideration of amendments.

Seat Belts on School Transport (Scotland) Bill

The Deputy Presiding Officer (Linda Fabiani): As members will be aware, at this point in the proceedings the Presiding Officer is required under standing orders to decide whether, in his view, any provision of the bill relates to a protected subject matter. Put briefly, that is whether it modifies the electoral system and franchise for Scottish parliamentary elections. If it does, the motion to pass the bill will require support from a supermajority of members. That is a two-thirds majority of all members, which is 86.

In the case of this bill, the Presiding Officer has decided that, in his view, no provision of the Seat Belts on School Transport (Scotland) Bill relates to a protected subject matter. Therefore, the bill does not require a supermajority in order to be passed at stage 3.

The next item of business is a debate on motion S5M-08706, in the name of Gillian Martin, on stage 3 of the Seat Belts on School Transport (Scotland) Bill. I call Gillian Martin, the member in charge of the bill, to speak to and move the motion.

15:49

Gillian Martin (Aberdeenshire East) (SNP): It has been a privilege to bring the bill before Parliament and to progress this important issue to stage 3 proceedings. I thank all those who have contributed in different ways to the legislative scrutiny, particularly members of the Rural Economy and Connectivity Committee for their detailed consideration and constructive and helpful recommendations.

The safety of Scotland's young people is a responsibility that we all share. It transcends party interests, and it has been heartening to witness support for the measures from across the political spectrum. I am particularly grateful to all those who took the time to contribute oral and written evidence to the committee sessions. That input is vital to effective parliamentary scrutiny, and it is clear that those in the wider society share this chamber's aspirations on the measures.

Presiding Officer, you will be aware that the Parliament secured competence in this policy area through a Scotland Act 1998 order. Now that we have the powers, we have seen a clear appetite to act and legislate, just as we know that the Welsh Assembly has similarly done.

I will turn now to the detail of the measures before us. There can be few matters more pressing than the protection of Scotland's children and young people. When parents send their

children off to school every day, they rightly expect comprehensive measures to be in place to keep them safe from harm. Those considerations are not confined within the four walls of the classroom—they exist on journeys to and from school and when youngsters are out on excursions. The proposals before us are so important because we know the crucial role that seat belts can play in a road traffic accident. That role has been well established in numerous globally recognised studies.

Likewise, as a representative of a rural community, I know how seriously parents and communities take the issue of home-to-school transport. Some of the distances can be long and the need for supported journeys can be vital. The need to strive for continual improvement is self-evident.

Just as teachers and education providers take action every day to keep young people safe, those of us in elected positions also have to play a part. Our influence over law making and policy setting is just as key. Additionally, I have seen for myself how responsible school pupils can be and how they embrace measures to encourage them to buckle up. From my visit to the fantastic Cuiken primary school in Midlothian way back at the introduction of the bill, to my visits to schools across my constituency, I have been impressed and energised by the brilliant attitude of pupils to road safety initiatives.

I am sure that members are aware that the endeavours in the bill align with public feedback on the matter. I have heard loud and clear through the bill's progress that people want it to happen and are surprised that such a law is not already in place. That view has been echoed by people from stakeholders at committee sessions to members of the public far away from the Holyrood bubble, including people I spoke to earlier today on Twitter about the bill being read. Indeed, a national consultation by the Scottish Government in 2016 showed that respondents overwhelmingly thought that the measures would contribute to road safety.

Local government has shared those sentiments. Councils have seen the importance of ensuring that seat belts are required as part of transport contracts. We know that at least 24 councils already do that on some or all of their contracts. That number will have risen to 27 by the start of the next school year.

It is very welcome that we have seen school authorities preparing for the legislation, but I want to ensure that the provision of seat belts in school transport becomes universal across all school authorities as a matter of law. That future-proofing measure means that good practice will not come and go.

The chamber will be aware that the legal duty in the bill covers local authorities, grant-aided school providers and independent school providers. It includes home-to-school provision and, following my stage 2 amendment, vehicles used for school trips and excursions. Again, I thank members who expressed their views on that matter—

Edward Mountain (Highlands and Islands) (Con): Will the member take an intervention?

Gillian Martin: Yes, I will.

Edward Mountain: I want to push a wee bit on the financial implications. You have stated that 24 councils already require school transport to have seat belts and mentioned the amendment that will ensure that buses used for school activities will have to have seat belts, too. Is there a financial cost to either of those requirements? That matter was never brought before the committee and I wonder whether you could clarify it, because it remains unclear to me.

The Deputy Presiding Officer: I remind members to always speak through the chair, please.

Edward Mountain: I am sorry, Presiding Officer.

Gillian Martin: The revised financial memorandum takes into account all the measures that were agreed at stage 2. Furthermore, the changes that the committee wanted to be implemented are quite evident in the revised financial memorandum.

The legislation will cover taxis, minibuses, coaches and buses. Some of those are already covered by existing UK laws requiring seat belts. In general, it is in relation to the larger—often older—coaches and buses that changes will be required, and those are what the bill is fundamentally aimed at. However, as members who have followed the progress of the bill will be acutely aware, one thing that jumps out about school transport in Scotland is how varied the delivery is. There is no uniform approach and no one-size-fits-all formula for organisation. There are around 2,500 schools in the country, spread across a diverse range of geographies within our nation's local authorities. We are therefore looking at everything from pupils on double-decker buses in busy urban centres to children in more rural areas—such as Aberdeenshire, where my constituency is—travelling long distances by coach on higher-speed country roads. Flexibility is therefore needed, and the bill has been drafted to allow for that. That is why it leaves open options in relation to, for example, pupils with additional support needs and why it allows for the use of adjustable straps, booster seats or lap belts for smaller children.

In the evidence-taking sessions, the committee heard about the varied and innovative measures that school authorities use to help with seat belt wearing. Again, the bill leaves the door open in relation to bus monitors, behavioural codes, closed-circuit television and so on.

The Scottish Government has pledged to offer ideas and examples of best practice through guidance and publicity. School authorities will be able to use that information to tailor the best approaches for their individual needs.

On another matter, which might answer Edward Mountain's earlier point, I am aware that costs have been a salient point throughout parliamentary scrutiny. I think that the Minister for Transport and the Islands will outline the Scottish Government's recent actions in more detail. However, members will be aware that a supplementary financial memorandum was tabled. It adds a review clause that alters the headline costs from £8.9 million to £3.83 million before any further financial support is automatically released. That again shows how Parliament has helped to influence the final proposals, and I therefore urge members to support the Seat Belts on School Transport (Scotland) Bill for the benefit of young people across the country.

I move,

That the Parliament agrees that the Seat Belts on School Transport (Scotland) Bill be passed.

The Deputy Presiding Officer: I call Humza Yousaf. You have up to six minutes, minister, but I would appreciate brevity.

15:57

The Minister for Transport and the Islands (Humza Yousaf): As the Parliament is aware, the Scottish Government supports this important and worthy bill to keep our young people safe on the journey to school. Like Gillian Martin, I extend my gratitude to the committee for its considered and detailed scrutiny. I would also like to thank the stakeholders who gave their views to our public consultation. They have played a crucial role and their endeavours have gone a long way towards aiding us as parliamentarians—their contribution is noted.

As has been said many times in the chamber, this Government will never be complacent when it comes to road safety. That is why we are introducing a raft of initiatives as we move towards the ambitious casualty reduction targets that we have set ourselves. However, there can be no group on which those efforts should be more acutely focused than our young people, and the measures in the bill will go a long way towards strengthening the comprehensive package of measures to keep them safe on the school run

and, of course, on excursions away from the classroom.

Thankfully, travel on buses and coaches is comparatively safe for children. However, the statistics show that young people travelling on those vehicles are sometimes injured, and it is right that we bolster our approach. Additionally, the safety benefits of seat belts are, as Gillian Martin said, undisputed.

As I set out earlier in the debate on amendments, the section 30 order process devolving the powers that the bill exercises has given us ample time for dialogue and consultation. As such, engagement and co-production have been the hallmarks of this Government's approach to formulating the measures. We have taken a belt-and-braces approach, and I have been encouraged to see Gillian Martin taking that foundation and moving it forward. She should be commended for the detailed consideration that she has given the bill and also for the engagement work that she has done around the country.

The seat belts on school transport working group brought together representatives from parenting and education groups, local government and bus operators. As Gillian Martin has already pointed out, dedicated school transport provision is something of a patchwork. Our pre-emptive dialogue with experts in the field allowed us to structure and refine measures so that we could introduce a clearly focused bill, and the Parliament has built on that.

We have had a conversation about the costs and the financial forecasts have been scrutinised by the parliamentary committee. We welcome that scrutiny, which has helped us to have a sharper focus. I should point out that the costing exercise for the bill followed the robust and established new burden process for calculating the financial implications of statutory duties on local authorities. That has now been put in place to ensure that councils are not left out of pocket, given that we all know that local government is not immune to the challenging backdrop of public finances.

The new burden approach has been used for other legislation, such as the Social Care (Self-directed Support) (Scotland) Act 2013 and the Carers (Scotland) Act 2016. However, since stage 2 of the bill we have re-engaged with local government and submitted a supplementary financial memorandum, which goes back for committee scrutiny. There are always challenges in forecasting cost estimates over a significant number of years. The original forecast covered a 14-year period, which accounted for two home-to-school contract cycles, whereas the document now contains a review clause after one contract cycle. The traditional new burden approach for local government finance does not involve the

continuation of funding after local government stops incurring costs as a consequence of new legal duties. As such, the Scottish Government intends to review that forecast in 2023. That is why the headline figure is altered from £8.9 million to £3.83 million, without further evidence of incurred cost. It should be noted that, when taken annually and divided by 32 councils, that figure equates to just under £24,000. That will not be the model for administering the distribution of those funds in practice. However, it provides an illustrative example of division at a local level.

There is currently no legal requirement for children between the ages of three and 14 to wear seat belts that are fitted on buses and coaches. That is a reserved area of competence. The United Kingdom Government previously indicated a desire to transpose relevant elements of the European Union directive that would allow us to create such a law. During the committee scrutiny process, I wrote to UK ministers seeking a formal clarification of any timescale for implementation and we heard that there are no fixed plans.

Nevertheless, the bill is a good opportunity to promote successful approaches to ensuring that children wear seat belts and to raise wider awareness of the issue. Extensive dialogue has taken place with local authorities, parenting groups and other stakeholders. That will continue as we develop guidance and awareness-raising campaigns to accompany any final act. Those materials will be created following consultation with school authorities and—as Ms Martin has already said—with young people. That will be shaped by the legal requirements added by the amendments passed today.

The bill successfully exercises the devolved powers that we secured on the issue. I hope that all members agree to pass the bill. The Scottish Government supports the bill and Ms Martin's motion.

16:02

Jamie Greene (West Scotland) (Con): I apologise for the initial confusion around amendment 1. We were happy to vote for the amendment. The confusion kept us on our toes and perhaps got some members out of their offices to listen to and participate in today's interesting debate, which they might not have done otherwise.

Humza Yousaf: That was your cunning plan.

Jamie Greene: Indeed it was.

I welcome the opportunity to open the debate on behalf of the Conservatives. I have participated in various Rural Economy and Connectivity Committee meetings on the bill. I congratulate

Gillian Martin on the constructive approach that she has taken with the committee and all the political parties to get the bill to this point. I have no doubt that it is not easy for a new member to navigate her way through the legislative process—she should be proud of her achievement.

We will vote for the bill because it will help to improve the safety of children travelling on school transport. One of the early comments that we made was that the first incarnation of the bill applied only to commuting to and from school and we felt strongly that it should also include school trips. I am very pleased that those have been included in the bill at its final stage.

We know that around 100,000 schoolchildren will benefit from the bill every day; the availability of seat belts will go some way towards encouraging good safety habits on buses.

I commend Labour members for additional work to strengthen the bill through the amendment on the production of guidance. That it is a valid and wise addition to the bill. We were pleased to support the amendment and equally pleased to see the Government accept it.

The Royal Society for the Prevention of Accidents and FirstGroup, which operates bus services, agreed with those arguments in their written consultation responses to the committee. I was very pleased that the bill garnered wide support from not just industry, but many third sector organisations, parents and schools.

I draw members' attention to a quote from Inspector Grant Edward of Tayside Police in the media in 2013. During a crackdown on the failure to wear seat belts, he said:

"It's easy to get the impression that you are travelling safely when you are sitting comfortably inside a moving vehicle. That's an illusion that is instantly shattered if for whatever reason the vehicle stops sharply".

The wearing of seat belts in cars has been high on the agenda for a long time, but that has not been the case for buses. It is therefore right that we turn our attention to that. On average, between 2010 and 2015, 45 children in Scotland were injured while they were on a bus or a coach. That is 45 children too many in the eyes of us all. The World Health Organization has identified that the inclusion of seat belts reduces the risk of fatalities by 25 per cent and minor injuries by 75 per cent.

We have not, of course, been entirely without concerns in the process. The financial memorandum details the cost of the act as being around £765,000 annually following its commencement. My first reservation—I might have expressed this in the committee—was that there were no guarantees at any point in the process that any money that was given to local authorities through the Convention of Scottish

Local Authorities arrangements or the existing block arrangements would be guaranteed to be spent on seat belts. Indeed, there were no guarantees that any of that money would be ring fenced specifically for the purpose of the fitting, retrofitting or future fitting of seat belts. I still have that concern, albeit that it is perhaps too late to do anything about it in the bill.

My second financial concern was about the 11th hour change to the financial memorandum, which left us very little time for further scrutiny. We are now at stage 3. If Conservative members have any ambivalence over the numbers, that is because we are yet to get any definitive figure on the potential cost liability if any existing contracts are breached or have to be broken as a result of the legislation, for example. The bill team in general should have had more knowledge and sight of that.

To end on a positive note, we support the bill despite those obstacles. It really is a step in the right direction, and it will be fundamental in improving the safety of schoolchildren on public transport. It is a clear example of what the Parliament can do when it uses the wide-ranging powers that it has been given and that are at its disposal. The bill will truly help the lives of Scots across our country, so I thank Gillian Martin for introducing it.

16:08

Neil Bibby (West Scotland) (Lab): I thank Gillian Martin for her efforts in steering the bill through Parliament, and for her willingness to work with members across the political divide. We will all want to thank the Rural Economy and Connectivity Committee for its endeavours and scrutiny, and we want, of course, to acknowledge the sterling work of the committee clerks, the Scottish Parliament information centre and other staff members who, as usual, do all the heavy lifting, which goes unseen.

I acknowledge that the bill is modest. As I said at stage 1, I would have preferred something more substantial and wide ranging, but a number of factors militate against that, not the least of which is that key elements remain reserved to Westminster. That said, the bill will make an important contribution to the safety of our children, and we can never minimise or diminish anything that does that.

As other members have done, I will declare an interest. I am the father of two young children, which has given me a heightened focus on and awareness of everything child-related, particularly safety.

As Jamie Greene said, information at stage 1 suggested that just 45 children a year are injured

on school buses and coaches. As I have said previously, any injury that brings harm to a child is an injury too many. I recognise that fitting seat belts to school transport may not eliminate risk entirely, but it is very much a step in the right direction.

The bill has been improved through consideration of and agreement to amendments at stages 2 and 3. In particular, as Jamie Greene did, I welcome the fact that transport that is used for school trips will now have to have seat belts fitted. That is the right thing to do, given the significant number of such journeys that are made every year.

It is all very well having a law that says that seat belts must be fitted, but if no one actually wears them, nothing can be done about it. I referred previously to the committee's description of secondary pupils as a

"tough audience to convince to wear seat belts".

In one school,

"74% of pupils said that they were 'not at all likely' or 'unlikely' to wear seat belts.

I suspect that they are not untypical. Social changes such as those relating to smoking in public places or use of mobile phones when driving can take a while, but once they are accepted, they become the norm. We still have some way to go with wearing seat belts on buses—and not just among children. I have been on coaches on which seat belts were fitted and have been astonished by how few passengers actually wore them. Adult passengers should be setting an example, not just for their own safety, but for that of their children and grandchildren.

We need to educate and encourage children to wear seat belts: my amendments that were debated earlier will, I hope, address that. Although education, encouragement and the example of adults are critical, it is not enough just to leave it to choice, so those who are responsible for provision of school transport need to face up to their responsibility.

The issue of compulsion is reserved and, as the minister said, he has again pursued the matter with the UK Government. I urge him not to give up and to continue formally to press the UK Government. I would welcome publication of his letter and any responses that he has received. That would be helpful.

As other members do, I have concerns about the financial implications of implementation. However, we cannot step back from doing the right thing, so the Scottish Government must work with local authorities to ensure that the costs that will be associated with implementation are met. Although I worry about any delay in

implementation, I commend the flexibility that Gillian Martin has advocated in order to try to minimise unnecessary costs that early implementation might incur through breaking of contracts.

Labour is pleased to support the bill, through which Parliament can take some small but important steps towards improved safety on school transport for our children. I therefore have pleasure in commending the bill to Parliament.

16:12

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): As Neil Bibby did, I congratulate Gillian Martin on introducing the bill and getting it to this stage—at which we may now reasonably anticipate that it will be passed later today. It is no small matter to promote a bill. I have taken five bills through Parliament thus far, but none of them was a member's bill. With a member's bill, the member has to do much of the work: for the four bills that I took forward in my capacity as a Government minister, I had a vast team to do all the heavy lifting for me, and when I introduced a committee bill in the previous session of Parliament, the team of clerks did the work. However, for a member introducing a member's bill, the burden is substantially greater, and greater understanding and attention to detail are required. Therefore, Gillian Martin deserves very substantial thanks.

One part of the system that has not been mentioned so far, but that it is proper to mention, is the Public Petitions Committee. Over a long period, a considerable number of petitions on matters in the general area that we are dealing with today have been submitted and then considered in great detail. UK Government ministers have appeared at the Public Petitions Committee on such matters. That committee has played a significant part in digging the soil and putting in the manure where the crop that we have today has grown.

Travelling in a vehicle that is fitted with a seat belt but not using it is rather like jumping out of a plane without a parachute—it is briefly exciting, but ultimately disastrous. The one thing that we are unable to do is enforce the wearing of seat belts. Like others, I travel on buses—I am of that age: I think that I am now on my fourth bus pass, which shows how old I have got—but I do not recall ever being on a bus on which anyone bar me was wearing a seat belt.

I acknowledge and thank colleagues at Westminster for providing us with the powers to do what we are doing today. That is very welcome and it is good cross-parliamentary working. It would be affa nice if they found the time and the

method to create enforcement. It is not a Scottish issue. If enforcement was created such that people would be required to wear a seat belt if the vehicle on which they are travelling has seat belts—it is that simple; that is all we need to say—that would be of equal benefit to people throughout the whole United Kingdom. I encourage colleagues of whatever political persuasion or Government to consider whether they might support such legislation being dealt with at Westminster. That would mean that it would catch up with what Wales has done and with what we expect to do this afternoon.

Briefly and finally, I note that we have had a wee bit of a debate about costs. That is so trivial that I am not prepared to join it. In matters of safety, we just do it. I will be delighted to press my button at decision time today to just do it. I say, "Well done" to Gillian Martin.

16:16

Edward Mountain (Highlands and Islands) (Con): I am delighted that the Seat Belts on School Transport (Scotland) Bill has commanded support from all parties and is widely supported by parents across Scotland. When the subject first came up, I was rather shocked to discover that such a law did not already exist and that children went to school without wearing seat belts. Like many parents, I think, I believed that when we said goodbye to our children and let them go on the bus, they would put on seat belts, as they do in the car when we take them to school. I therefore believe that the bill is entirely necessary and that voting for it today is the right thing to do. I welcome the fact that Gillian Martin introduced it and commend her for doing so.

I also welcome the fact that the Scottish Government, through the Minister for Transport and the Islands, has said that it will work on ensuring that seat belts are fitted as soon as possible. I urge the minister to do that.

I remain deeply uncomfortable with the amendment that allowed an exception to be made to the original implementation date for secondary school pupils, changing it from 31 December 2018 to 2021. It is morally unacceptable that bus companies that enter contracts with local authorities on the day before the bill gets royal assent will not be required to have seat belts fitted in their buses until 31 August 2021. I ask bus companies to reflect on whether they believe that that is acceptable, or agree with me that it is morally unacceptable and take urgent steps to have seat belts fitted. It is not just a minor technical detail. Some secondary pupils will be travelling without the safe option of wearing a seat belt until 2021. I feel strongly about that, and I ask members who meet, in their constituencies, bus

companies and operators that provide such transport to urge them to consider the matter. This is no time to drag our feet.

I will support the bill at decision time, but I would like to make one more comment. During the bill's passage, I have found it particularly difficult to follow the financial memorandum and the financial costings. As Stewart Stevenson does, I believe that the safety of children is important. That is why we voted against the amendment that I mentioned. I wish that we had found ways to ring fence the money, as Mr Greene said, for fitting seat belts on school transport. We would have done that if the memorandum had come earlier. The £3.83 million would go a long way towards providing seat belts on every school bus.

Presiding Officer, you said that you appreciate brevity. I will close by saying that, like the parents and people of Scotland, I welcome the Seat Belts on School Transport (Scotland) Bill, and will vote to support it at decision time. I remain deeply saddened that some secondary pupils will not have the option to wear a seat belt on school transport until 2021, but I believe that we are taking a huge step forward.

The Deputy Presiding Officer: I thank Edward Mountain and other members who have applied brevity. As happens, I now have a couple of minutes in hand. I am warning everyone so that Gillian Martin does not have to spend 15 minutes summing up.

16:20

Daniel Johnson (Edinburgh Southern) (Lab): Thank you, Presiding Officer. On that note, this is an excellent bill with an excellent proposition, but I have one complaint: it is difficult to fill four minutes on it.

My thought process when I was thinking about the debate was this: children are good; seat belts are good; therefore, children on minibuses wearing seat belts is good. At that point, I almost feel like sitting down, but do not worry, Presiding Officer, I will not. [*Laughter.*] I will try to waffle on for a little bit longer, and I might even take some of Mr Mountain's time, as well.

The Deputy Presiding Officer: Excuse me for interrupting you, Mr Johnson. It is not acceptable for a front bench to be empty when a member is making a speech. I ask that someone in the SNP group sorts out the matter immediately.

Daniel Johnson: As a colleague of Clare Adamson on the Standards, Procedures and Public Appointments Committee, I say that her move is long overdue. [*Laughter.*]

The Deputy Presiding Officer: I am sorry, Mr Johnson. I know that you are desperate to get

talking, but I suggest that people were not really listening, because they were a wee bit surprised. If you would like to start again, I would appreciate it.

Members: Oh!

Daniel Johnson: I hold my humour in great regard, but even I do not think that many of my jokes bear telling twice, especially in Parliament. I will see how I go.

I thank Gillian Martin. It is worth noting that the bill is the first member's bill in this session, and she has done an excellent job. As I said at the outset, the bill is a very good idea. In her opening remarks, Gillian Martin was absolutely right to say that the bill is fundamentally about child protection. It is only fitting that the first member's bill this session addresses such an important point.

On a personal note, I note that Gillian Martin is a colleague on the Education and Skills Committee, where we have constructive and positive dialogue. We do not always end up making our arguments on the same side in every debate, but it is a great pleasure for me to support so warmly the proposition that she has brought forward. I hope that that does not sound sycophantic.

As someone who is at the early stages of developing a member's bill, I will reflect on Stewart Stevenson's point and acknowledge the huge amount of work that goes into a bill—not just by the member but by their staff and the various groups that support the bill. It is a huge effort to get a bill to this stage, so we acknowledge the effort of all the people who have worked on the bill.

As Neil Bibby and others have pointed out, the bill touches on personal experience that, as a parent, is hugely important. Once I have got out of the house and have the children in the car, the first practical thing that I do is make sure that their seat belts are on.

Stewart Stevenson: I do not have the benefit of being a parent, so I do not know the answer to this question. Has Daniel Johnson worked out how to persuade his 14-year-old offspring that, when they are out of sight of parental control, they should always wear a seat belt when a vehicle that they are travelling in has one? Is that something that eludes the member, as I suspect it eludes most parents?

Daniel Johnson: Presiding Officer, can I please put in the *Official Report*, and reassure my wife, that I do not have a 14-year-old child. [*Laughter.*]

Stewart Stevenson has made an excellent point that I will come to later. We must progress the bill and build on it in order to make sure that we do as he suggests. There is obviously a gap in the law. Members have raised fundamentally important points about working with the UK Government and

other things that we can do to ensure not just that there are seat belts, but that people wear them.

That brings me to my next point. When I was a child, there was no law that said that we had to wear a seat belt. I am old enough to remember when the law came in, in 1989, requiring children to wear seat belts, and when rear seat belts were brought in, in 1991. The original law requiring adults to wear seat belts in cars came in in 1983.

We have come a long way, but we need to do an awful lot more. It is not just about the law; it is also about culture and behaviour. One of the things that I reflected on when preparing for the debate is that we often make changes in the law in response to tragic incidents and events, and the thing for which we have to thank Gillian Martin most is that that is not the circumstance that we are in. We are getting ahead of things. We have an opportunity today, one that we are going to take, to pre-empt tragic incidents, which is very important.

The Deputy Presiding Officer: Please wind up, Mr Johnson.

Daniel Johnson: I will. I had lost track of how much time I had.

The Deputy Presiding Officer: That is understandable.

Daniel Johnson: We are catching up. As other members have said, we should not use the law as a set of instructions; we must seek to move further and faster than the law. The bill is not prescriptive and we must encourage local authorities to go further. Finally, we must work with local authorities in other areas, because there are still too many exemptions and loopholes, especially for older vehicles, and we should get rid of them, as much as we can.

16:26

John Finnie (Highlands and Islands) (Green): My colleague Stewart Stevenson alluded to the role played by the Public Petitions Committee in bringing the bill to Parliament. The background to the bill was a petition that was lodged on 9 November 2007 by Lynn Merrifield on behalf of Kingseat community council—I am sure that they will reflect on the value of this building as a law-making building. The important thing is that we make good law by scrutinising legislation intensely. As a member of the Rural Economy and Connectivity Committee, I am grateful for the comments that have been made. A lot of scrutiny went into the bill and I make no apology for that; I think that it is appropriate.

It was also good that, in 2015, we got the power to introduce such a bill. It is disappointing, of course, that we do not have the power to compel

or enforce, as that is reserved to the United Kingdom. I was happy to hear comments about that from Neil Bibby, and I hope that we will hear more of that from Labour, because we are fettered and that is another example of the ways in which we are fettered.

The bill has caused me to reflect on other parts of our role. Community safety is extremely important, as is child protection, and there is a role for the state in those areas. The UK Government, the Scottish Government, local authorities, schools, parents' groups and individuals—we all have our roles and responsibilities. By passing the bill tonight we will send a clear message: all organisations are required to assess risk and put in place measures to address risk.

It is significant that many members have said—reflecting the views of the general public—that people thought that the measure in the bill was the law anyway. Oh, that it was. When I spoke in the debate on the first group of amendments, I said that we do not live in an ideal world. That manifests itself in some of the concerns that people have had about the bill, particularly in relation to financial matters. I was concerned that we were rewarding failure, with the authorities that had acted diligently on seat belts not receiving money whereas others might. However, a balance has been struck and a pragmatic approach has been taken.

As some members may know, I was a police officer for 30 years. During that time, I saw many improvements. I saw design improvements to vehicles, road engineering improvements and, of course, the wearing of seat belts, but the biggest change was driver behaviour, which shapes everything. The amendments that the Scottish Labour Party lodged—at stage 2 by Rhoda Grant and today by Neil Bibby—are welcome, because the bill sends a clear message about the role that education plays in road safety, and we should lead by example. Like Stewart Stevenson, I was recently on a coach and was surprised to see that I was the only person wearing a seat belt.

Besides the wearing of seat belts, another example of the changes that we have seen, to which I think Daniel Johnson alluded, is the fairly recent change on smoking in vehicles and the realisation that such behaviour has an impact on children. The Parliament passed that measure in a member's bill in the previous session, and I hope that another safety measure—my colleague Mark Ruskell's proposed restricted roads (20mph limit) (Scotland) bill—will gain support in the chamber, if it gets that far.

We must see increased use of public transport. There is a decline in bus user numbers. This morning I was at Alexander Dennis Ltd, which is acutely aware of that and wants innovative design

to encourage young people to be the bus users of the future. They will do that if, first and foremost, they remain safe on school buses and feel that the bus is a pleasant form of transport. A lot of thought is going into the design of buses, but it will count for nothing if we do not ensure at this stage that young people are wearing seat belts. I commend Gillian Martin for the good work that she has done on the bill, and the Scottish Green Party is happy to support the motion to pass the bill.

16:30

Mike Rumbles (North East Scotland) (LD): I, too, congratulate Gillian Martin on introducing the bill and seeing it through to its final stage. The bill is about the safety of our children on school transport. However, having spoken to parents about the bill, I agree with what Gillian Martin and others have said: most people think that having seat belts on school transport is already the law. It is not, but such a law will be in place soon thanks to Gillian Martin's efforts today and in the months prior to stage 3.

The committee worked well together during stages 1 and 2—just as a committee should—under the able convenership of Edward Mountain.

The Minister for Transport and the Islands (Humza Yousaf): Sook.

Mike Rumbles: I am not normally noted for being that—I heard that comment, minister.

Sensible amendments to the bill were made during stage 2. One that has been referred to is the important amendment to ensure that not just journeys from home to school and back again but school trips are included in the bill's scope.

When the committee took evidence on the bill at stage 1, we were told initially that there were only about 100 buses transporting children to and from school that were not fitted with seat belts and that all our councils were making very good progress towards ensuring that all school transport would be fitted with seat belts very soon. That therefore raised a question, which I asked: if every council was implementing the fitting of seat belts on school transport already, was the bill necessary? However, the bill is necessary, because we have just found out at this late stage that there are still five councils that will not implement that until 2021. Being polite, I can only call that a very poor show from those five councils, given that we are talking about child safety on our school transport.

What the bill proposes is not news to those councils, because the argument about seat belts had been going on for years before Gillian Martin introduced her bill. We are passing legislation to ensure that a law that says that all school transport must have seat belts will be enforced by

2021. I call on those companies that provide transport for our secondary school children and which will be exempted from the law until 2021 not to wait for the law to force them to comply, but to comply now, or as soon as they can.

Jamie Greene: I am intrigued by the member's comment that safety is paramount. If that is the case, why did his party support the amendment that will delay the introduction of seat belts for all secondary school transport?

Mike Rumbles: We supported the amendment because we thought that it was sensible for the law to do what was proposed. However, there are two elements: the law that we are now making; and a moral obligation for certain bus companies. We cannot excuse those companies because the law states that they do not have to comply until 2021. I call on those companies to comply now, or as soon as they practically can and their budgets and balanced books allow them to. They should not wait to comply until the law forces them to do so in 2021. The only upside is that that situation shows that the bill is, indeed, necessary to ensure that there are seat belts on all school transport.

Again, I congratulate Gillian Martin on introducing the bill. I can confirm that the Liberal Democrats fully support the bill. We were right to support Gillian Martin's amendment 2 because of the outstanding financial positions of some contracts. We will vote for the motion to pass the bill. However, the passing of the bill will not absolve the bus companies that I referred to from their moral responsibility to do the right thing before 2021.

16:34

Gail Ross (Caithness, Sutherland and Ross) (SNP): Gillian Martin has come a long way since her first appearance at the Rural Economy and Connectivity Committee, when she answered the first set of questions that we put to her about the bill. We broadly welcomed the introduction of the bill and noted the positive responses from all the stakeholders that gave evidence in person and in written submissions. I thank Gillian Martin, her team and everyone who took part in the evidence sessions.

Some witnesses at the committee questioned the need for the bill, given that a lot of local authorities were already providing seat belts. Eighteen local authorities were doing so at the time; we have heard that 24 have now taken that step. That is good news, but there is still a lot more to do.

As has been said, we asked why the bill covered only dedicated home-to-school transport and not school trips. I am glad to say that that point was taken on board and addressed in an

amendment at stage 2. We felt that it was a glaring anomaly that schools were being asked to provide seat belts on one type of journey but not on others.

The Scottish Government has provided funding for the fitting of seat belts, both retrospectively and in the future. The committee challenged the estimated costs, and a supplementary financial memorandum has now been produced that lowers the headline cost from £8.9 million to £3.83 million.

We have since learned that five local authorities with contracts already in place face financial burdens. It is right not to break those contracts, but I find myself in agreement with members across the chamber, including Rhoda Grant, who have suggested that local authorities and the Government could open a dialogue with the bus companies about that situation. I also find myself agreeing with Mike Rumbles that local authorities have a moral responsibility in that regard. I do not often admit that I agree with Mike Rumbles, but I am quite happy to do so today.

Although the law on wearing seat belts is still reserved to Westminster, Gillian Martin's bill proposes to ensure that all dedicated school transport vehicles and those used for school trips are fitted with seat belts.

To pick up Daniel Johnson's point, when I was a child, I took a bus to and from school every day and there were no seat belts on it. There were no seat belts in the backs of cars then, either. Over time, and with changes to legislation, we have come to realise that wearing a seat belt is an essential part of travelling safely. If my son is with me when I get in a car, the first thing that I do is make sure that he puts on his seat belt. That is automatic, and we need to get children into the habit of putting on their seat belts. The aim is to make that the first thing that kids do on a bus. There needs to be awareness, education and reinforcement. Kids need to know that being safe is cool and that seat belts keep them safe.

A big question is how schools and local authorities ensure that, once the seat belts are fitted, they are actually used. I therefore welcome Neil Bibby's amendment 6, which will place a reporting duty on local authorities. That is important.

It is good to reflect that, in one of our evidence sessions, the Scottish Youth Parliament gave us a powerful account from young people, who advised that the guidance should be prepared with young people and that they need to have ownership of the issue, whether through bus monitors, mentorships or educational events. Many successful schemes are already in place in schools throughout the country, and they should be looked at.

The policy memorandum states that, over the period 2010 to 2015, an average of 42 children a year were slightly injured while travelling by bus or coach in Scotland, with a further three children a year being seriously injured, although no children were killed while travelling on buses or coaches during that period. Neil Bibby and Jamie Greene were entirely correct to say that one child injured is one child too many.

This is a safety measure that is nothing more than common sense. When Gillian Martin first told me that the bill was coming forward, the first question that I and many others asked was, "Doesn't this happen already?" I have supported the bill since it was first brought to the committee. As a Government, as a Parliament and as a society, we owe it to our young people. The fact that we are now here, debating the bill at stage 3 in the chamber of the Scottish Parliament, means that this is a very proud moment. I thank Gillian Martin for all her hard work. Having seat belts on school transport is vital and keeps our children safe. On behalf of parents and young people throughout Scotland, I say thank you to Gillian Martin.

16:39

Rhoda Grant (Highlands and Islands) (Lab):

This has been a good debate with a lot of consensus. I join colleagues in congratulating Gillian Martin on introducing the bill. Although she had the support of Government officials, which is always helpful, it is still really challenging to bring a bill to the Parliament. There was a reasonable amount of consensus on the issue, but the technicalities of any bill can lose a member support, and Ms Martin's handling of the bill ensured that that did not happen.

I also thank the clerks and the committee's support staff who worked with us, as well as those who gave evidence as we took the bill through the committee process. I thank Jamie Greene for fessing up to getting all our colleagues into the chamber early; that provided us with some amusement, although I am not sure that they will be so forgiving. I also thank Daniel Johnson for not repeating his jokes even at the Presiding Officer's insistence. Those are all the thanks that I will offer tonight. I now turn to the more serious matter of the bill.

Scottish Labour has supported the bill throughout the process because we have a duty of care for our young people. Their safety while they are in the care of the state must be paramount.

Neil Bibby and other members have talked about the reserved powers relating to the wearing of seat belts. Although the bill is about fitting seat belts on school transport, it does nothing to

enforce the wearing of them. Implementation of the EU directive and its adoption into UK law would make wearing seat belts mandatory. I hope that that happens, and I join Neil Bibby in calling on the Scottish Government to continue its efforts with the UK Government to make it happen. Neil Bibby's amendments to the bill will help to change the culture and ensure that seat belts are worn, but, without those powers, we have only the power to persuade young people.

Daniel Johnson talked about a parent's duty to ensure that their children wear seat belts and how we can get the importance of that across to them. I hope that that will be replicated when children are in local authority care. We need to persuade young people to wear seat belts, and that will require education at an early stage to encourage children and young people to do so. Such education will also encourage them to continue doing it into adulthood.

Gail Ross made the point that the member of the Scottish Youth Parliament made to us—that it is really important to get young people involved in drawing up the guidelines and encouraging others. John Finnie was also right to say that we all have a role to play in changing the culture.

It is important that councils have time to plan for changes that could increase costs and that they can be certain about the contribution to meeting those costs that might come from central Government. Many councils have seen the benefits of young people wearing seat belts and have already taken the step and paid for it out of their own funds. No one can disagree with that position. Gillian Martin's amendment 2 will ensure that no council will have to break a contract and incur additional costs. Councils are underfunded, and that is impacting on council services. We must therefore be very careful not to impose more costs on them while we continue to push for fairer funding.

Mike Rumbles: I absolutely agree with Rhoda Grant on that. However, as we have given councils an exemption until 2021 so that they do not have to break contracts, does she agree that there is now a moral duty on those who provide the transport to do something about it?

Rhoda Grant: I absolutely agree with Mike Rumbles on that point. He said in his speech that the bus companies should comply now, and I echo that sentiment. I also welcome the minister's agreement to do what he can to bring pressure to bear on those companies so that we get the measures in place as early as possible.

Edward Mountain talked about ring fencing the money attached to the bill for councils that have not implemented the installation of seat belts on school buses and are in contracts, but that would

punish those that are demonstrating good practice and making it a priority. All councils are under pressure, and we need to find ways of rewarding those that demonstrate good practice while encouraging others to follow suit.

I see that the Presiding Officer is giving me the evil eye because I have run out of time.

I welcome the bill and confirm that we will support it at decision time. I hope that it goes a long way towards making school travel and school trips much safer for our young people.

The Deputy Presiding Officer: Thank you. I call Peter Grant—I am sorry; I appear to be marrying Peter Chapman to Rhoda Grant.

16:44

Peter Chapman (North East Scotland) (Con): There are enough scandals already, Presiding Officer.

It is impossible to be against the bill, which is a simple and focused bill that legally requires seat belts to be fitted to all dedicated home-to-school buses and school trip buses in Scotland. Gillian Martin deserves thanks and credit for introducing it.

I am pleased that my amendment at stage 2, which required the seat belt provisions to be in place by the end of 2018 for secondary school pupils, was agreed. The original intention was that the legislation would come into effect for primary schools from 2018 but that secondary schools would have to wait until 2021. I could see no valid reason for that delay or for secondary school children to be put at risk for longer than was necessary. I accept that Gillian Martin has modified that to some extent today, with her amendment 2, but I expect that there will be only a very limited number of contracts to which that provision will apply and that the vast majority of children will be covered by the end of 2018. I also accept Mike Rumbles's point that the companies that have not installed seat belts by that time will have a moral duty to think twice.

The bill requires seat belts to be fitted on school buses, but there are difficulties in persuading young folk to wear them. In evidence, it was highlighted that older pupils, in particular, are cynical about the wearing of seat belts on school transport, with one young respondent even stating:

"No one puts seat belts on on my school bus as it's 'uncool' and if the driver comes round and tells people to wear them, they just get taken off again".

As Neil Bibby said, the consultation found that 74 per cent of young people are "not at all likely" or "unlikely" to wear seat belts. However, as First Bus said, if the issue is tackled correctly, we will have an opportunity to educate children and

explain to them the benefits of seat belts and the need to use them. We hope that common sense will prevail and that youngsters will recognise that the wearing of seat belts is sensible so that, eventually, it will become second nature. Neil Bibby's amendments today will help in that process, for which I thank him.

Another matter of importance that ought to be confronted is the type of belt that is fitted. There are issues with shoulder-type three-point belts, which are inappropriate and unsafe for children who are aged under 12 years and those who are under 135cm tall. It appears that booster seats would be required in some cases. It is clear that discussions must take place between local authorities and bus operators regarding the most suitable type of belts to be fitted. That is outwith the scope of the bill but, nevertheless, it is a detail that needs to be addressed.

A further anomaly is the fact that children who are travelling to school on service buses that are open to fare-paying passengers will not be covered, as there is no requirement for those buses to have seat belts fitted. We believe that the option of using service buses must remain, because it is the most cost-effective option in built-up areas and can reduce congestion and pollution levels. Nevertheless, the youngsters who use those buses will not have the same level of protection on their way to school as kids who use other bus types.

Given that 18 local authorities have already fitted seat belts on their school fleets and that others are in the process of doing so, the process is taking place regardless of the bill, which I welcome.

It is a good bill. The safety of children going to and from school is incredibly important; therefore, we will support the bill.

16:48

Humza Yousaf: It has been encouraging to hear the strength of feeling in the chamber today on the measures to keep our young people safe. I remember the feeling that I had the first time I received, as transport minister, an email about a fatality on one of our trunk roads. The detail in that email was really quite stark and it weighed down heavily on me then, as it does now whenever I get one of those emails.

There can be no greater responsibility for a Government than the safety of our citizens and, especially, that of our young people. Therefore, it has been encouraging to hear the consensual nature of the debate. It has been even more encouraging to see the constructive scrutiny of the bill that the committee members from across the

chamber and external stakeholders have engaged in.

I thank Gillian Martin for introducing her member's bill. She has rightly been commended for doing so, particularly as that is not an easy thing for a new member to do. She thanked Transport Scotland officials—often unfairly maligned—and other officials behind the scenes who do a great power of work. [*Interruption.*] I can hear laughter—that is deeply unfair.

I will try to pick up on some of the many good points made by members. Daniel Johnson made the salient point that, too often, legislation is passed as a knee-jerk reaction to an incident, and he rightly lauded Parliament for being ahead of the curve in that respect. Many members said that they were initially surprised that this was not already law, which is a view that is certainly shared by many of the public. It is important therefore that the bill should be passed.

The Scottish Government will continue to take forward a raft of measures to improve safety on the roads, especially for children. People often ask me how we can make our roads safer. There is not one silver bullet. There is a package of measures that help to keep our roads safe for children, for example 20mph limits near our schools, support for the safer routes to school programme and funding of bikeability cycle training for young people. All those help to keep our children safe.

The bill will, I hope, pass at decision time, and I will be delighted if it does. Stewart Stevenson gave us the context for the bill, in the way that only Stewart Stevenson can. It is important to put it on the record that, as he said, the issue germinated in the Public Petitions Committee. The Government took forward the devolution of competence, and Gillian Martin picked up the mantle and introduced the bill that we see before us.

I will try to address members' questions about scrutiny. Neil Bibby requested that I continue to push the UK Government on enforcement. If the bill passes, as we all assume that it will, I will do that on the back of the bill. He asked me to publish any relevant letters, which I am happy to do.

Edward Mountain: There has been cross-party agreement on the bus companies that, due to an amendment, are exempted until 2021 from fitting seat belts on transport for secondary schools. Will the minister join the Liberal Democrats, the Conservatives and the Labour Party and say that he and his Government believe that there is a moral obligation on the bus operators to bring forward the fitting of seat belts if they can?

The Deputy Presiding Officer: I can give you a little extra time if you need it, minister.

Humza Yousaf: I have no problem in associating myself with those remarks. I was going to come to that very point; indeed I will take Rhoda Grant up on her suggestion that the Government should bring the players—the local authorities and the contractors—together to see whether we can find a way forward that means that we do not have to wait until 2021. I agree with Mike Rumbles; I think that we all agreed with Mike Rumbles at one point or other, which is a dangerous place to be in the Parliament. He made the salient point that there is a moral obligation when it comes to our young people's safety. On the other hand, there is the practicality of the law. We can separate the legal obligation and the moral obligation, and I stand with Mr Mountain and other members on the moral obligation.

I accept Mr Mountain's point that it would have been helpful to have information in the financial memorandum at stage 2. I will reflect on that for future legislation.

Gillian Martin talked about consultation on future guidance and how best to take the bill forward. We must not forget our young people in all this. There are, of course, school authorities, and parent and educational committees, but young people are really at the heart of it. Once again, I agree with Mike Rumbles, who asked me during committee scrutiny of the bill whether we need the bill. The reason why we need it is not just to do with legal and moral obligations—it is because we have to future proof. Even if all 32 local authorities made seat belts a requirement in their contracts for however long the contracts lasted, that approach would not be legally future proofed. It is important that the bill will future proof it.

We are strapped in and ready to go if the Parliament sees fit to pass the bill today. The Government backs the bill, and I urge all members to do the same.

16:55

Gillian Martin: This has been an interesting debate, as debates in the Parliament always are, but it does not often happen that a debate is so hugely consensual and constructive. I thank everyone who spoke in it; this has been a very special afternoon for me.

Before I talk about some of the points that members made in their speeches, I absolutely have to thank Brendan Rooney, Gavin Sellar, Anne Cairns and everyone in Transport Scotland and the bill team who got me through this process. I could not have done it without them.

In particular, I have to mention my parliamentary assistant, Judith Sijstermans, who knows more about seat belts than she ever thought possible. I do not know how happy she is about that, but if

seat belts ever turn up in a question on a quiz show when she is back in California, and she wins \$1 million, she will have me to thank, so that is fine.

I thank Jamie Greene for quoting Inspector Grant Edward, of Tayside Police. What Inspector Edward said about the illusion of safety when one is in a fast-moving vehicle is something that I will remember.

Neil Bibby talked about collaboration across the political divide. If any member is thinking about introducing a member's bill, as I did, I can tell them that the best thing about the process is that the member in charge of the bill has to go outwith their political-party comfort zone and really start to speak to people and get them on side, regardless of their party. That has been an invaluable experience for me: instead of just passing members in the corridor I have met them and got to know them a lot better, which is a good thing.

Neil Bibby talked about being a dad, and Gail Ross talked about being a mum. For a lot of us, that is what this issue comes down to; it is about the safety of our kids, which we always have in the backs of our minds when we get involved in subjects such as this one. My kids rode on school buses that had seat belts throughout their school lives, and what really propelled me forward was the wish to give other parents, in local authority areas where such measures are not in place, the same peace of mind that I had.

Stewart Stevenson: Might the member acknowledge that grandfathers, too, have a role in campaigning on the issue? I am thinking of my late constituent Ron Beaty, who campaigned tirelessly for safety on school buses. Ron was a very big-hearted character, whom we miss enormously. [*Applause.*]

Gillian Martin: I had the privilege of meeting Ron Beaty just before stage 1 of the bill, and I am very grateful that I had the chance to meet Mr Beaty, because unfortunately he is no longer with us. He came along to wish me luck. I thought that he was going to give me a hard time for not doing more—I was expecting that—but he did not do that; he just said, "Go on, get it done," or, as Stewart Stevenson said in his speech, "Just do it."

I agree with Edward Mountain that bus companies that have contracts in place but do not provide seat belts should do so. I hope that such companies have been listening today. Other bus companies are doing the right thing and I think that they want their fellow bus companies to do the same.

Daniel Johnson: It costs only £50 to buy an inertia-reel seat belt. That is all that we are asking bus companies to spend. Does the member agree

that we should say to companies, “Just spend that money”?

Gillian Martin: The member will get no argument from me on that. I agree. Bus companies that do not have seat belts in place and are tendering for contracts for school journeys need to take a look at themselves and consider their moral responsibility.

I was about to mention Daniel Johnson, because his being told to repeat himself will live in my memory as one of the most bizarre things that happened today. I hope that he enjoyed that moment in his speech. He and Gail Ross remembered that, when they were children, there was not even a legal duty to put seat belts in the backs of cars. That shows how far we have come.

I thank John Finnie for his advice. I had chats with him throughout the whole process. I thank him for mentioning Lynn Merrifield of Kingseat community council, who first brought the issue to the Public Petitions Committee. Without her, we might not be in the situation that we are in today.

There is an EU directive to compel people to wear seat belts that could be enacted by the UK Government. I ask anyone who said today that they were worried that people would not put seat belts on to write to their MPs and see whether we can get that enacted before Brexit. If we do that, we will not have to cajole people into wearing their seat belts.

Yet again, I am agreeing with Mike Rumbles. My goodness—it is becoming a bit of a habit. I wonder how long that will last—I will not milk it. He called on companies to do the right thing, and he is absolutely right. They should do the right thing: if their buses do not have seat belts on them, they should not put them out if they are going to have kids on them. I will remember him saying that, because he was absolutely right. I will stop now, because it is getting ridiculous.

I thank everyone for all the help that they have given me in this process.

Decision Time

17:01

The Presiding Officer (Ken Macintosh): The first question is, that motion S5M-08600, in the name of Alison Harris, on the Writers to the Signet Dependants’ Annuity Fund Amendment (Scotland) Bill, be agreed to.

Motion agreed to,

That the Parliament agrees to the general principles of the Writers to the Signet Dependants’ Annuity Fund Amendment (Scotland) Bill and that the bill should proceed as a private bill.

The Presiding Officer: The final question is, that motion S5M-08706, in the name of Gillian Martin, on stage 3 of the Seat Belts on School Transport (Scotland) Bill, be agreed to. There will be a division.

For

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)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Beamish, Claudia (South Scotland) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 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)
 Campbell, Aileen (Clydesdale) (SNP)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Corry, Maurice (West Scotland) (Con)
 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)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fee, Mary (West Scotland) (Lab)
 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)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)

Griffin, Mark (Central Scotland) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Glasgow) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 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, 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)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McKee, Ivan (Glasgow Provan) (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)
 Rennie, Willie (North East Fife) (LD)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rumbles, Mike (North East Scotland) (LD)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Scott, John (Ayr) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Elaine (Central Scotland) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 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)
 Whittle, Brian (South Scotland) (Con)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 102, Against 0, Abstentions 0.

The motion has been agreed to and the Seat Belts on School Transport (Scotland) Bill has been passed. [*Applause.*]

Motion agreed to,

That the Parliament agrees that the Seat Belts on School Transport (Scotland) Bill be passed.

Meeting closed at 17:03.

This is the final edition of the *Official Report* for this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

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