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Scottish Parliament

Thursday 4 November 2021

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

General Question Time

The Presiding Officer (Alison Johnstone): Good morning. I remind members of the Covid-related measures that are in place, and that face coverings should be worn when moving around the chamber and across the Holyrood campus.

Glasgow Kelvin and Clyde Colleges

1. John Mason (Glasgow Shettleston) (SNP): To ask the Scottish Government whether it will give an assurance that Glasgow Kelvin and Clyde colleges will not be taken over by the City of Glasgow College in connection with the review of tertiary education. (S6O-00327)

The Minister for Higher Education and Further Education, Youth Employment and Training (Jamie Hepburn): The Scottish Government accepts the Scottish Funding Council's review recommendation that Glasgow Colleges Regional Board and its three assigned colleges explore other organisational options.

There is no proposal for City of Glasgow College to take over the other two colleges, and we have no plans for such. I expect a recommendation from the SFC on the future of Glasgow Colleges Regional Board shortly.

John Mason: I thank the minister for that answer, which I find encouraging. Does he accept that the colleges in question have quite different roles? City of Glasgow College is at a different level and is aiming at a different clientele, whereas Glasgow Kelvin College and Glasgow Clyde College are very much community based and involved in helping people who, in terms of their background, are far away from education.

Jamie Hepburn: I say to Mr Mason that I like the activity that each college does. Each college makes a distinct contribution, but they are all engaged with their communities. All three colleges are doing well as regards the proportion of higher education entrants from the 20 per cent quartile of the Scottish index of multiple deprivation areas that we are seeking to target. All of them are ahead in that regard, especially Glasgow Kelvin and Clyde colleges.

Whatever recommendation the SFC makes, I do not want the distinct contribution of the colleges to be lost, or there to be a loss of community

engagement, and that is the manner in which I will approach the matter.

Lochs and Rivers (Ecological Status)

2. Jeremy Balfour (Lothian) (Con): To ask the Scottish Government what action it is taking to support the ecological status of Scotland's lochs and rivers. (S6O-00328)

The Minister for Green Skills, Circular Economy and Biodiversity (Lorna Slater): Scotland's river basin management plans set out the Scottish Government's continued commitment to a wide range of measures that are protecting and improving the ecological status of our rivers and lochs. Actions that are already under way include ensuring that good agricultural practice is adopted and providing investment in public waste water infrastructure to improve water quality.

Achievement of the objectives that are set out in the plans is a responsibility that is shared between the Scottish Government, the Scottish Environment Protection Agency, local authorities, and other public bodies and regulated businesses, such as Scottish Water and agriculture, fish farm, distillery and hydro power businesses.

Jeremy Balfour: Does the minister agree that SEPA's recent assessment found that Scottish rivers, lochs, canals and burns are in the worst state on record? Does she intend to bring forward urgent plans to address that dreadful situation?

Lorna Slater: It is not correct to say, as was reported on 22 October, that Scotland's rivers and lochs are in the worst state on record. The number of water bodies that were awarded "bad" overall ecological status by SEPA fell from 126 in 2018 to only 64 in 2019. SEPA's monitoring and assessment of the water environment shows that the number of rivers and lochs that have been rated as "bad" or "poor" due to pollution is at its lowest ever level—just 1 per cent were classified in that way in 2019.

Emma Roddick (Highlands and Islands) (SNP): The United Kingdom Government made a partial U-turn on allowing raw sewage to be dumped into rivers and coastal waters only after its members of Parliament came under extreme criticism. Scotland undertakes around 80 per cent of the UK's tree planting and was one of the first nations in the world to declare a climate emergency.

Does the minister therefore share my view that the Scottish National Party Government needs no instruction from the Tories on how to conduct itself when it comes to the environment?

Lorna Slater: Eighty-seven per cent of our water environment is now at the "good" quality level, which is hard evidence that this Government

has taken its environmental responsibilities seriously for many years.

Willie Rennie (North East Fife) (LD): There have been several instances of pollution of the river Eden in my constituency over recent years, with the death of many fish and an impact on other wildlife. Does SEPA have sufficient resources and authority to enforce environmental law? Has the minister considered whether wildlife crime officers could have an additional role?

Lorna Slater: I am happy to meet Willie Rennie to look into that matter further.

Climate Technology Industry (Support)

3. **Willie Coffey (Kilmarnock and Irvine Valley) (SNP):** To ask the Scottish Government how it supports the climate tech industry. (S6O-00329)

The Minister for Public Finance, Planning and Community Wealth (Tom Arthur): A vibrant tech sector is critical to our economic recovery and net zero ambitions. Through the implementation of the Scottish technology ecosystem review, the Scottish Government is committed to creating a world-class technology ecosystem, enabling a pipeline of profitable, scalable tech businesses, including climate tech businesses. This year, we have allocated £7 million to support the first-year implementation of the review, which includes establishing a national network of tech scalers that will support 300 to 500 tech companies through the tech scalers programme.

Other policy interventions include our recent artificial intelligence strategy. The strategy sets out actions to build on the success of our AI climate emergency challenge, which saw six companies develop concepts to use AI to address the climate emergency. The Scottish Government is also supporting challenges in CivTech 6—the sixth CivTech programme—which explores the roles that tech can play in carbon sequestration, an important tool in getting to net zero.

Willie Coffey: The “Innovation Critical” report by the Scottish Council for Development and Industry, BT, ScotlandIS and the Royal Society of Edinburgh tells us that

“Up to 75% of the emissions reductions we need to achieve net zero are dependent on technologies which are immature, have not been deployed at scale or have not even been invented yet.”

Will the minister assure me that Scotland’s tech industries, which have major strengths in climate tech, are getting the support that they need to develop solutions, not just for Scotland but for our contribution to global efforts to get to net zero?

Tom Arthur: I thank Willie Coffey for his question and his consistent interest in this issue. I agree that there is huge potential in this area.

I have two points to make. One is about supporting the tech industry itself, which I referred to in my first answer on the tech scalers programme. The other is about supporting the industries that will use technological interventions. We have committed more than £2 billion in capital investment over the course of this parliamentary session to deliver low-carbon and natural infrastructure.

Climate tech cuts across a range of businesses, so this is about support for businesses themselves and for the wider mission of a just transition to net zero, which will drive the economy for tech start-ups.

Marine Environment (Protection)

4. **Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP):** To ask the Scottish Government whether it will provide an update on the measures it has been taking to protect and enhance the marine environment through no-take zones and marine protected areas. (S6O-00330)

The Minister for Green Skills, Circular Economy and Biodiversity (Lorna Slater): Following recent designations, including the Red Rocks and Longay urgent MPA for the critically endangered flapper skate, the marine protected area network now covers 37 per cent of our seas. Most sites already have the required protective measures in place, and we have committed to putting in place further fisheries management measures on MPAs, where required, by March 2024.

We have also committed to designating, by 2026, 10 per cent of our waters as highly protected marine areas, which will provide a higher level of protection, providing for additional recovery and enhancement of the marine environment.

Elena Whitham: The current Scottish National Party Government established its first no-take zones in the Clyde. I understand that marine interest groups in Ayrshire propose to undertake a scoping exercise regarding a 30 per cent no-take zone along the eastern coastline of the Clyde, which includes the coast of Carrick, Cumnock and Doon Valley. I would be grateful for advice from the minister on what support the project could expect to receive from the Scottish Government in line with the 26th UN climate change conference of the parties—COP26—endorsing Scotland’s lead in addressing climate change and biodiversity loss through marine protected areas.

Lorna Slater: The development of highly protected marine areas goes beyond no-take

zones by providing for the strict control or exclusion of all human activities, not just fishing. The Scottish Government will develop a policy framework for HPMA in the coming months and will ensure that the wide-ranging perspectives of all marine stakeholders are taken into account throughout the selection and designation process. We would encourage all stakeholder interests with proposals to manage inshore fisheries to develop those measures within the relevant regional inshore fisheries group.

I would be very happy to meet Ms Whitham to discuss activity on the Ayrshire coast further.

Kenneth Gibson (Cunninghame North) (SNP): The only no-take zone in Scotland is in Lamlash bay, in my constituency. What is the difference between a no-take zone and a highly protected marine area?

Lorna Slater: The proposals for developing the details around highly protected marine areas are still under development. We will be working on a policy framework for HPMA in the coming months, and we absolutely need to make sure that a wide range of perspectives from all marine stakeholders are taken into account. I look forward to presenting that information to Parliament, or to it being presented by one of my colleagues, in the months ahead.

Barr Environmental

5. Sharon Dowey (South Scotland) (Con): To ask the Scottish Government what its response is to reports that Barr Environmental has received a £99 million fine for having not paid tax on disposed waste. (S6O-00331)

The Minister for Public Finance, Planning and Community Wealth (Tom Arthur): It would not be appropriate for Scottish ministers to comment on any individual tax dispute. The collection and management of the fully devolved taxes are matters for Revenue Scotland in its role as Scotland's independent tax authority.

Sharon Dowey: I thank the minister for that answer. As he may know, Barr provides waste management services to both East Ayrshire Council and South Ayrshire Council. Due to the findings of the tribunal, the councils may have to provide more funding to Barr for it to provide waste services, as the company cannot operate under the terms of its previous contracts. What discussions will the Scottish Government have with both councils regarding the future of the company and waste management services in the area in order to ensure that the councils receive any extra funding that they require so that there is no impact on local services?

Tom Arthur: I stress to the member again that it would not be appropriate for Scottish ministers to

comment on the matter. However, I stress that the Scottish Environment Protection Agency works to ensure the safe management of all licensed landfill sites in order to protect the environment and communities.

COP26 (Innovation and Economic Activity)

6. Fiona Hyslop (Linlithgow) (SNP): To ask the Scottish Government what role Scotland is playing during the 26th United Nations climate change conference of the parties—COP26—in relation to innovation and economic activity. (S6O-00332)

The Minister for Public Finance, Planning and Community Wealth (Tom Arthur): Achieving global climate change targets requires new ways of thinking about economic policy, finance and investment, as well as new instruments and interventions to make the change. We are working with partners and businesses from Scotland and around the world to deliver a COP26 programme that will accelerate change across those areas.

Through our programme of events and ministerial and business engagements, we will showcase our strengths in innovation, trade and investment to a global audience. For example, Scotland's climate ambition zone is hosting a programme of events during the COP26 fortnight that is putting the spotlight on Scotland as a world leader in sectors such as decarbonising heat, the circular economy, hydrogen and green skills. Furthermore, in association with partners such as the Michelin Scotland Innovation Parc, in Dundee, we are highlighting innovations in the area of low-carbon transport, which is a key enabler for a net zero economy.

We will use COP26 as a platform to showcase and attract investment into Scotland's green investment portfolio, which will bring together market-ready projects worth £3 billion by 2022. We are participating in events covering natural capital, green ethical finance and finance for nature, providing a platform to address the crucial issues of financing a fair and just transition to net zero. By sharing our experiences across those sectors, we intend to galvanise action in the business community and help others on their journey to net zero.

COP26 is not an end in itself, however—

The Presiding Officer: Minister, I ask you to draw your remarks to a close. Thank you.

Tom Arthur: I certainly will, Presiding Officer.

We will build on the opportunity through delivering our national strategy for economic transformation.

Fiona Hyslop: I thank the minister for that extensive answer to what was a very open

question. What is the Scottish Government doing to promote green hydrogen innovation, specifically at COP26? What action is being taken to advance the pace, the scale and the role of green hydrogen in our energy mix in the drive to cut carbon emissions?

Tom Arthur: I am grateful to Fiona Hyslop for that supplementary question. I will try to answer it succinctly but comprehensively.

The Scottish Government will shortly publish its five-year hydrogen action plan, which will set out the actions that it will take to support Scottish supply chain activity and drive the development of low-cost hydrogen capability to meet the 5 gigawatt ambition by 2030.

The Scottish Government's upcoming hydrogen action plan will be supported by a five-year £100 million programme of investment to help accelerate the development of the hydrogen economy in Scotland. The Scottish Government, in collaboration with Scottish Enterprise, has developed a series of hydrogen events during COP26 to showcase Scotland's expertise and innovation in hydrogen technology. We will be seeking opportunities during COP26 to strengthen our existing international partnerships and seek new collaborations to accelerate the growth of our shared hydrogen economy.

Active Ventilation in Classrooms

7. Michael Marra (North East Scotland) (Lab):

To ask the Scottish Government what its plans are for active ventilation in classrooms now that its inspection programme has been completed. (S6O-00333)

The Cabinet Secretary for Education and Skills (Shirley-Anne Somerville): Guidance on reducing risks in schools makes clear the on-going approach to ventilation that local authorities and schools should adopt. The guidance includes advice on identifying and implementing local approaches that balance the need for fresh air in key parts of the school estate with the maintenance of adequate temperatures.

Following completion of local authorities' initial CO₂ monitoring activities, it is expected that CO₂ monitoring will continue to play a role in supporting implementation of the approaches set out in the guidance. We are working with stakeholders, including the Association of Directors of Education in Scotland and the Scottish heads of property services, to ensure that suitable longer-term strategies are in place across all local authorities.

Michael Marra: I thank the minister for that answer and I note the statistics that she set out to the education committee. The Scottish Government has taken more than a year and spent £10 million of taxpayers' money on alarms

to let teachers know when to open the window, with no real regard for the sustainable active ventilation systems that we need. Real action would make schools safer environments by reducing Covid transmission rates and would also reduce education disruption. Can the minister tell us how many classrooms failed inspections and what remedial actions she would expect now to be taken?

Shirley-Anne Somerville: I point Mr Marra to the fact that, although the Scottish Government gave £10 million to local authorities recently, that is, of course, in addition to the £90 million that was given previously in the year for such remedial actions, including dealing with CO₂ monitoring exercises.

The assessment outcomes, which have come from the local authorities themselves, have reported that the remedial actions have in the main been very small. They have required looking at, for example, changes to repairing windows or removing obstructions to ensure maximum opening. There have been very limited requirements for any further improvements than those, but where they have been required to be undertaken, they will be undertaken by local authorities. Of course, the Scottish Government continues to be in close contact with local authorities to ensure that that monitoring is on-going and that remedial action is undertaken.

Export Statistics 2019

8. Alexander Stewart (Mid Scotland and Fife)

(Con): To ask the Scottish Government what assessment it has made of the 2019 Scottish export statistics. (S6O-00334)

The Minister for Public Finance, Planning and Community Wealth (Tom Arthur): Through our export growth plan "A Trading Nation", the Scottish Government is focused on supporting the growth of exports from 20 to 25 per cent of gross domestic product by 2029. The 2019 Scottish export statistics show strong growth in Scotland's exports before the economic shock of the global pandemic and the damage caused by the United Kingdom Government's reckless approach to European Union exit.

In 2019, Scotland's total exports of goods and services increased by 4.3 per cent to £87.1 billion, including increases in the international exports of goods and services by 3.4 per cent to £35.1 billion, and exports to the rest of the UK by 5 per cent to £52 billion. The growth in exports to the rest of the UK was driven by an increase in electricity exports, helping to keep the lights on in England and Wales. More recent HM Revenue and Customs statistics only underline the negative impact of EU exit, as Scottish goods exports fell by

24 per cent in the latest year to June 2021, compared with the equivalent period in 2019.

Alexander Stewart: I thank the minister for that extensive response. We welcome the statistics, which show a 3.4 per cent increase in Scottish exports. However, they also show an increase in the proportion of goods exported to the rest of the UK, with the figure increasing by 5 per cent to £53 billion, which is 60 per cent of exports from Scotland.

Given the increasing importance of the UK market, does the minister agree that any potential trade barriers between Scotland and the rest of the UK would risk significant economic damage?

Tom Arthur: I do not know whether international trade is the strongest suit for the Conservatives to lead on, but—*[Interruption.]* On a note of consensus, England, Wales and Northern Ireland are important trade partners for Scotland, and I assure the member that they will remain so once we have achieved independence.

The Presiding Officer: Thank you. That concludes general question time.

First Minister's Question Time

12:00

The Presiding Officer (Alison Johnstone): The next item of business is First Minister's question time. I intend to take constituency and general supplementary questions after question 2. Members who wish to ask such questions should press their request-to-speak buttons during question 2. On questions 3 to 7, members who wish to ask a supplementary should press during the specific question.

Drug Deaths (Prisons)

1. **Douglas Ross (Highlands and Islands (Con):** I start by wishing everyone across Scotland a very happy Diwali.

Scotland has the highest drug death rate in Europe. Every solution should be considered in order to tackle that crisis, and should be considered urgently. Why did it take 10 overdoses this weekend in a single prison for the Government to accept Scottish Conservative proposals to cut down on the supply of drugs in our prisons?

The First Minister (Nicola Sturgeon): I, too, wish those who are celebrating across the country a very happy and peaceful Diwali.

I have been very open about this. We have a significant challenge when it comes to drugs deaths, and we are determined to make sure that we are open to ideas and suggestions and that we are genuinely doing everything reasonable that we can to turn that around.

Within that overall challenge, there is a particular challenge in our prisons. I think that we all understand the different factors that are at play. I would hope that members from across the chamber could come together to welcome the ways in which we are seeking to change past practice and to recognise where perhaps we should have done things differently in the past and should do them differently in the future. I hope that there is an appetite to build consensus on that.

To that end, as I have said to the leader of the Conservative party before, I am open to suggestions. That, of course, includes, as I have said many times in the chamber, consideration of the Conservatives' wider proposals in their proposal for draft legislation. I continue to be open minded, and we will continue to seek to do the right things, backed by investment, to turn the situation around.

Douglas Ross: The First Minister has said that she has been "very open" about the issue—and she has. She has accepted that she took her eye

off the ball with Scotland's drug deaths. However, the eye is still off the ball.

For months, we have highlighted the issue of drugs reaching prisoners through mail, and we offered a solution. Russell Findlay raised the issue with the Government five times over two months. When he raised it in the chamber with the Minister for Drugs Policy, Angela Constance—this is a direct quote, and I am reminded that the First Minister has just said that we need to work together and be consensual—the First Minister's own drugs minister said:

“Mr Findlay is a big boy now, and does not need his mammy to hold his hand; I am sure that he will be able to address any outstanding matters that he has with the Cabinet Secretary for Justice and Veterans.”—[*Official Report*, 29 September 2021; c 76.]

This issue is about drug overdoses and people dying. Was that response worthy of a Government minister?

The First Minister: On such a serious issue, although I am absolutely sure that members of parties across the chamber will not agree with everything that Angela Constance or I say on the issue, I hope that they would agree that Angela Constance in particular has not just been open to different approaches but has already in her tenure as drugs minister taken forward many different approaches to tackling this challenge.

On the specific point about the situation in prisons and, in particular, the issue of the photocopying of prisoner mail, the Scottish Prison Service has, rightly, taken time to consider the range of very serious operational and legal considerations. That includes taking into account prisoners' rights, which are often determined through court judgments, on the handling of their correspondence. That is a fundamental consideration. As the Cabinet Secretary for Justice and Veterans outlined to the Parliament on Tuesday, the Prison Service will, after detailed operational consideration, be implementing that change.

I recognise that, particularly on such important issues, everybody wants the Government to operate and move with speed, and I share that view. However, when we are dealing with such serious issues, it is important that we take the time to consider all the implications, particularly when those implications involve legal considerations. That is what has happened, and I hope that members from across the chamber, who have been calling for the measure, will welcome the progress that we are able to make.

Douglas Ross: It is not just Angela Constance. Another Government minister, Lorna Slater, recently said that drugs are “not inherently dangerous”, and, this week, the Cabinet Secretary

for Justice and Veterans, Keith Brown, dismissed another serious concern that we raised.

I have here the standard operating procedure to which prison officers have to work. It says that prisoners have the option to have items that are contaminated with drugs safely stored and returned to them on their release. Prison officers are telling us that they are having to hand drugs back to prisoners as they leave. The First Minister's Cabinet Secretary for Justice and Veterans refused to give a serious response to that issue. Will she commit to ending the practice immediately?

The First Minister: In the spirit of openness, I will certainly look at that. Prisoners have rights, which are often upheld in courts of law, and we have to consider the issues carefully in ensuring that we address them properly.

There is a deeper issue that, in the spirit of openness and sincerity about trying to find the solutions to the matter, I ask Douglas Ross to consider. I accept his sincerity on the issue without doubt or equivocation, but it is too easy for all of us in the Parliament to oversimplify some of the issues in quoting ministers and to forget to understand the nuances of the matter. The factors behind the drugs crisis are complex. We all understand that, so let us not oversimplify or take quotes out of context. Let us focus on the substance of solutions, as Douglas Ross has been doing, and try to find maximum consensus.

I will go away and look in detail at the particular issue that he raised. If we consider that a change is necessary, appropriate and possible to make, I undertake that we will give it due and serious consideration.

Douglas Ross: I am not taking quotes out of context. I have reminded the First Minister of the response that we have had from three members of her Government.

The Government must finally start treating the crisis with the urgency that it deserves. The Prison Officers Association Scotland has told us that it has been overwhelmed with unprecedented levels of drug abuse in our prisons. Her Government is making it harder for them to do their job. It gave prisoners £2.7 million-worth of unhackable phones that were then hacked and used to deal drugs. Scottish Prison Service documents show that there have been more than 2,200 incidents of prisoners misusing those devices. Given the obvious abuse of those phones for criminal activity, will she now commit to removing the phones that have been hacked from Scotland's prisons?

The First Minister: We are treating the issue seriously and with urgency. Sometimes, there are complex situations and issues that have to be

properly considered and thought through. That is what we will do, because—to be frank—we do not progress anything if we fail to do that.

On the issue of mobile phones, it is important to remember the context. In the absence of in-person contact with loved ones over a sustained period during, in particular, the early stages of the pandemic, the provision of mobile phones has been vital in addressing the negative impact of Covid in our prisons not only for prisoners but for staff and families—in particular, children who are impacted by the imprisonment of parents.

The vast majority of the more than 10,000 phones that were issued were used entirely as intended. The breaches of the rules are taken very seriously by the Prison Service. Robust monitoring, which detected where there were breaches, detected that a small minority of handsets—around 7 per cent—had been tampered with. That is not acceptable, but the robust monitoring detected it and allowed steps to be taken to prevent it in the future.

The issues are serious, and they are often complex. I hope that all of us will treat them in that way as we face up to and address drugs deaths in society generally and in our prisons, in particular.

National Health Service (Staffing)

2. Anas Sarwar (Glasgow) (Lab): I join other members in wishing a happy Diwali to everyone who is celebrating it. In coming through these dark times, it is poignant that families will be celebrating the festival of light.

This week, emergency doctors have told us that there have been 231 excess deaths due to delays at accident and emergency departments. Those are 231 people who could have survived if our hospitals were properly resourced.

The Royal College of Nursing tells us that its members are overworked. We have even heard stories of nurses going home crying, and many are leaving the profession early. That is because our NHS is 3,500 nurses short.

On top of that, our A and E waiting times are the worst they have ever been. The First Minister's response is not to fix the problem, but to tell people that they are the problem and that they should not go to A and E. The Scottish Government has been warned repeatedly; it is in denial and lives are being lost. When will the First Minister take personal responsibility and act?

The First Minister (Nicola Sturgeon): I take personal responsibility for everything that the Government is responsible for, every single day.

Anas Sarwar's question raised three related issues; I will address them in turn. First, our NHS

is working under extreme pressure right now. I recognise that. I pay tribute and express my gratitude to everyone who works in our national health service.

Nursing and midwifery staffing in Scotland is currently at a record high. Since the SNP Government has been in office there has been an 11.7 per cent increase in qualified nurses and midwives. The number of qualified nursing and midwifery staff working in our NHS has increased for nine consecutive years. We have a higher per head staffing ratio than other parts of the United Kingdom. In Scotland, we have 8.4 qualified nurses and midwives per 1,000 of the population, compared with just 5.9 per 1,000 in England.

That is the SNP Government's record—but, of course, we need to do more because of the current pressure. That is why we are investing in greater recruitment and supporting health boards across the country to recruit more nurses and other professionals into our national health service.

On what the Royal College of Emergency Medicine has said, it published research this week, on which we will engage with the college in order to better understand it. The analysis appears to use research findings from England from four years ago to make extrapolations from Scotland-only data now. We want to understand that in more detail.

However, that said, everyone recognises the relationship between long waits in A and E that are not clinically justified and increased risk of harm to patients. Nobody can or should deny that, which is why we are investing to try to cut A and E waiting times and to improve flow through our hospitals.

That brings me to the new guidance that has been issued for A and E. This is where Anas Sarwar cannot quote the Royal College of Emergency Medicine when it suits him and ignore its views when they do not suit him. We are not turning anyone away from accident and emergency departments—it is about ensuring that people get the right care in the right place. The vice-president of the Royal College of Emergency Medicine has said that the RCEM supports the guidance and that, in order to ensure that all patients receive

“the right care, at the right time, in the right place, it will on occasion be appropriate to signpost ... some people who have presented to an emergency department—but do not require after an”

appropriate

“assessment to be seen there—to another part of the healthcare system.”

That is appropriate and is a change in guidance that was, I think, made in England some time ago.

It is about ensuring that patients get the best care in the right place, which is something that everyone should support.

The Presiding Officer: I would be grateful for succinct questions and responses. I appreciate that we are discussing complex issues.

Anas Sarwar: I will come back to the quotations in a moment. We have heard the same excuses week after week. The situation across our NHS is getting worse. Why does Nicola Sturgeon think that she knows better than the professionals on the front line? We have heard the quote from the First Minister, now let me quote Colin Poolman from the Royal College of Nursing. He has said that

“Despite the Scottish Government’s talk about record levels of staffing, these figures show that the shortfall in registered nurses needed to run NHS services has never been higher.”

The Royal College of Nursing says that there is a shortfall of almost 3,500 nurses.

The First Minister talked about selective quoting of the Royal College of Emergency Medicine. I will quote the words of Dr John Thomson directly. He said:

“What we are seeing: ambulance handover delays; dangerous crowding; long stays ... put patient safety at risk and can lead to harm or avoidable deaths.”

Nicola Sturgeon wants to pretend that it is a recent problem, but it is a crisis that has been years in the making. Why does she think that she is right, but that the professionals on the front line, who are delivering our high-quality healthcare and are the people whom we applaud as our heroes, are wrong?

The First Minister: I do not think that. If Anas Sarwar had listened to what I said, he would have heard me say that we are listening to the front-line professionals. The nurse numbers that I cited are facts: there has been an 11 per cent increase in nurses and midwives since we took office. I went on to say that that is not enough, because the pressure on our health service has increased. We are listening to the people on the front line and we are supporting health boards with additional investment to recruit more staff into the health service in order to deal with the pressure.

Anas Sarwar said that we are somehow not listening to the people on the front line by—in his words—turning people away from accident and emergency services. That is not the case. We recognise the pressure on accident and emergency services and we recognise the need to ensure that people get the right care in the right place, and we are trying to find the solutions.

The part of the solution that is encapsulated in the new guidance is supported by the people on

the front line. It is supported by the very person whom Anas Sarwar quoted—the vice-president of the Royal College of Emergency Medicine, John Thomson. He said that the approach is the right thing to do to ensure that patients get

“the right care, at the right time, in the right place”.

We absolutely recognise the challenge, but we are listening to those on the front line in coming up with the best and the right solutions.

Anas Sarwar: Nicola Sturgeon’s rhetoric cannot hide the reality. The Scottish National Party has been in government for 14 years. She was Cabinet Secretary for Health and Wellbeing for four years, and she has been the First Minister for seven years. There must come a point when it cannot be somebody else’s fault.

Let us look at Nicola Sturgeon’s record. Nicola Sturgeon cut nurse training places, as health secretary. We now have a shortage of 3,500 nurses in our NHS. Nicola Sturgeon has cut hospital beds by almost 1,500 in the past decade, and we are now chronically short of NHS beds. Nicola Sturgeon has been warned for months about the challenges that A and E services face, and people are now dying because of record A and E waiting times.

Earlier this week, the First Minister described Scotland as a “nation in waiting”. She is right: it is waiting on record long NHS treatment lists, waiting for an ambulance, waiting at A and E, and waiting for her to take responsibility. When will Nicola Sturgeon get a grip of the NHS crisis?

The First Minister: I take responsibility every day. With respect to Anas Sarwar, I note that I have held the positions that I have held for as long as I have only because, on several occasions, I have put before the people of Scotland my record in the ministerial posts that I have held, and the record of the Government, and have been re-elected with the trust of the people of Scotland to face up to these challenges.

In the years that we have spent in government, there has been an 11 per cent increase in the number of nurses and midwives working in our national health service. We have increased training of nurses; the overall intake for pre-registration nursing and midwifery increased by 5.8 per cent this year.

That is what we are doing. We recognise the acute challenges in our national health service. Those challenges are shared by health services across the world, largely because of the Covid pandemic. We are bringing forward solutions to support the people who work on the front line and patients throughout the country. That is what the people of Scotland have entrusted us to continue to do.

The Presiding Officer: We will move on to supplementary questions.

Guardian (Job Losses)

Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP): I am sure that the First Minister shares my disappointment and deep concern at the announcement by Rocialle Healthcare Ltd that its Guardian surgical textiles facility in Girvan, which is in my constituency, will close in 2022, with the loss of 75 jobs over the next four months. That is a long-established business and employer that provides the national health service with surgical drapes, gowns and tray wraps, as well as having provided personal protective equipment during the pandemic. I would be grateful for the First Minister's advice on what the Scottish Government can do to support that very skilled workforce and our very fragile rural economy, which will be hugely impacted by the closure decision.

The First Minister (Nicola Sturgeon): I thank Elena Whitham for raising what is, I know, a very important constituency issue for her. I was certainly concerned to learn that Guardian had announced the closure of its factory in Girvan and its warehouse in Ayr, and I know that this will be a difficult time for the company's staff, their families and the local areas that are affected, especially at this time of uncertainty caused by the pandemic.

I can advise Parliament that the Minister for Business, Trade, Tourism and Enterprise has spoken with the company to explore available options for the sites and its workers. Scottish Enterprise will continue to engage with the company to discuss alternatives to closure. Obviously, the individuals who will be affected are our immediate priority. We have already provided information on the support that is available for affected employees through the partnership action for continuing employment—PACE—initiative. I will ask the business minister to keep Elena Whitham, and members more widely, updated on the matter.

Child and Adolescent Mental Health Services (Delays)

Brian Whittle (South Scotland) (Con): Earlier this week, I was contacted by a constituent whose adopted daughter was referred to child and adolescent mental health services in early 2017. Since then, she has been passed from case worker to case worker, and each time her parents have felt that they were starting from scratch.

After five years of that, without receiving a confirmed diagnosis, they were told that their daughter would likely require medical intervention and so must be seen by a child psychologist. The waiting time for that is, apparently, at least three

years. By that time, that young girl will have spent almost eight years in the CAMHS system without a proper diagnosis or access to appropriate treatment.

Does the First Minister believe that it is acceptable for any child to be referred to CAMHS in primary 1 and potentially not to receive treatment until they are in secondary 2? What can she do to assist that family and any others who have been forced to wait for such an obscenely long time for help?

The First Minister (Nicola Sturgeon): No, I do not think that that is remotely acceptable. I am not able to comment on the individual case, although if Brian Whittle wants to write to me or to the Cabinet Secretary for Health and Social Care, we will look into it and liaise with the health board. I absolutely understand the distress and added anxiety that will have been caused by waiting that length of time for appropriate intervention.

More generally, we are investing heavily in CAMHS and we are redesigning how mental health support is provided to children and adolescents. We are investing more in early intervention and support—for example, counsellors in schools and the wellbeing service that is being rolled out—in order to ensure that young people get help earlier and that specialist services are there for those who need them most. That is a significant priority area, so that we can get to a position in which every young person who needs the support of mental health services gets the right support timeously. I would be happy to look into the individual case in question.

Nursing (Vacancies)

Paul O'Kane (West Scotland) (Lab): In response to Anas Sarwar's question, the First Minister engaged on the Royal College of Nursing report that was published today, which shows that, this year, we have seen the highest ever shortfall in nursing, with more than 3,400 nursing vacancies.

With vague promises of only 1,000 health and care workers in the national health service, the winter plan scarcely begins to address the challenge. Nurses say that the shortfalls add to the significant pressure on them, which is why they are currently considering industrial action. When will the First Minister engage with the RCN's demands to pay our nurses fairly, and when will she tell her cabinet secretary to fix his inadequate recovery plan?

The First Minister (Nicola Sturgeon): The Government engages with the RCN and other unions and professional bodies regularly; the health secretary is telling me that he met with the

RCN as part of a staff-side engagement just yesterday, so that engagement is on-going.

I absolutely recognise the significant pressures that nurses and others in our health service are working under. There are significant recruitment challenges across not just our national health service and social care but our whole economy, exacerbated by other developments around Brexit. We are focused on supporting health boards to recruit more people—not only nurses, but other professionals—into our health service, and we will continue to engage with unions and others as we do so.

Bird Flu (Angus)

Maggie Chapman (North East Scotland) (Green): The First Minister will be aware of the outbreak of bird flu in Angus and the cull of a flock of birds that is taking place as we speak. Can she provide an update on that issue and let us know what guidance is being issued to local communities?

The First Minister (Nicola Sturgeon): That is an important issue, and I know that it will be causing concern. A small premises near Arbroath has tested positive for avian influenza. Public health advice remains that the risk to human health is very low, and food standards bodies advise that avian influenza poses a very low food safety risk for consumers and does not affect the consumption of poultry products, including eggs.

In order to limit any further spread of disease among birds, appropriate restrictions have been imposed on the affected premises, and public health staff are liaising with others such as Health Protection Scotland to ensure that the correct protocols are followed. There were some surviving birds on the premises, and those were euthanised on welfare grounds, with on-going support being provided to the owner.

The Cabinet Secretary for Rural Affairs and Islands will be happy to engage with any member who wishes to have further information on the steps that are being taken.

The Presiding Officer: I call Jackie Dunbar.

Jackie Dunbar (Aberdeen Donside) (SNP): To ask the First Minister how the Scottish Government is working to ensure that, during COP26, it provides a platform for unheard voices, including citizens, young people and those from the global south.

The First Minister: The Scottish Government has been working—

The Presiding Officer: Sorry, First Minister—I will just interrupt there. I think that there has been a misunderstanding; I am taking supplementary

questions at the moment, Ms Dunbar, but we will reach your question in due course.

I call Jamie Greene.

Vaccinations (Booster Programme)

Jamie Greene (West Scotland) (Con): I have been contacted this week by many worried constituents. One is Ron Cooper from Ardrossan, who works in a care home. He had his second Covid vaccine in March, but he has been waiting for more than a month for his booster due to problems both online and with the telephone system. Another is an 89-year-old lady, who should be on the home-bound booster vaccination list but has been struggling to get an appointment. We believe that there may be hundreds of similar people in North Ayrshire who are in the same boat. Many of those people are elderly or vulnerable, and they are concerned—rightly, I think—as they look ahead to winter while awaiting those much-needed jabs.

In the light of those examples, what reassurance can the First Minister offer the wider public that this year's winter flu and Covid booster programme has been adequately planned and is being executed successfully?

The First Minister (Nicola Sturgeon): Those are important issues. Any member who hears reports about people in their constituencies or regions finding it difficult to access either the Covid booster jab or the flu vaccination should raise those with the health secretary so that they can be looked into.

Both vaccination programmes, which are being delivered on an integrated basis, are generally going extremely well. More than 850,000 people aged over 12 have received a third dose or a booster vaccination. Last week, more than 500,000 combined flu and Covid doses were delivered. We are ahead of some other parts of the United Kingdom on delivering that.

The programme is going extremely well overall, thanks to the dedication of those working on it across the country. As I have said before, there will be instances of individuals experiencing difficulty and it is important that those are raised so that they can be addressed as quickly as possible.

Fireworks (Public Advice)

3. **Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP):** To ask the First Minister what public advice the Scottish Government has issued regarding the discharge of fireworks, given that new regulations came into force on 30 June 2021. (S6F-00411)

The First Minister (Nicola Sturgeon): We have taken several steps to highlight the nuisances and risks associated with fireworks and the new limitations on when they can be used. Outwith organised displays, fireworks can be used only between 6 pm and midnight on bonfire night itself and between 6 pm and 11 pm on most other nights of the year. We have funded three targeted publicity campaigns as well as promoting key messages on social media. We have also funded extra engagement with retailers by trading standards officers.

Others are also playing an important role. The Scottish Fire and Rescue Service, Police Scotland, community safety partnerships and charities—from Crimestoppers to the Scottish Society for the Prevention of Cruelty to Animals—are putting huge effort into advisory activity to minimise distress and harm to people and animals across Scotland.

Christine Grahame: I declare an interest as convener of the cross-party group on animal welfare and as the owner of Mr Smokey, a rescue cat.

The regulations limiting the sale and discharge of fireworks are much welcomed by animal welfare organisations and by pet owners—particularly those who are less experienced, having become an owner during Covid. The increasing use of fireworks previously made it impossible to keep animals safe, even indoors. Fireworks also affect livestock. All animals have more acute senses than we do, and fireworks cause them suffering, stress and anxiety. Too many farm animals come to harm or even die, so the regulations are also welcomed by the farming community.

Will the First Minister explain how the impact of the regulations will be monitored and what the maximum penalties are for breaching them?

The First Minister: I agree with Christine Grahame about the well-known harm caused to animals and livestock by the misuse of fireworks. It is a serious issue. Misuse of fireworks also causes harm, distress and anxiety to humans in communities across the country. In recent years, parts of my own constituency have been affected by that and I have seen the distress caused. I hope that the changes will help to alleviate the situation.

We are working with trading standards officers to assess the impact of the restrictions and will engage with Police Scotland and other partners in monitoring their impact. We will also take input from animal welfare organisations such as the SSPCA and the British Veterinary Association, which played a constructive role as members of the firework review group.

The penalties for breaching the new regulations include imprisonment for up to six months and/or a fine of up to £5,000. Other offences with higher penalties may also be relevant to cases of serious misuse.

Pauline McNeill (Glasgow) (Lab): Every year, in the run-up to bonfire night, the fire brigade responds to hundreds of calls about the uncontrolled bonfires and misuse of fireworks that terrorise communities at this time of year. We thank the Fire and Rescue Service for protecting our communities.

As part of my casework in Glasgow, I have been sent videos of fireworks being launched horizontally down streets, causing damage to property and even trapping residents in their homes until either the police arrive or those who are responsible move on. I whole-heartedly welcome the new regulations and the work that the minister, Ash Regan, has done on the issue. If we see the same patterns in our communities this year, with residents being terrorised by the misuse of fireworks, how tough is the First Minister prepared to be to protect our communities from that misuse?

The First Minister: I have developed, largely because of experience in my own constituency, a bit of a zero-tolerance attitude to fireworks over the years. I have seen instances, like those that Pauline McNeill outlined, in the Pollokshields area of my constituency. I have worked on a local basis with the Scottish Fire and Rescue Service, the police and others to try to alleviate some of that impact. I think that the new restrictions that are in place will make a difference. If they do not make a sufficient difference, we will be willing to look at going further and being tougher.

I say this simply as a statement of fact, but there is a devolved/reserved split of responsibilities that means that the Scottish Government cannot necessarily go as far as we might like to go. There has been liaison and I know that my constituency MP colleague, Alison Thewliss, raised the issue in the House of Commons to try to get more collaboration between the Scottish and United Kingdom Governments in tackling it. We will be willing to look at the issue if this year's changes do not have the desired impact.

Obviously, people want to enjoy bonfire night, which is tomorrow, but I say to people across the country to do that responsibly and to remember the impact that the misuse of fireworks can have. At best, the impact is inconvenience, anxiety and distress; at worst, it can be serious injury and even death. Therefore, it is absolutely paramount that everyone acts responsibly.

Siobhian Brown (Ayr) (SNP): A few weeks ago, there was a tragic explosion in my

constituency in Kincaidston in Ayr, and a family of four remain in hospital. Within days of the explosion, some members of the public let off fireworks, which caused the community a lot of fear and concern. What discussions has the Scottish Government had with Police Scotland in relation to enforcing the new firework regulations?

The First Minister: As I outlined, the Scottish Government had extensive engagement and consultation with the police and other partners and stakeholders over a long period of time in coming to the new, tighter restrictions that are now in place. We will continue that engagement in terms of the enforcement and assessment of the restrictions.

I appreciate the local issue that has been raised. I think that any of us who saw the pictures on social media that evening of the explosion in Siobhian Brown's constituency understand the shock and that therefore there will be particular sensitivity in the area around fireworks this bonfire night. I will ask the relevant minister to engage with the police locally and nationally, and with Siobhian Brown as well.

The Presiding Officer: I call Jackie Baillie.

Jackie Baillie (Dumbarton) (Lab): To ask the First Minister what immediate steps the Scottish Government is taking to address the reported continuing inequalities in cancer—

The Presiding Officer: I am sorry Ms Baillie, but I am still taking supplementary questions at the moment. We will get to you in due course.

We move on to question 4, from Stephen Kerr.

Carbon Emissions (2045 Net Zero Target)

4. Stephen Kerr (Central Scotland) (Con): To ask the First Minister whether Scotland is on track to reach net zero carbon emissions by 2045. (S6F-00402)

The First Minister (Nicola Sturgeon): Yes, I think that we are, but I do not think that it will be easy and I do not think that we can take success for granted. We will have to work hard to achieve it. The scale of the challenge to bridge the global emissions gap is immense. In Scotland right now, we are over halfway to net zero and we have decarbonised faster than any G20 country, but we have much more to do. Through our updated climate change plan and associated commitments, we have set out a comprehensive credible package of policies for reducing emissions over the next decade, putting us on track—I believe—for a just transition to net zero by 2045. Our priority is obviously to deliver on those policies.

Of course, the recent United Kingdom Government decision not to support the Scottish carbon capture and storage cluster does not make

that easier and is a serious mistake. I am therefore today writing to the Prime Minister calling on him to reverse that decision and accelerate the Scottish cluster to full track 1 status without delay.

Stephen Kerr: The First Minister's climate change strategy stated that local authorities are on the front line of Scotland's response to the climate emergency, but an extensive piece of published research by my own office reveals that the Scottish Government—*[Laughter.]*

The Presiding Officer: Do continue, Mr Kerr.

Stephen Kerr: Some members may laugh at this research, but I think that they should take it seriously. Research by my office reveals that the Scottish Government has given little or no support to councils in preparing their plans, has agreed no targets and has not even bothered to read them. Why, then, does the First Minister have any confidence that local authority plans will deliver cuts to emissions when she and her Government have shown so little interest in them?

The First Minister: I do not think that that is true, but I would be fascinated to read the research that Stephen Kerr's office has prepared, and I mean that genuinely. I am sure that he will send me a copy and I give a commitment to read it in full and come back to him with any comments that I feel are appropriate.

Local government has a big part to play in meeting the targets, and I have confidence in the priority that councils across the country are giving to that. I have had discussions with council members in the context of the United Nations climate change conference of the parties this week and, more generally, I have also had the privilege of meeting local government representatives from other parts of the UK. Yesterday, I met the mayors of London and Paris. All local governments are grappling with those challenges, and there is a real intent to share good and best practice.

However, our responsibility is to meet our targets. We are halfway there, but the next part of the journey will be more difficult, so we cannot afford to be undermined on any of the key strands of our work. In return for my commitment to read the research that his office prepared, I wonder whether Stephen Kerr would join me today in writing to the Prime Minister to ask for the short-sighted decision on the Acorn project and the Scottish cluster to be overturned, so that we can get back on track with carbon capture and not allow his Tory colleagues to take the feet from under us on that. Perhaps he will give consideration to that.

Liam McArthur (Orkney Islands) (LD): Meeting our net zero target by 2045 requires us to hit the interim target in 2030, which was designed to be ambitious but achievable and depends on

Government action. Given that the chief executive of the Climate Change Committee believes that the target now looks “overcooked”, and the Scottish Government has already missed the last three emissions targets, what does the First Minister plan to do differently to get us back on track to meet that interim target?

The First Minister: First, it is right that we are ambitious. The target of a 75 per cent reduction by 2030 was a decision of Parliament, and I would rather that this Parliament was said to be overambitious than underambitious, because that charge could be levelled at too many Governments around the negotiating table at COP. If memory serves me correctly, the Committee on Climate Change expressed its reservations about the 75 per cent target when Parliament was considering it, but Parliament took a decision to be that ambitious, and I think that it was right to do so. It is now incumbent on the Government to lead by example, and all of us must do everything necessary to meet that target.

With regard to the missed targets, again, to be open, our targets are stretching and, in the past three years, we have fallen short of quite meeting them. To hit our targets, we should have cut emissions by 55 per cent. We have not done that, but we have cut them by 51.5 per cent. That is halfway to net zero, and we have decarbonised faster than any G20 country.

Scotland is leading by example, but we must do more. We set out details of what we are doing differently in our climate change update plan, and the catch-up plan was published last week. The most recent target was for 2019, so much of what we are doing to catch up on that, which we are legally bound to do, has already been set out in the Parliament. The plans and targets are ambitious, but we all have a responsibility to step up and make sure that we are meeting that challenge head on.

Cancer Mortality Rates (Inequalities)

5. **Jackie Baillie (Dumbarton) (Lab):** To ask the First Minister what immediate steps the Government is taking to address the reported continuing inequalities in cancer mortality rates across Scotland. (S6F-00410)

The First Minister (Nicola Sturgeon): We continue to focus on ensuring equitable access to cancer services throughout the pandemic. For example, mutual aid across health boards means that every patient is seen according to their priority. We continue to provide support through the screening inequalities fund, in order to increase screening rates across all groups in our society, and we have recently completed a second funding round of our more than £100 million national cancer plan, where the impact on

equalities was a key criterion in the award of funding. Finally, the most effective means to reduce mortality from cancer is early detection, which is why we continue to invest in our detect cancer early programme.

Jackie Baillie: Public Health Scotland published cancer figures for 2019 that showed that 28 per cent of people who live in deprived areas are more likely to get cancer, and a staggering 66 per cent are more likely to die from cancer, and that was before the pandemic. There is a substantial backlog in screening; early detection rates are falling; health boards are cancelling operations due to the pressure; and more people are likely to die, simply because they are being diagnosed too late. Will the First Minister ensure that, at the very least, cancer surgery and treatment is not cancelled or delayed this winter? Will she take urgent action to improve cancer outcomes for everyone, including those who are the most disadvantaged in our society? Frankly, those figures are a national scandal.

The First Minister: First, to be very clear, cancer treatment and surgery is always prioritised by health boards, and I would hope that Jackie Baillie would recognise that. Indeed, any operation for cancer would be cancelled only in the most extreme circumstances. Health boards have given that a priority right throughout the pandemic.

Jackie Baillie is right to point out the Public Health Scotland mortality statistics that were published this week. I will not repeat the statistics that she has quoted, because they were absolutely correct, but it is important to give the context. The statistics also show that the overall risk of dying from cancer in 2019 fell by nearly 10 per cent. That is positive, but there are significant inequalities in outcomes from cancer. That is why a range of work is under way that we must make sure gets the priority that it merits. It aims to raise awareness, provide equitable access to screening, and—yes—catch up on the backlogs that have been caused by Covid. It includes early detection and making sure that early detection efforts are focused not just on the most common symptoms of cancer but on some of the less common symptoms as well. The early cancer diagnostic centres have been set up to ensure that that happens.

Jackie Baillie is right to raise the importance of the matter, and the Government is right to have the focus that we do on putting forward solutions and ensuring the priority of cancer care.

COP26 (Platform for Unheard Voices)

6. **Jackie Dunbar (Aberdeen Donside) (SNP):** To ask the First Minister how the Scottish Government is working to ensure that, during COP26, it provides a platform for unheard voices,

including citizens, young people and those from the global south. (S6F-00418)

The First Minister (Nicola Sturgeon): The Scottish Government is committed to amplifying the voices of young people and those who are experiencing the worst impacts of climate change in the global south. We have provided almost £950,000 of funding to support young people of all backgrounds to participate meaningfully at the 26th United Nations climate change conference of the parties—COP26—and beyond. That includes £300,000 for the conference of youth, which will present its global statement to COP26 tomorrow. We are also ensuring that the representatives from the global south are heard through the global climate assembly, the Glasgow climate dialogues and events, including a youth-focused event with Malawi climate leaders that will take place on Monday.

Jackie Dunbar: Women and girls are likely to suffer disproportionately as a result of the climate crisis, which is why the Glasgow women's leadership statement, jointly sponsored by the Scottish Government and UN Women, is so important. It recognises that women must be part of the response. Does the First Minister hope that, when small nations lead, it will galvanise other organisations and world leaders to follow by making similar ambitious statements and commitments during COP26?

The First Minister: I absolutely agree with Jackie Dunbar about the importance of the issue. We know that women and girls across the world are disproportionately impacted by climate change, but we also know that they must be more involved in the solutions to it. I have been delighted to work in recent times with UN Women to put forward the Glasgow women's leadership statement, which we launched at COP26 earlier this week. I did that alongside women leaders from both large and small nations, and I have been very encouraged by the response, with more and more signatures representing Governments and civil society that have come forward to join the initiative.

I am also looking forward to taking part in gender day at COP next Tuesday, when I hope that we will see many more countries come forward with very strong commitments on gender-responsive climate action.

Glasgow City Council (Industrial Action)

7. Paul Sweeney (Glasgow) (Lab): To ask the First Minister what the Scottish Government's response is to Glasgow City Council cleansing workers taking strike action from 1 November and throughout COP26 due to low pay. (S6F-00412)

The First Minister (Nicola Sturgeon): I recognise and appreciate the extraordinary efforts of council workers at all times, but particularly over the past 18 months. That is why, although the Scottish Government has no formal role in the local government pay negotiations, we supported efforts to find a solution, with a one-off offer of additional funding of £30 million. I was pleased to see that that intervention, along with a contribution from councils, enabled the Convention of Scottish Local Authorities to submit a significantly improved pay offer to trade unions last Friday. The unions subsequently confirmed that they would suspend strike action while members voted on the revised offer. I welcome that.

It is therefore disappointing that the GMB in Glasgow has chosen to pursue strike action at this stage, although of course I respect its right to do so. I urge all parties in Glasgow to quickly find a resolution.

Paul Sweeney: As a member of the GMB trade union, I think that Glasgow City Council threatening to union bust by using anti-trade union laws and busing in blackleg private contractors to try to break the strike is disgraceful and a paltry short-term fix to this long-running dispute. If the First Minister agrees with that position, will she please intervene and provide the leadership that has sorely been lacking so far and, if necessary, commit additional financial resources so that COSLA and Glasgow City Council can settle that dispute, pay those key workers fairly and treat them with respect?

The First Minister: The things that Paul Sweeney talks about would be disgraceful if they were happening, but let us be clear that they are not. As I understand it, although I am not party to the matter, Glasgow City Council made clear last Friday that it would not take legal action.

On the suggestion of breaking the strike, I know that the council issued a statement last night and that it has a concern about bonfire night posing an additional fire risk if rubbish is not collected. Although it is considering cover to mitigate those risks, it is not considering the use of contractors to fulfil the regular duties of striking staff. Labour should know all about the latter, because that is what it did during the cleansing strike under the Labour administration in 2009, so perhaps a bit of reflection on the Labour benches would be welcome.

The situation in Glasgow has arisen out of a national pay dispute. The Government made additional resources available last week to allow COSLA to make a renewed offer, which it has done. The unions rightly suspended strike action to allow members to vote on that renewed offer, and that process should be allowed to take its course.

I have the utmost respect for cleansing workers in Glasgow—those who do that job in my constituency and across the city—so I hope that Glasgow City Council and the union can get around the table and find a resolution that puts an end to the dispute and allows industrial relations to move forward positively.

The Presiding Officer: That concludes First Minister's questions.

Paul Sweeney: On a point of order, Presiding Officer. The First Minister mentioned that strike-breaking activity took place in 2009. For the record, no such strike-breaking action took place, and the statement that the Glasgow City Council issued to that effect is inaccurate. I would be happy for the chair to confirm that that is the case.

The Presiding Officer: The member will be aware that the content of members' contributions is not a matter for the chair. A mechanism exists however, by which members can correct any inaccurate information.

Abortion Clinic Buffer Zones

The Deputy Presiding Officer (Liam McArthur): I remind members of the Covid-related measures that are in place and that face coverings should be worn when moving around the chamber and across the Holyrood campus.

The next item of business is a members' business debate on motion S6M-01767, in the name of Gillian Mackay, on abortion clinic buffer zones. The debate will be concluded without any question being put.

Motion debated,

That the Parliament notes the campaign by Back Off Scotland for the Scottish Government to introduce 150m buffer zones, or protest-free areas, around clinics that provide abortion services across Scotland; understands that buffer zones around abortion clinics already exist in other countries, such as Australia and Canada, as well as some local authorities in England; believes that safe and legal access to abortion services is a vital human right; further believes that everyone who chooses to have an abortion, including those in the Central Scotland region, should be able to do so without fear of harassment, intimidation or abuse; understands that there have been concerning reports of patients across Scotland, experiencing intimidation and harassment from protesters when accessing sexual and reproductive health services, and notes the view that buffer zones would help to ensure patients can continue to access these services safely and without fear of harassment.

12:48

Gillian Mackay (Central Scotland) (Green): I open the debate by recording my sincere thanks to all those who have worked so hard on abortion clinic buffer zones, including the Back Off Scotland campaign and the British Pregnancy Advisory Service.

I thank those members who have signed the motion. I know that support for buffer zones exists across the chamber and that I am not the only MSP who has raised the issue in the Parliament. I particularly thank my colleague Maggie Chapman, who asked questions about this at the start of the session.

I want to state clearly that this is not a debate on the morality of abortion. I hope that members will put their views on abortion aside and focus on the fact that the debate is about access to healthcare, which, according to the United Nations and the World Health Organization, is a human right.

I do not want to inhibit anyone's right to protest; the Greens would never be in favour of such a move. People who feel strongly about abortion have many opportunities and platforms to share their views, but I feel strongly that it is not appropriate to do that outside a hospital or clinic. Everyone should be able to access healthcare

unimpeded and no one should face harassment or intimidation while doing so.

Protests outside hospitals and clinics are widespread. BPAS is aware of seven hospitals and clinics that are experiencing protests, including Forth Valley Royal hospital in my region. Seventy per cent of women of reproductive age live in a health board area that has hospitals or clinics that have been targeted by anti-choice groups in the past five years.

It is not just people who are accessing abortions who are impacted. Anyone who accesses healthcare at premises that deliver abortions can be targeted. I will read out a few examples provided by BPAS of people who have been affected by demonstrators and protests. Here is testimony from someone who visited the Chalmers centre in 2021:

"I was a victim of sexual assault and had to book an appointment with Chalmers. Already blaming myself and terrified to tell anyone, I was 17 and completely by myself. A small group of individuals, mostly male, were standing on the other side of the road. I was repeatedly called out to by one of the men, and when I glared at him and ignored him, he called me a teenage murderer. I have never been pregnant. I have never had an abortion. I have never even used contraceptive medication, but they tried to publicly humiliate me for it. I felt threatened and terrified at a time when I needed protection and comfort."

I have another example from the Royal infirmary in Edinburgh.

"I felt incredibly angry. At the time, I was pregnant with my second child. On attempting to engage with them, one of the group marched over to me and was extremely aggressive. He screamed in my face several times. He told me that I was going to get cancer. I had disclosed that I had had an abortion between pregnancies."

No one should have to face such appalling treatment while accessing healthcare. Implementing 150m buffer zones around abortion clinics would allow women and people who are pregnant to access the care that they need without fear of harassment. It would allow them to enter and leave the abortion clinic without being seen or having to interact with protesters, affording them their right to privacy. Not affording people that right can prevent them from seeking the help that they need.

During lockdown, access to healthcare was reduced as resources were targeted at tackling Covid and fears about patient safety meant that people were discouraged from seeking treatment. It seems fair to assume that lockdown might have prevented some people from accessing abortions. As our health services recover, we should be encouraging those who need reproductive healthcare to access it. There is a risk, however, that faced with the distressing experience of encountering a protest when visiting a clinic or hospital, some will simply not go.

Polls have shown that the public is in favour of buffer zones. A poll conducted this year by the Scottish humanists showed that 82 per cent of Scots want to end targeted harassment outside abortion clinics. Buffer zones have also been successfully implemented in other countries. They are already in place in the Isle of Man, Canada, Australia, some local authorities in England, and in the USA.

My fellow Green politician Clare Bailey MLA is currently taking her Abortion Services (Safe Access Zones) Bill through Stormont. Scotland is behind on this issue. In England, Sister Supporter successfully campaigned for a public space protection order around the local Marie Stopes clinic in Ealing, London. That was implemented in 2018, and now the space outside the clinic is a harassment-free safe zone. The decision on that was subject to legal appeal in 2019, but it was dismissed by three Court of Appeal judges. There is therefore a legal precedent in the United Kingdom.

I am aware that there have been discussions about buffer zones being implemented by local authorities in Scotland. In February, the City of Edinburgh Council voted in favour of a motion to enact 150m buffer zones around abortion clinics citywide, following a 4,700-strong petition by Back Off Scotland, while Glasgow City Council has debated the issue of anti-choice harassment outside local hospitals. However, Scottish local authorities have stated that they do not have the ability to introduce buffer zones under the current law and progress appears to have been halted.

I believe that there is a risk that leaving it to local authorities to implement buffer zones could result in a postcode lottery, whereby some women are able to access abortion services without fear of harassment but others are not. I believe that a national approach is required. Therefore, I am very pleased to announce my intention to introduce a member's bill on buffer zones around abortion clinics. I will be honoured to introduce such important legislation, and I intend to consult a wide range of individuals and groups to hear their thoughts on the proposal.

I want to make it clear that it is not my intention to target national health service workers who may want to picket outside healthcare premises. I am keen to engage with trade unions on the issue to minimise any unintended consequences.

I again thank everyone who has tirelessly campaigned for buffer zones. We would not have reached this point without them. I look forward to working with them and with members across the chamber to ensure that women can access abortions while being afforded the safety and dignity that they are entitled to.

12:56

Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP): I thank Gillian Mackay for securing the debate.

Abortion is a legal right in Scotland; it is essential healthcare for women, and access to abortion services absolutely must be unimpeded.

Women and women's organisations across the world have fought for the right to access safe and legal abortion for decades. Increasingly, international human rights law supports their quest, despite the current rolling back of rights that we are seeing in some places.

Safe and legal access to abortion services is a basic healthcare need. Anyone who chooses to have an abortion or to access sexual and reproductive health services should be able to do so without fear of harassment, intimidation or abuse.

As we know, abortion is legal here in Scotland, and women must be able to access abortion services freely and without harassment. The reports of patients across Scotland who have experienced intimidation and harassment from protesters outside abortion services, examples of which Gillian Mackay read out, are deeply concerning. No woman should be harassed or intimidated for accessing abortion services, and no woman should feel scared to access that vital human right because of protests or vigils taking place near abortion services. After all, according to Engender, one in three of us will use such services in our lifetimes.

In our 2021 manifesto, the Scottish National Party committed to supporting local authorities to use their powers to establish byelaws to create protest-free buffer zones outside clinics that provide abortion services. The Scottish Government's women's health plan, which was published in August this year, is the first stage of a long-term commitment to reducing health inequalities for women, and it pledged to improve access to abortion and contraception services.

As a former Women's Aid worker, I have seen at first hand the emotional strength that is required of women when they make the decision to have an abortion. I have supported women to access such essential healthcare after they have had previous forced pregnancies, as contraception was forbidden by their abuser. Collectively, let us imagine having every aspect of our existence controlled by an abuser, finally managing to escape that hell, finding ourselves pregnant in a Women's Aid refuge, perhaps with a few children in tow, making the decision to seek an abortion and having to run the gauntlet of a protest or a vigil simply to access lawful healthcare. Women who are already under immense pressure and

about to go through an already traumatic process should not have to deal with anyone else's opinion when accessing such healthcare.

Establishing byelaws at a local government level should be the simplest and quickest way to create protest-free zones around abortion services. If local councils can act in such instances, they should, but examples such as the recent attempts by the City of Edinburgh Council and Glasgow City Council to establish buffer zone byelaws highlight the need for clarity at a local level. It cannot be a postcode lottery. Right now, we must ensure that local government has absolute clarity and is empowered to take swift action to pass such byelaws to ensure that all women can access clinics free from harm.

As abortion rights are under increasing threat around the world, I was heartened to hear recently in the chamber the First Minister assure us, in her response to Monica Lennon, that she is open to exploring all options to ensure that women are able to access abortion free of harassment. I look forward to supporting her in that endeavour.

12:59

Meghan Gallacher (Central Scotland) (Con): I thank Gillian Mackay for securing this members' business debate on such an important topic. Members of the Scottish Parliament will have differing views when discussing issues relating to abortion and abortion services. The comments that I make are my own; I respect the rights of others to disagree and to debate the points that are raised.

I believe in freedom of speech and expression, which should be cherished and protected. However, I do not believe that an individual or group has the right to prevent someone from accessing a healthcare service. Regrettably, that has been the experience of too many women in Scotland who have tried to access abortion services.

The debate is not on the issue of abortion or to argue whether it should be legal; it relates to the safety and wellbeing of women who need to access abortion services. Unfortunately for many women, they have felt intimidated, harassed and unsafe when attending a clinic or hospital. Some groups hold vigils, put leaflets into the hands of women, hold placards showing pictures of developing fetuses, prevent staff and women from attending appointments, and, more concerning, film individuals as they enter and leave premises.

I recognise that not all groups are aggressive when holding demonstrations. The question is: do they need to be there in the first place? We must put ourselves into the shoes of the young women

who access services. How would we feel if we were greeted by such a reception?

BPAS has advised that, since the beginning of 2017, seven hospitals and clinics in Scotland have been repeatedly targeted, which has had an impact on people who have accessed services—not only those accessing abortion services, I note—and who have felt degraded and traumatised by the actions of those who have created a picket line outside facilities.

I have always agreed with the concept of my body, my choice, because I believe in freedom of choice. I also believe that private concerns such as abortion should not be a matter of debate for a woman who has already made an informed choice. After all, the woman having an abortion could be a victim of rape or domestic violence, or could be attending a clinic on medical grounds.

As Gillian Mackay has mentioned, Back Off Scotland is campaigning to introduce buffer zones outside hospitals and clinics to allow women to access services without feeling pressured to justify their decision. The zoning would apply to pro-choice and anti-choice groups, which creates a fair balance for those on opposing sides of the debate.

I sympathise with the campaign, given some of the first-hand experiences that I read while preparing for the debate and the experiences that Gillian Mackay outlined during her speech. As I said at the start, I support freedom of speech and expression, and groups could gather in other places away from hospitals and clinics.

The introduction of 150m buffer zones is supported by a wide range of groups. I hope that the Scottish Government considers it to ensure that women's right of access to legal and safe healthcare is always protected.

I understand that this is a delicate subject and that members should treat one another with respect in discussing it. I welcome the campaign to introduce buffer zones and I hope that the Scottish Government will recognise its importance.

13:03

Carol Mochan (South Scotland) (Lab): I thank Gillian Mackay and the campaigners at Back Off Scotland for bringing this vital issue to the Parliament.

My colleague Monica Lennon has, unfortunately, had to withdraw from the debate. She sends her full support for the spirit of the motion and the work that has gone into highlighting the issue. Members know that Monica has shown firm commitment to the needs and rights of women, and I am pleased to pass on her message.

For some people, abortion is a difficult political issue and most people make their case respectfully and constructively. However, a very vocal and influential minority do not. Standing outside a clinic that is committed to helping people in dire need and shaming those people for seeking help is bullying, no matter how well meaning someone thinks that they are.

Those who seek to oppose a woman's right to make her own choice are not a new quantity by any means. For decades and centuries, an ever-decreasing section of society has felt it incumbent on it to police women's decisions and indeed their bodies. Fortunately, due to the efforts of so many brave individuals, that grip has loosened, in our country at least, to the point of being almost non-existent. However, I can only say "almost", because it is still there, and this debate is about a current pernicious example.

For Dani Garavelli's fantastic piece on the phenomenon in *The Scotsman*, she spoke to those who have experienced such intimidation, and they reflected on how uncomfortable it made them feel during an already difficult time in their lives. The discomfort is not solely reserved to them; it is also felt by those who work in the clinics, who are left feeling vilified and forgotten by the authorities, despite simply wanting to do their jobs.

As we have heard, these vigils, as the organisers call them, take place regularly in the health board areas where 70 per cent of women in Scotland live. It is difficult to quantify just how many women will have encountered them, as many will prefer to keep quiet. The groups behind these vigils are often funded by highly questionable US-based pressure groups with a history of homophobia, sexism and indeed racism. Why are they being allowed to intimidate women at a point in their lives that is always difficult, but for many is absolutely necessary? I can only imagine that, if the same sort of intimidation was happening to men, we would not need to have this discussion, as it would have been dealt with long ago.

Well, enough is enough. We all understand that a law is not currently in place to prevent such instances of intimidation, but that needs to change. I fully support Back Off Scotland's call for the enforcement of 150m buffer zones around the clinics. I understand that other organisations will be fearful that that could curtail the right to protest in other instances, but there is no reason why legislation could not be introduced that reflects those nuances and does right by those who seek vital healthcare.

The women behind Back Off Scotland have first-hand experience of the issue. I was glad to hear that they have met Maree Todd to discuss it, but I

am not surprised to hear that they came away with little more than reasons and excuses why it cannot be done or why it would be difficult to do it at this time. That is not how government should work. We cannot pass the buck on the problem and hope that it will go away. Equally, we cannot simply fob it off on to local authorities, which are already overburdened.

More and more people are becoming increasingly aware of the practice and we will soon get to a point, through the commitment of campaigners such as Back off Scotland and others, where the Government has no choice but to carry through. Why wait until then? Introducing legislation as soon as possible would alleviate the distress of so many women, and especially those who are already in vulnerable circumstances with little in the way of a support network.

Let us push forward and move beyond this very necessary members' business debate. Members' bills can take years to go through and are often unsuccessful. Let us make this a priority for the Parliament. It would certainly be a legacy that we could all be proud of and one that future generations would thank us for. Let us be brave. I ask the minister to do the right thing, and to do it now.

13:08

Stephanie Callaghan (Uddingston and Bellshill) (SNP): I, too, thank Gillian Mackay for bringing her motion to the chamber for debate. Women in Scotland have a fundamental right to access pregnancy healthcare services and they should have the right to access them without harassment and intimidation. The targeting and harassment of women who access abortion services, as well as of those who provide them, is unacceptable and I condemn it completely.

Opting to end a pregnancy is seldom a straightforward decision for any woman, nor is it one that is taken lightly. Many women attend their abortion appointment alone, too. It is almost unbearable to imagine how women feel when approached, harassed or intimidated by anti-choice protesters in those circumstances, but that is exactly what I ask all members to do right now—to pause and imagine exactly how that feels for women. I hope that, when members do that, they will agree that all women must be protected from having their privacy invaded at such an emotionally sensitive time.

In 2019, more than 100,000 women were targeted outside clinics across the UK, and 70 per cent of women in Scotland live in a health board area where protests have taken place. Women have reported being followed, photographed, prayed at, jeered at, lied to and generally

degraded. There have been instances where women have been prevented from entering clinics, too.

It is distressing for anyone to be hounded by strangers in the street but, at such a personal and private moment, the impact of those protestors' actions has left already vulnerable women traumatised. Yes, we have the right to protest and the right to free speech, but we do not have the right to harass, intimidate and bully other people. Those are not reasonable expressions of free speech, and there is a difference between protest and harassment, just as there is a difference between free speech and misinformation.

Although anti-choice protestors may not intend to intimidate, there is no doubt that most women attending an abortion feel intimidated when so-called vigils are taking place. That is why I support buffer zones and why I support the Scottish Government's commitment to work with the national health service and local authorities to find ways of preventing women from feeling harassed and intimidated when they are accessing abortion services.

Since a buffer zone was declared around a clinic in Ealing in 2018 through a public spaces protection order, the situation has improved dramatically. The clinic reports that instances of harassment have virtually disappeared since the order came into force.

Regardless of whether one agrees or disagrees with abortion, the issue is about women being able to access their fundamental right to healthcare. Introducing buffer zones does not impede the right to free speech. Protests can still be held, just not directly outside clinics. People can still contact their MSP and share their beliefs—they have every right to do so.

Ultimately, what women really need is to feel empowered to continue their pregnancy, not pressured by strangers in the street who know nothing about their personal circumstances. Women need to know that they will be supported in the changes that they make and that their life opportunities will not be impeded by choosing to continue with their pregnancy.

As Engender Scotland said,

"Access to safe abortion healthcare is essential for the realisation of women's economic and social human rights."

I believe, therefore, that the establishment of buffer zones is essential. Aligned with the Scottish Government's women's health plan, they will create a safe place for women attending clinics. I disagree with those who say that creating buffer zones should not proceed due to the threat of legal action. Doing nothing is not an option and women deserve better.

The Deputy Presiding Officer: I am conscious of the number of speakers who still want to contribute to the debate, so I am minded to accept a motion without notice, under rule 8.14.3, to extend the debate by up to 30 minutes. I invite Gillian Mackay to move such a motion.

Motion moved,

That, under Rule 8.14.3, the debate be extended by up to 30 minutes.—[*Gillian Mackay*]

Motion agreed to.

13:12

Alex Cole-Hamilton (Edinburgh Western) (LD): I commend the exceptional quality of all speeches that have been made in the debate and praise Gillian Mackay for bringing the topic to the chamber. I also thank organisations such as Back Off Scotland for their work on the issue. I congratulate Gillian Mackay on announcing her intention to introduce a member's bill on the issue, which I will be supporting.

I have supported the introduction of buffer zones around any healthcare facilities that offer termination of pregnancy since I first entered this place, five years ago. I have sought out meetings with anti-abortion campaigners to discuss that issue with them. They maintain that there is a clash of rights at the heart of this debate, which I reject entirely. I do not believe that one's right to freedom of speech should come at the expense of a woman's right to medical privacy.

Campaigners have said time and again that the facilities are not used solely for abortions or terminations. I would say to them that, in that case, they are making things worse. They are creating a picket line to cross for people who are trying to access the most intimate forms of medical care. They say that they are not trying to be intimidating and that they are not being intimidating. I am sorry, but that is not for them to judge. If someone is in what is possibly the most vulnerable situation of their life, the last thing that they want to do is cross a picket line where they are being hectorated and intimidated by people of a different view to theirs.

This is not a debate about free speech. Protestors are entitled to their freedom of speech—of course they are. Gillian Mackay has rightly indicated the very many platforms that are available for people who believe that abortion is wrong. Nothing about buffer zones impedes that right. The right to freedom of speech does not mean that one has the right to intimidate people—it just does not go there.

The decision to terminate a pregnancy is very seldom one that is taken lightly. We know that there are situations in which those who are

pregnant change their mind about the procedure, but they deserve to be supported in that change of mind—that reversal of decision—by staff who are trained to navigate the complexities surrounding pregnancy, not by those who want to impose their personal opinion or judgment, often through a form of intimidation that, as I said, effectively asks people to cross a picket line. As a society, it is our duty to protect the mental and physical wellbeing of our fellow citizens. There are no caveats to that very human obligation.

I am proud to say that my party has long supported and campaigned on the issue. There is no incongruity—I speak as a liberal—between creating buffer zones and protecting freedom of speech, as I have already covered. We need to protect some spaces in our society that are free from any judgment or intimidation—such as those medical facilities that offer, as I have said, the most intimate forms of medical care—and we have been campaigning on those rights for years.

Three years ago, I wrote to the then Minister for Public Health, Sport and Wellbeing following the picketing outside the Chalmers sexual health centre. I also give particular credit to my colleague in London, Sarah Olney, who, in March last year, tabled legislation in the United Kingdom Parliament that seeks to prohibit anti-abortion protests within 150m of abortion clinics—as Back Off Scotland has asked for.

I have met anti-abortion campaigners and I will continue to engage with them, but my party will fight for the existence of buffer zones, because what is happening is simply not good enough. As we have heard, 70 per cent of people in Scotland live in health board areas where anti-abortion protests take place. In 2019, 100,000 people attended abortion clinics that were targeted by demonstrations. The people who are targeted by those protests do not report feeling supported or helped; instead, they report feeling embarrassed and shunned. I am sure that none of us is comfortable with the knowledge that thousands of people in Scotland face such intimidation.

I support Gillian Mackay's motion, and I will certainly support her member's bill.

13:16

John Mason (Glasgow Shettleston) (SNP): I thank Gillian Mackay for bringing the debate to the chamber and for giving us the opportunity to discuss a sensitive subject.

I realise that some would argue that men should not have an opinion on abortion or speak on anything that relates to it. I might accept that if I was convinced that life begins at birth. That is the key point, is it not? If life begins at birth, we are talking solely about a woman's body and her right

to choose whatever healthcare is necessary and suitable for her. If life begins at conception, there are two lives from that point onwards—the mother's life and the baby's life. If that is the case—as I believe it is—someone has a duty to speak up for the baby, who has no voice.

I accept that this is a highly contentious and emotive issue, and that it can be difficult to discuss the matter in a calm way. However, I hope at least that we can all accept that either of those two positions can be validly held and that we can respect those who take a differing view on when life begins.

Moving on to the issue of gatherings, vigils or protests outside clinics or hospitals and to the question of whether we need buffer zones, I realise that there have been aggressive protests and even violence, especially in the United States and elsewhere. Having been invited to visit a gathering back in 2018, I attended one—this was almost exactly three years ago—outside the Queen Elizabeth university hospital in Glasgow. It was held across a fairly wide road from the hospital; as folk might know, the hospital occupies a huge site, so the gathering was not close to any medical facility.

From memory, there were perhaps a dozen people there, at most, and much of the time was spent quietly saying prayers. There was nothing that could really be called a protest, in my opinion, and certainly nothing loud, aggressive or even close to “harassment, intimidation, or abuse” as the motion suggests.

Pam Duncan-Glancy (Glasgow) (Lab): Will the member take an intervention?

John Mason: It is probably better that I do not take an intervention. The tone of the debate has been good so far, so I will just carry on, if the member does not mind.

My starting point is that, if there is not any real problem in Scotland, why would we need legislation? As I understand it, Police Scotland has been asked, via freedom of information requests, about whether there have been any incidents in Edinburgh or Glasgow. Apart from two incidents that were reported at the Chalmers sexual health centre in September 2020—on which no action was taken—there appear to have been no serious problems in either city since the FOI requests began in January 2018. Therefore, the existing law seems to be effective, and local authorities can use byelaws if that is required.

Another angle is whether all women who go for abortions are able to make a choice—or realise that they have one. Evidence suggests that, at least in some cases, partners or family members are coercing pregnant women into having an abortion when they do not really want to do that.

After coverage of the subject in the media a few weeks ago, a woman contacted me. I will quote her for the rest of my speech:

“we are there ... for the women who are, in their heart of hearts, not at peace about going ahead with an abortion. They need a last-minute life line—many women literally pray for a ‘sign’ that they should keep their baby”.

She continues:

“There are many women in this position (and I was one of them at the age of 20). These women often live with torment and regret for the rest of their lives. I have met one woman during the vigil (in her sixties) who said unequivocally that abortion had ruined her life. She has had 4 decades of trauma.”

She further says:

“I, myself had 3 decades of various problems ... My experience of the NHS was that as soon as I expressed doubt about going ahead with the pregnancy I was put on a conveyer belt all the way to the termination. We really need to hear the other side of the debate in parliament”.

13:20

Pam Duncan-Glancy (Glasgow) (Lab): I thank my colleague Gillian Mackay for bringing the motion to the Parliament and Back Off Scotland for the work that it does to protect women from harassment.

I also put on record my solidarity with, and support for, all women who have experienced targeted harassment outside abortion clinics. Accessing an abortion is a vital form of healthcare. Abortions are not only a fundamental human right but, in many cases, life-saving. That is why I was horrified to see anti-abortion protesters outside hospitals in Scotland and, in particular, in Glasgow, which I represent. Harassment, intimidation and abuse are always unacceptable but they are particularly vile at a time that is often deeply distressing for the person who is attending the clinic. The introduction of buffer zones around abortion clinics is desperately and urgently needed.

As Engender has said, unlike typical protests against states, or typical organisational action, the presence of anti-abortion campaigners at services directs disruption at individual women and their predetermined course of action. Women who experience multiple forms of discrimination might encounter harassment not only underpinned by sexism, but imbued with racism, ageism and ableism. Campaigners frequently carry materials that are directed at individual women urging them to avoid abortion. Those materials often have extremely distressing images and messages. Worryingly, some of the material is also inaccurate.

The presence of protesters or vigils outside clinics that provide abortion services not only

affects the women who access abortions, but harms the staff and other patients who seek sexual and reproductive health services, from contraception to sexually transmitted infection checks. That can dissuade people from accessing vital and urgent treatment.

There are countless, varied and personal reasons why people access abortions, but one thing is certain: those women should not be shamed outside hospitals for having done so. I wonder whether the protesters outside hospitals have stopped to think about the women whom they are harassing at that moment. Have they considered the impact that forcing a woman to complete a pregnancy against her will could have on her physical and mental health?

As a disabled woman, I know only too well what it is like to be denied access to healthcare, including to have people tell me what I should and should not do with my body. I cannot begin to describe how dehumanising it is to have people subjugate my bodily autonomy.

We need to guarantee that people are free to make decisions without harassment, coercion or intimidation when they access services. People who argue against abortion rights have claimed in some cases that people who have abortions would later regret the decision. However, studies show that almost all women who have an abortion later say that it was the right choice.

It is important to note that reducing access to abortion, or making it more difficult or intimidating to access it, does not decrease demand for it. Evidence shows that, when access is restricted, it leads to a higher rate of unsafe abortions, which has devastating consequences. Across the globe each year, there are around 47,000 deaths due to unsafe abortions. That is why the protests outside our hospitals are so abhorrent and why it is crucial that women are able to access free, safe and legal abortions without harassment.

As a nation, Scotland prides itself on values such as liberty, equality and respect for human rights. As a Parliament, it is our responsibility to uphold and protect those values in law. That means that it is our job to ensure that people have access to abortions freely and safely without fear of harassment. It is their human right and it is integral to achieving gender equality. Introducing 150m buffer zones around abortion clinics is one way in which we can do that and ensure that people across Scotland can access abortion care without the needless extra pain and distress that is being inflicted on them.

I wrote to the Cabinet Secretary for Health and Social Care almost a month ago to ask if and when the Government will implement buffer zones. I hope that the Government will give me an

answer soon and treat the issue with the urgency that it deserves. We have the power to act now to protect women's human rights, and I urge the Government to do so.

13:25

Maggie Chapman (North East Scotland) (Green): I thank my colleague Gillian Mackay for lodging this important motion for debate. I echo her remarks, and those of other people, about the work that Back Off Scotland and others have done to raise awareness of the issue. I am of course delighted that she will lodge a member's bill on the issue and take it through Parliament—well done, you.

Earlier this session, I asked the minister what the Scottish Government could do, other than support local authority byelaws, to create protest-free buffer zones outside clinics that provide abortion services. The answer that I got was a little bit disappointing, because it simply reiterated the local authority byelaw mechanism. Although I am pleased that the programme for government outlines a clear commitment that the Government will support any local authority that wishes to use byelaws in that way, we have to do more.

As a Green, I believe passionately in the principle of subsidiarity, which holds that social and political issues should be dealt with at the most local level that is consistent with their resolution. Local decision making and local empowerment are central to my politics. So, on the face of it, it may seem appropriate for local authorities to have the powers over the issue that we are discussing today. However, the key part of the definition of subsidiarity that is relevant today is the bit about the appropriateness of the level of decision making.

As Gillian Mackay and others have outlined, this is about access to healthcare. It is about a fundamental right. I do not want that right to be contingent on geography. If we believe—as it seems that most of us do—that all people in Scotland should have the legal right to make choices about their reproductive health and must be able to access health care without intimidation, coercion, harassment or stigmatisation, then we have the obligation to act, regardless of the views of any local authority. We would not find it acceptable if people of colour in one part of Scotland were protected by anti-racist legislation while people of colour in another part of Scotland were not.

To pick up on the comments that were made in a previous contribution, just because Police Scotland does not have a long list of examples of harassment or intimidation, it does not mean that it does not happen. We know that it does. We also

know only too well that, sometimes—especially on issues that affect women, such as this one—women do not go to the police and do not report things. That is therefore not an excuse not to act.

We need a national approach. We need buffer zones outside all hospitals and clinics, and we need them urgently. It should never be acceptable for people to be harassed, bullied or stigmatised as they access healthcare. Such buffer zones will also allow the healthcare professionals who work in those facilities—whether or not they have anything to do with abortion services—to go to and from their work without harassment, bullying or stigmatisation. That is a right that all workers should be able to rely on.

I look forward to supporting Gillian Mackay as she works with people across the chamber and across Scotland on her member's bill. We must legislate to protect the rights of people to have their safety, wellbeing, privacy and dignity protected.

13:28

Pauline McNeill (Glasgow) (Lab): I thank Gillian Mackay for bringing this important debate to the chamber. I also commend her for the tone that she is taking in approaching the debate. It is important to say that it does not really matter what our view on abortion is—the issue is about the fact that women making difficult decisions should not be intimidated or prevented from accessing healthcare.

I also put on record that I respect the tone and contribution of John Mason, who holds a different view. However, I ask him to consider this point. If women are looking for a sign when making a difficult decision, I hope that we can agree that that sign can never be someone screaming in a woman's face and that it can never be a woman feeling intimidated in any way. I hope that we can agree on that point.

The decision to have an abortion is not one that any woman takes lightly. There are many reasons why women want to choose that route, but that is not what the debate is about. At such a difficult time, women do not need to hear the judgment of people who do not know or understand their personal circumstances.

The Back Off Scotland campaign says that it accepts, as I do, campaigners' right to speak out against abortion, but that those campaigners should not be allowed to target and force their views on women attending appointments. The co-founder and director of the campaign, Lucy Grieve, has said:

"We support freedom of speech and the freedom to protest. While we are all pro-choice"

in the campaign,

"we understand people have different views. But go to parliament, don't stand outside clinics."

She thinks that doing so is "inappropriate", saying:

"You can't politicise someone's body when they are going for a legal medical procedure."

Research by the British Pregnancy Advisory Service has found that, in the past five years, there has been an anti-abortion presence at 42 clinics in England and Wales, and that 100,000 pregnant women were subjected to anti-choice harassment in 2019 alone. Moreover, as other members have said, seven hospitals and clinics in Scotland—Aberdeen maternity hospital, Chalmers sexual health centre in Edinburgh, Ninewells hospital in Dundee, Glasgow royal infirmary, Forth Valley royal hospital in Larbert, Queen Elizabeth university hospital and the Edinburgh royal infirmary—have been targeted repeatedly since the beginning of 2017 by anti-choice groups standing outside clinic and hospital entrances and displaying signs with graphic images.

I have seen many of those graphic images. Although I have never been in this particular situation myself, I have been subjected to what I thought was totally inappropriate treatment when an anti-abortion group leafleted my entire street and neighbours with such images. I was never asked to explain my position on this matter—indeed, I think that this is the first time that I have spoken on it. I want to emphasise that I have always been concerned about the tactics of some groups that go too far. We can disagree on things, but some lines have to be drawn.

Many women have talked about feeling targeted and alone and finding the experience deeply intimidating. Gillian Mackay's proposal for a member's bill on buffer zones is, I think, the right approach, and I am likely to support it. It is time to recognise that it is not acceptable to harass women into making a different decision. People have the right to protest and, like everyone else here, I will stand up and enthusiastically defend that right with regard to what is a very sensitive issue. However, no one has the right to bully, harass or scream in women's faces, and for that reason we might need to take action to protect the women who make those very difficult choices.

13:32

Emma Roddick (Highlands and Islands) (SNP): First, I point out that we are not here today to debate whether abortion should be available to people who want or need it; instead, we are debating whether people exercising their right to choose and their bodily autonomy should be able to do so without threat of harassment or abuse. That anyone would argue against that is, to me,

abhorrent and unforgivable, but that does not stop the usual suspects using the debate on this incredibly important, worthy and apparently necessary motion lodged by Gillian Mackay to remind us that they are still waiting in the wings to remove our rights.

I am very grateful to Gillian Mackay for securing this debate, and I make it clear that I have nothing but contempt for those who are loudly and unashamedly seeking to hijack it to pursue their agenda of policing my body and the bodies of others. I also remind my Scottish National Party colleagues that we are a progressive social democratic party. I do not know what social democracy means if it does not include defending reproductive rights. Our clear policy is that abortion is a legal right in Scotland and that we will protect it.

Abortion is a deeply personal and often traumatising decision and experience. It is disturbing to read a Back Off Scotland activist say that in that moment of trauma she found herself focusing more on the looming need to walk past a group of hostile protesters rather than the process that she had been through, but this is a situation that countless women across the country are facing and it needs our urgent attention.

Freedom of speech, which has been mentioned a lot in the debate, is an important concept, but it is dangerous if people do not understand what it means. People are absolutely free to think what they like, to speak up on their views on policy and to protest Government decisions. However, there is a difference between deciding that abortion is not for you and rocking up to a clinic to harass and judge those who chose differently. There is a difference between having personal views and showing up to Parliament as a legislator seeking to restrict the freedom of others and prevent them from exercising freedom of choice. There is a difference between exercising your personal freedom and restricting the ability of others to do the same. I would never advocate for forcing abortion upon someone. Equally, I will always fight against forcing pregnancy and childbirth upon someone.

We must be clear that these people are not protesting against policy. They are standing outside hospitals, not Parliaments. They are not harmlessly and peacefully making their views heard. They are violently preventing people from accessing healthcare and harassing vulnerable patients as they walk towards what should be a place of care and safety. However quietly they claim to pray, the act of praying at someone while they access health services or trying to persuade a stranger whose individual situation they know nothing about to carry a child because that is their purpose is disgusting however you spin it.

Whether it is someone seeking an abortion, staff caring for patients or people accessing a clinic that offers abortion services to seek help with sexual assault or another medical issue, we know that protecting them is the right thing to do. Let us not leave it up to local authorities to decide whether they fancy protecting human rights. Acting is within our power in this place, it is within the commitments of the governing party's manifesto, and it is within our duty to our constituents. I plead with the women's health minister to act.

The Deputy Presiding Officer: Thank you, Ms Roddick. I call the minister to respond to the debate. Ms Todd, you have around seven minutes.

13:36

The Minister for Public Health, Women's Health and Sport (Maree Todd): Thank you, Deputy Presiding Officer. I thank Gillian Mackay for lodging the motion, and I thank members for their contributions to the debate.

As many members have said, abortion is an issue on which there can be quite polarised views, but we can all agree that we do not want to see people being harassed or intimidated when they are accessing healthcare services. Women in Scotland should have access to abortion services as part of routine care, free from stigma. Abortion is a very personal decision, so for a woman to face scrutiny in that way when accessing the service after she has made her decision is incredibly difficult. Our programme for government and "Women's Health Plan—A plan for 2021-2024" include undertakings on that, which I hope indicates the importance that we attach to the issue.

I appreciate that many of the people who attend protests or vigils say that they do not aim to intimidate or harass women who seek an abortion. However, the fact remains that some women are reporting feeling harassed or intimidated when they access the services; we have heard many accounts of that today. When I met members of Back Off Scotland in September to hear about their campaign, I also heard about their personal experiences of accessing abortion. Theirs were powerful testimonies; I admire their tenacity in pursuing the campaign.

Therefore, I am very aware of the frustration in the chamber, and on the part of campaigners, that more progress has not been made on the issue. However, I am afraid that there are no easy solutions. I know that Back Off Scotland and many MSPs here would like to see legislation to create buffer zones to ban gatherings, vigils or protests around all abortion services in Scotland. I totally understand the motivation behind such calls and I

sympathise with the concerns that have been raised.

However, it is important that any action that is taken is proportionate and balances the rights, under the European convention on human rights, of people who access healthcare and people who attend vigils or protests. Patients should be able to access healthcare without feeling intimidated or harassed, but we must, at the same time, recognise the rights of people to protest peacefully and to express their views.

I appreciate the point that has been made that where the protests or vigils take place is important and can be distressing for patients. However, we must also take into account that they are focused on a limited number of locations—currently in Edinburgh and Glasgow—rather than affecting all abortion clinics in Scotland.

Although we believe that buffer zones can be justified in certain circumstances, the Scottish Government does not consider that imposing blanket buffer zones around all abortion clinics would be appropriate.

Emma Roddick: Does the minister recognise that, as per the Back Off Scotland briefing that we received, 70 per cent of Scottish women live in a health board area in which there is a hospital or clinic that has been targeted by anti-choice groups in the past five years?

Maree Todd: I recognise that, but members will be aware that our view is that byelaws are the most appropriate way to tackle the issue, when making of a byelaw can be justified in the specific circumstances of a particular case. That is because byelaws can be tailored to local circumstances. It is also the fastest way of dealing with such issues, because pursuing primary legislation takes time.

Meghan Gallacher: In relation to targeted measures and byelaws, does the minister agree that groups could move to other areas if such byelaws were to be introduced for an area, and that therefore, instead of tackling the issue throughout Scotland, we would be moving the issue between areas?

Maree Todd: I am aware of that concern, which was raised with me at the meeting in September.

The former Minister for Public Health, Sport and Wellbeing, Joe FitzPatrick, wrote to all local authority chief executives in May 2019 to make them aware of the option of using byelaw powers when appropriate, but I am aware that some local authorities have taken a different view. I will seek to discuss the issue further with them, the Convention of Scottish Local Authorities and other stakeholders, because I am determined to find a way forward so that we can limit the impacts of

protests or vigils on women who are accessing services. I assure Meghan Gallacher that officials have been in discussion with COSLA and local authorities for some time on the issue, and that I hope to continue that dialogue.

It is worth noting that the restrictions that the motion refers to that are in place in England are also local rather than national. The small number of abortion clinic buffer zones in England have been put in place by local authorities using public spaces protection orders. Those are similar to our byelaws in that they can be made where local circumstances justify such a measure. The United Kingdom Government carried out a review of the issue in 2017 for England and Wales and concluded that the local approach remained appropriate.

Pam Duncan-Glancy: I am struggling to understand the circumstances in which it would be appropriate not to legislate to have a buffer zone. Could the minister explain that further?

Maree Todd: The precedent in the UK is that such measures are introduced on a local basis. We have looked at other countries' legislation; I have mentioned before that there are broad-scale buffer zones in countries including Australia and Canada, but in those countries the legislation is at state level rather than at federal level. We must also note that those countries are subject to their own legal systems.

We need to consider the position in Scotland based on the circumstances and facts that are presented in each case and in the context of our law. It is useful to look around the world and the UK—I will continue to do so as I seek to find a way forward—but, although we are keen to make progress on the issue, the Scottish Government does not feel that a national ban is an option.

Similarly, we know that local authorities are unlikely to make byelaw proposals at the current time. We will consider what other avenues might be available to us to ensure that women can access abortion services without feeling harassed or intimidated. As part of that work we will consider other types of protests that take place outside healthcare facilities, such as those that take place outside vaccination clinics. I acknowledge the strength of feeling on the issue. We want to find a way to ensure that women do not feel harassed or intimidated when accessing the services.

I look forward to Gillian Mackay's member's bill being introduced and would be happy to discuss it with her. I would need to see the bill before forming an opinion, but I am clear that the Government supports the principle of protected spaces, which is why we support use of byelaws.

I do not pretend that it will be easy, but I relay the message to members in the chamber and all

those who are listening that we will continue to seek to find a way forward.

13:45

Meeting suspended.

14:30

On resuming—

Portfolio Question Time

Constitution, External Affairs and Culture

The Deputy Presiding Officer (Annabelle Ewing): I remind members that Covid-related measures are in place and that face coverings should be worn when moving around the chamber and across the Holyrood campus.

The next item of business is portfolio questions on constitution, external affairs and culture. Any member who wishes to ask a supplementary question should press their request-to-speak button or enter the letter R in the chat function during the relevant question. As always, succinct questions and answers would be appreciated.

War Memorials (Protection and Preservation)

1. **Meghan Gallacher (Central Scotland) (Con):** To ask the Scottish Government what measures are currently in place to ensure the protection and preservation of war memorials. (S6O-00319)

The Cabinet Secretary for the Constitution, External Affairs and Culture (Angus Robertson): The Scottish Government recognises the importance of Scottish war memorials in ensuring that the memory of those who gave their lives in conflict is not forgotten. It is a long-standing policy of both the United Kingdom and Scottish Governments that the cost of maintaining memorials should normally be resourced by public subscription, private fundraising or a combination of both.

Meghan Gallacher: There has been an increase in the desecration and vandalism of Scotland's war memorials since 2015. One such memorial that was targeted was the Duchess of Hamilton park war memorial in Motherwell, an area that I represent as a councillor and member of the Scottish Parliament. Given that statistics show that vandalism has increased dramatically since 2015, does the cabinet secretary agree that any vandalism of such important memorials is unacceptable and that better protection for such sites, which hold a special place in the heart of Scotland's communities, is needed?

Angus Robertson: Vandalism of war memorials is a crime, regardless of the motivations for it. The Scottish Government condemns all acts of malicious vandalism and graffiti. Such behaviour is unacceptable in modern Scotland and those indulging in it can expect to face criminal charges. There is legislation to deal

with the vandalism and desecration of statues and memorials, including war memorials. The Scottish Government has no current plans to introduce new legislation for that specific purpose. The Scottish Government supports the police and prosecutors in using the powers that are available to them to deal with any incidents of vandalism that arise.

Peace Institute

2. Willie Rennie (North East Fife) (LD): To ask the Scottish Government which conflicts its new institute for peacekeeping will aim to resolve and by when. (S6O-00320)

The Cabinet Secretary for the Constitution, External Affairs and Culture (Angus Robertson): As a global citizen, Scotland aims to contribute to peace efforts through conflict resolution with others. That is why we are committing to establishing a peace institute by the end of 2022. Discussions on the role and remit of the peace institute are at an early stage. I look forward to updating Parliament once we have developed our thinking further. I would welcome Mr Rennie's contribution in the development of the peace institute.

Willie Rennie: I appreciate that the institute will not have an overnight impact, but I am interested in the work that has been done so far, because the situation is urgent. Has there been any early engagement with the warring factions in the Tigray war in Ethiopia? What has been the response from the Israeli and Palestinian authorities? The member had a particular interest in Afghanistan when he was a member of the Westminster Parliament. Can he share any correspondence that he has had with the Taliban?

Angus Robertson: I must confess that I was not expecting the end of that question. I have not been in correspondence with the Taliban, and I do not intend to be.

The peace institute for Scotland will be one of the integral parts of our overall framework for the Scottish council for global affairs. Fundamental to everything that we do is our determination to be a good global citizen. That is reflected in our international development programme and the priority that we give to human rights. The peace institute will contribute to those values.

I welcome Willie Rennie's enthusiasm and I assure him that I will keep him updated. I am interested to hear input from Mr Rennie and members of other parties in the development of the peace institute.

The Deputy Presiding Officer: Edward Mountain, who is joining us remotely, has a supplementary question.

Edward Mountain (Highlands and Islands) (Con): As perhaps the only member of the Parliament who has served with the United Nations peacekeeping force—and not just pontificated about it in the newspapers—I know how important it is for peace to be negotiated and then, more often than not, policed. Is that not why we need to get behind the established peacemakers, rather than supporting self-promoting idealist plans that undermine the organisations that can actually deliver peace and then police it, such as the UN?

The Deputy Presiding Officer: Cabinet secretary, the sound quality was not great, but I hope that you caught that.

Angus Robertson: I did. I commend Edward Mountain and anybody else who has served with United Nations peacekeepers. I have had the good fortune of visiting UN peacekeeping operations, including those from the Irish Republic on the Golan Heights. The Irish Republic is one of the few countries that has continuously provided UN peacekeeping service personnel since the UN's inception.

Scotland's peace institute will operate within the devolved competence of the Scottish Government. We are already engaged in peace work. Our women in conflict 1325 fellowship programme with Beyond Borders Scotland is a good example of Scotland's contribution to peacemaking activity. Scotland also has a proud academic tradition of international relations in conflict. The foundations are there, and Scotland's peace institute will bring together that work and enhance our peace offer in the future.

Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP): I welcome the cabinet secretary's details about Scotland's international responsibilities, including its peacekeeping responsibilities. Does he feel confident—as I do—that Scotland is increasingly recognised across the world as a progressive and outward-looking country with a positive role to play on the global stage, especially this week, as the eyes of the world are on Glasgow?

Angus Robertson: Indeed—I agree with my colleague. Scotland is a proudly internationalist nation, and we will embrace the opportunities of international connection and co-operation, and act as a good global citizen to champion our values-based approach on the world stage. We are welcoming the world to Scotland for the 26th UN climate change conference of the parties—COP26—and hosting world leaders alongside tens of thousands of negotiators, Government representatives, businesses and activists from around the globe for 12 days of talks.

There is much that we are already able to deliver, and there is much more that we will be able to deliver in the future. I look forward to the peace institute playing a distinct role in Scotland's offer to the rest of the world and in our support of peace and reconciliation efforts around the world.

International Development Fund (Equality for Women and Girls)

3. **Katy Clark (West Scotland) (Lab):** To ask the Scottish Government whether it will provide an update on the proposed £500,000 fund for local organisations in international development partner countries to take forward work to ensure women and girls are safe, equal and respected. (S6O-00321)

The Minister for Culture, Europe and International Development (Jenny Gilruth): The pandemic has widened the gender poverty gap, and it is expected to drive 47 million more women and girls into extreme poverty in 2021. That is one of the reasons why the Scottish Government will introduce a new cross-cutting equalities programme across all four of our partner countries, with a particular focus on supporting the promotion of equality and the empowerment of women and girls. That new programme is currently at the design stage.

The fund that we will establish will aim to work more directly with our in-country partners, in keeping with the conclusions of our international development review. I know that President Chakwera of Malawi welcomed the Scottish Government's strong support for women and girls in Malawi when he met the First Minister on Sunday.

Katy Clark: Does the minister agree that it is important that we spend that money as wisely as possible? We know that women are underrepresented in decision-making processes. What thoughts does she have on how we can ensure that the voices of women are heard in those processes?

Jenny Gilruth: As Katy Clark knows, women and girls have been impacted by the pandemic far differently from the way that men have been impacted. There is a real danger that we could go backwards on gender equality.

Katy Clark has made a number of points. She has my commitment that we plan to spend the funding as wisely as possible. The programme is at the design stage at the moment.

Katy Clark mentioned the underrepresentation of women. That is, of course, a huge challenge in United Kingdom politics. It is still a challenge in the Scottish Parliament and in our partner countries, although some of them are doing better, or have done better historically, than Scotland.

On the work itself, I want to recap where we are in respect of our funding in Scotland. We already provide scholarships for women and girls in Pakistan. We provide master of business administration scholarships in Zambia through Heriot-Watt University, and we provide scholarships in Malawi through the Mamie Martin Fund. However, the fund that Katy Clark asked about has a unique opportunity to improve the lives of women and girls in our partner countries. I would be happy to have conversations with the member about how we can go further forward in developing it, taking on board absolutely her point about the underrepresentation of women.

Bill Kidd (Glasgow Anniesland) (SNP): It is reassuring to hear that the Scottish Government continues to target international development support to those who are most in need of it—in many cases, that will be women and girls. In the light of that, can the minister comment on the announcement earlier this week of £1 million from the climate justice fund to help vulnerable communities to repair and rebuild from extreme weather events?

Jenny Gilruth: We have a moral responsibility to acknowledge the urgency of global action on loss and damage, and Scotland is proud to show solidarity, through our work on climate justice, with those who are most impacted by climate change. However, we cannot act alone, which is why, on Monday this week—as the member alluded—the First Minister announced a £1 million grant over two years to the climate justice resilience fund as a partnership to help some of the world's most vulnerable communities to prepare for and adapt to climate change, as well as tackling structural inequalities and recovering from climate-induced loss and damage.

Vaccination Certification Scheme (Major Events)

4. **Alex Cole-Hamilton (Edinburgh Western) (LD):** To ask the Scottish Government what engagement it has had with the organisers of major events since the introduction of the Covid-19 vaccination certification scheme. (S6O-00322)

The Minister for Culture, Europe and International Development (Jenny Gilruth): Ministers and officials are in regular contact with major event stakeholders. That includes, but is not limited to, my meeting on 26 October last week with the chair of the events industry advisory group, which was established to provide a co-ordinated voice for the sector during the Covid-19 pandemic and the on-going recovery work. We will, of course, continue to engage with stakeholders on any further feedback that they may have on vaccination certification.

Alex Cole-Hamilton: When the scheme was first established, it was made clear to those in the industry that they would have to absorb the costs of getting ready for its roll-out. What assessment has been done of the financial impact on the sector as a result of the roll-out?

Given that 42,000 people have been unable to obtain a Covid identification card, what assessment has been made of the loss of revenue and loss of attendance, and will the Government make good on that loss?

Jenny Gilruth: The most important thing for the events industry in Scotland right now is that event organisers are able to operate. In addition to meeting the events advisory group last week, I met a number of theatre groups. They relayed to me the clear message that they like the passport scheme because it gives them certainty, and they can stay open and operate.

However, the scheme does not just offer business certainty; it is also about audience confidence, which is a huge challenge for the sector as we continue to move out of the pandemic. Time and again, the industry has told me that the scheme encourages the audience and gives them confidence to return to major events, the importance of which should not be underplayed.

As for the specifics of Mr Cole-Hamilton's questions regarding the financial impact, I do not have the data in front of me, but I will come back to him on that.

Sharon Dowey (South Scotland) (Con): An "unmitigated disaster" is how industry experts described dealing with the vaccination passports last weekend. We have seen queues, confusion, abuse of staff and loss of business, all as a result of an app that does not work and a public who are unaware that they even need it. That could have been avoided, if only a proper public information campaign had been put in place. The FACTS campaign was drummed into every mind in the country, with wall-to-wall coverage and posters plastered on every wall, so why has the Scottish Government not bothered when it comes to vaccination passports? Can the minister explain why there has been no campaign? Will we see one in the coming weeks?

Jenny Gilruth: I am not sure that I would agree with the member's assertion that the vaccination passport scheme has been an "unmitigated disaster". As I said in my response to Alex Cole-Hamilton, those in the industry—I meet them regularly—tell me that the scheme provides them with a level of comfort and is helping businesses to stay open.

As we know, the events industry was one of the hardest hit by the pandemic, because it involves

massive numbers of people gathering together, which, as we know, can cause the virus to spread. We need to go back and reflect on the reason why we have the vaccination passport scheme, which is to protect public health.

I hope that that gives the member an assurance, but, if she would like to meet me to discuss the issue—and, equally, if she thinks that we are not getting the message through to some businesses—I am happy to take that feedback on board.

Expert Advisory Group on Migration and Population

5. Marie McNair (Clydebank and Milngavie) (SNP): To ask the Scottish Government how it is acting upon the recent recommendations of the expert advisory group on migration and population. (S6O-00323)

The Cabinet Secretary for the Constitution, External Affairs and Culture (Angus Robertson): Migration to Scotland supports economic growth and the delivery of public services, and it helps to address the serious issue of long-term demographic change and enhances and sustains our communities. I welcome the report on "Family Migration: Understanding the Drivers, Impacts and Support Needs of Migrant Families in Scotland" from the expert advisory group, which proposes actions to encourage and support families who are moving to Scotland. We will use that report to inform the development of a migration service of Scotland and rural visa pilots.

The current restrictive rules on family migration are, of course, set by the United Kingdom Government, and I urge it to accept the expert group's recommendations and support family reunion by removing the minimum income requirement, which causes heartache for so many families. We need a different approach to migration that is based on evidence and that reflects Scotland's needs and values.

Marie McNair: It is reassuring to hear that the Scottish Government's approach to immigration remains not only demographically well informed but deeply compassionate and humane. Does the cabinet secretary agree that continued close attention to migrant families' welfare is a key part of upholding Scotland's reputation as a welcoming and internationalist nation and a good global citizen?

Angus Robertson: I agree whole-heartedly. Scotland is a welcoming and inclusive nation and we value everyone, no matter where they were born, who has chosen to make Scotland their home and to live, work, study, raise their families and build their lives here.

Without powers over immigration, there are limits on what we can do to mitigate the United Kingdom Government's restrictive approach to family migration. We do what we can with the powers that are available, which is why we made a commitment in the programme for government to develop a migration service for Scotland that will support those migrants and their families who have chosen to make Scotland their home.

Culture Sector Recovery (Covid-19)

6. Colin Beattie (Midlothian North and Musselburgh) (SNP): To ask the Scottish Government how it will support opportunities for the culture sector to recover from the Covid-19 pandemic this winter. (S6O-00324)

The Minister for Culture, Europe and International Development (Jenny Gilruth): The Scottish Government recognises that the culture sector has been among the hardest hit by the pandemic and will continue facing challenges as we head into the winter months. We know that recovery will take time, with many audiences remaining cautious about returning.

Since the pandemic started, we have provided £175 million to the culture, heritage and events sector. Further rounds of the culture organisations and venues recovery fund and the performing arts venues relief fund provided further emergency support to organisations. The programme for government also set out a number of commitments to support the culture sector, including via Scotland on tour, a fund supporting opportunities to bring new concerts to towns and villages across Scotland next year.

Colin Beattie: I am glad to hear that Scotland's artists and venues have cause for hope. Will the minister join me in welcoming the return of Edinburgh's Hogmanay celebrations as an example of the resilience of the Scottish culture sector?

Jenny Gilruth: I am delighted that we will see the return of Edinburgh's Hogmanay this year, with the necessary adjustments in place to ensure that it is compliant with Covid measures. Edinburgh's Hogmanay 2021 has been supported by the Scottish Government and the Edinburgh festivals expo fund. The party at the bells street theatre programme is supported by the Scottish Government, City of Edinburgh Council and Creative Scotland's place fund. Message in the skies, which members might recall from last year, is also supported by the expo fund.

Other cities and towns across Scotland will be holding their own Covid-compliant Hogmanay celebrations. Those include the Biggar bonfire, drams in Dufftown and the ceilidh at the Beach ballroom in Aberdeen. The country was still in a

national lockdown last Hogmanay, so this year promises to be a particularly important moment. We remain committed to working with the sector and with our public bodies to ensure that it is a success.

Donald Cameron (Highlands and Islands) (Con): In last week's United Kingdom budget, Rishi Sunak announced that the culture sector in England would receive £850 million in additional support. Will the minister commit to passing on the full Barnett consequential arising from that to Scotland's culture sector, in the light of the many and varied difficulties faced by that sector in the wake of Covid, especially by smaller, independent organisations and individuals whose livelihoods depend on that?

Jenny Gilruth: I would love to pass on those consequentials, but we have yet to receive £31 million of outstanding consequentials that are due to us from the UK Government. I will look at the consequentials that Mr Sunak is going to give to Scotland, but the UK Government is already indebted to us by more than £30 million of culture funding. The culture sector absolutely needs that support, so, if Mr Cameron can use any power that he may have with his UK Government colleagues to call for that funding to come to Scotland, I would be extremely grateful.

COP26 (Culture and Heritage Sectors)

7. Gordon MacDonald (Edinburgh Pentlands) (SNP): To ask the Scottish Government what support it has offered Scotland's culture and heritage sectors in connection with the 26th United Nations climate change conference of the parties—COP26. (S6O-00325)

The Minister for Culture, Europe and International Development (Jenny Gilruth): A wide range of activity taking place alongside COP26 is being supported by the Scottish Government and our cultural bodies. The Scottish Government provided £100,000 of direct support to the climate beacons project, which is a series of seven partnerships across Scotland run by Creative Carbon Scotland. Historic Environment Scotland and our national performing companies are delivering a wide range of activity at COP to highlight the relationship between heritage and culture. We have also provided £15,000 to bring STORM, a project that delivers a powerful environmental message about the sea and how we can all play a part in protecting our coastal waters, to Glasgow during COP.

Gordon MacDonald: COP26 in Glasgow is a once-in-a-lifetime event and we should celebrate the fact that Scottish artists have an opportunity to enrich that historic global movement. Does the minister agree that culture and the arts are a vital part of any society's response to moments of

crisis, such as climate change or the pandemic, and that Scotland's artistic community is well placed to speak on the global stage?

Jenny Gilruth: I whole-heartedly agree with Mr MacDonald's assertion. COP26 is a real opportunity for Scotland's culture sector to play a key role in creating a climate legacy. This morning, along with the education minister, I met the organisation Fashion Revolution to explore the opportunities in the textile industry for sustainable development and cultural recovery. Sustainability is a key issue in the sector at the moment, because people are becoming increasingly aware of the negative impact that fast fashion can have on the environment.

The culture sector is an important part of Scotland's character, our attractiveness and our connectivity to the rest of the world. The support from the Scottish Government that I mentioned in my initial response to the member will help to showcase some of Scotland's diverse cultural voices. COP26 provides Scottish artists and communities with a platform to work openly on the international stage and with other nations that share the same net zero ambitions. I am really looking forward to hosting a cultural reception in Glasgow later this month to celebrate that important contribution.

Devolved Administrations and the United Kingdom Government (Interactions)

8. **Liz Smith (Mid Scotland and Fife) (Con):** To ask the Scottish Government what actions the constitution secretary is taking to continually improve interactions with the other devolved Administrations as well as the UK Government. (S6O-00326)

The Cabinet Secretary for the Constitution, External Affairs and Culture (Angus Robertson): The Scottish Government is committed to effective interactions with other devolved Governments and the UK Government on the basis of a partnership of equals. However, repeated actions such as the approach to Brexit and the imposition of the United Kingdom Internal Market Act 2020, despite the explicit withholding of consent by this Parliament, make effective interactions with the UK Government much more difficult.

Liz Smith: I thank the cabinet secretary for his response. He knows, however, that the agreement on joint working that was put together to maintain positive and constructive relations was based on mutual respect. He also knows that there has been a very welcome agreement in recent days between his colleague Kate Forbes and Simon Clarke at the Treasury about the parameters for the future of the fiscal framework discussions.

Does the cabinet secretary agree that Scotland fares very much better when both the Scottish and UK Governments, and the other devolved nations, work together and there is not a constant focus on another referendum?

Angus Robertson: I agree with Liz Smith that it is a good thing that Governments on these islands work together, but I can give her a concrete example of when that does not happen. This Government has sought to discuss issues relating to migration, for which this Parliament has responsibility, including related policy areas such as education, housing and health. After 19 requests to meet were turned down by the Home Office, finally, because it was so embarrassing, the UK Government relented. Do you know what? It was a hugely productive meeting.

I agree with Liz Smith, therefore, and appeal to her to speak to her party colleagues in London and impress on them that we should have good working relations but that, to do that, people have to be prepared to meet and, when they meet, to do so in a spirit of partnership and not as a box-ticking exercise purely to prove that one has spoken with the devolved Administrations. That means co-operating on agendas, co-operating on contents and actually co-operating on the issue at hand. Too often, unfortunately, that is not the case with the UK Government. I regret that, and I appeal for Liz Smith's assistance in trying to rectify that.

Neil Gray (Airdrie and Shotts) (SNP): A constructive relationship between the Governments of the UK—whether devolved or independent—is in everyone's interests, and I commend the cabinet secretary for his work in that regard. However, would he agree with me and the First Minister of Wales that maintaining a healthy dialogue with Westminster is difficult when the principles of devolution are, in the words of Mark Drakeford,

"breached daily by the present UK Government"?

Angus Robertson: The Scottish Government agrees with Mark Drakeford and, indeed, with Neil Gray that recent proposals from the UK Government for improving interactions will have only limited value unless they are accompanied by much greater levels of respect for devolved responsibilities and institutions than is currently being demonstrated by the UK Government. There is so much more that the UK Government could do; I just wish that it would get on and do it.

Social Security Benefits

The Presiding Officer (Alison Johnstone): I remind members that Covid-related measures are in place and that face coverings should be worn when moving around the chamber and across the Holyrood campus.

The next item of business is a debate without motion on accessing Scottish social security benefits. I invite members who wish to speak in the debate to press their request-to-speak buttons now, and I call Shona Robison to open the debate.

14:55

The Cabinet Secretary for Social Justice, Housing and Local Government (Shona Robison): I am pleased to open the debate on accessing Scottish social security benefits. Access to social security is a basic human right. It is a principle that is enshrined in our Social Security (Scotland) Act 2018, as is the view that social security is an investment in people. Within the act is the important duty on the Government of promoting the take-up of Scottish benefits. The Scottish Government is clear that we will ensure that anyone who is eligible for our range of benefits can access them simply and easily, and we will actively work to promote the financial support that is available to people.

This debate comes after the publication of our second benefits take-up strategy at the end of October and as the nation focuses on recovery from the Covid-19 pandemic. Households are also facing increased living costs and an imminent rise in national insurance, so it is more important than ever that people who are entitled to our benefits know about them, apply for them and get the financial support that they are eligible for.

Willie Rennie (North East Fife) (LD): I thank the cabinet secretary for publishing the new strategy, which she helpfully sent to us this morning. Can she tell us what she has learned since 2016 about how long it takes to implement new social security benefits? We expected implementation to happen much earlier, because she promised that it would happen almost instantly, so why has it taken five years just to get to this stage?

Shona Robison: A lot has been achieved in the three years since the Parliament agreed the powers to establish Social Security Scotland and the benefits. There are 11 benefits, seven of which are brand new to Scotland—that is a very good record for Social Security Scotland in the three years since it has been able to build its capacity and deliver those benefits. I hope that Willie Rennie will take that on board. If he has not already done so, I encourage him to visit Social

Security Scotland to find out for himself the complexity that is involved in setting up some of the benefits, particularly the new ones.

Pam Duncan-Glancy (Glasgow) (Lab): I thank the cabinet secretary for taking another intervention so soon after having responded to one.

With the Social Justice and Social Security Committee, I had the benefit of meeting Social Security Scotland earlier in the week, and I found that really helpful. It was clear—it was said a few times in the presentation—that the agency's role is to deliver the benefits that it has, so, as the cabinet secretary knows, it is focusing on the Scottish child payment and other benefits. However, it was also made clear that the Government's role is on policy and direction around that. Given the separation of those responsibilities in that sense—they are as separate as they can be—could the Government not move quickly on policies around eligibility criteria and adequacy of payment, in tandem with Social Security Scotland, which is clear that it has a separate duty in relation to delivery?

Shona Robison: Both roles are important and both have to work in tandem. On her visit to the agency's headquarters in Dundee, the First Minister announced the massive expansion of Social Security Scotland because of the disability benefits that will be coming over the next year to 18 months. That expansion is happening because of the build-up of the organisation's capacity, so the two roles are in tandem.

We will always look at what more we can do. We are already looking at the doubling of the Scottish child payment, as the member knows, and we will set out more plans for that as part of the budget process.

I want to make a progress on my speech now, if that is okay.

Increasing social security and maximising income are important components of our work to tackle poverty. Our tackling child poverty delivery plan sets out that increasing incomes through social security and benefits in kind is one of the key drivers of reducing child poverty. Taken together with actions to increase incomes from work and earnings and to reduce household costs, the plan will help to lift families out of poverty and provide the financial security that they need to thrive.

We have seen the reduction in United Kingdom Government reserved benefits over the past decade take its toll on people and reduce their income, and that is not the approach that the Scottish Government is taking. In the three years since we have had the powers to do so, we have

introduced a raft of benefits to support the people of Scotland.

As I said, our agency, Social Security Scotland, is now delivering 11 benefits, seven of which are brand new and unique in the UK. We will also continue to deliver through our local authority partners the Scottish welfare fund, discretionary housing payments—which mitigate in full the bedroom tax—and council tax reduction. Despite the challenges over the past 18 months due to the pandemic and its obvious impact on our timetable for delivery of Scottish benefits, over the past year we have introduced four new benefits, and I think that that is a pretty good record.

In addition to that range of continuing support, we have introduced specific one-off payments to support people during these very difficult times. That includes paying around 90,000 unpaid carers an additional £230 in their carers allowance supplement last year and this year. We introduced bridging payments for families in receipt of free school meals, so that they receive the equivalent of the Scottish child payment. This year and next, £520 is being paid in support to around 150,000 children and young people in advance of the roll-out of the Scottish child payment to under-16s.

Miles Briggs (Lothian) (Con): The committee has heard concerns about applications for the young carer grant. Has the Government looked into that issue, given that take-up has not been what was expected?

Shona Robison: The Minister for Social Security and Local Government promoted that grant last week as part of its two-year anniversary. There are always opportunities to promote, and we are having this debate to get the message across that people should apply and that they are entitled to those supports.

We also delivered a low-income pandemic payment of £130 to everyone who received a council tax reduction in April, and around 500,000 households had benefited from that payment by the end of last month. That demonstrates that we are using the powers that are available to us to put cash directly in the pockets of those who need it most. I want to thank our local authorities for the role that they play in supporting us to do that.

Delivery is vital in accessing benefits, and I am very proud of the central role that Scotland's newest public service agency, Social Security Scotland, also plays in that. The agency is fundamental to ensuring that every person who requires access to that assistance is empowered and fully supported to access it.

In the last financial year, Social Security Scotland invested around £430,000 in marketing the 10 benefits that were available at that time. We know that that is making a difference. For

example, Facebook advertising alone helped to drive more than 50,000 applications last year. Inclusive communications are at the heart of Social Security Scotland's approach, and we ensure that information is also available offline for all campaigns, so that it is accessible to everyone in the way that suits them best.

We know that, in the past, access to social security was not always straightforward. We know that there are complexities and hurdles related to some UK benefits even now that make the benefit system challenging to navigate for many. Indeed, we know from previous committee sessions on the subject that the UK system is not backed by any plan or strategy to promote the take-up of social security, such as we have in Scotland. In October last year, the then Cabinet Secretary for Social Security and Older People joined Welsh and Northern Irish counterparts in writing to the Secretary of State for Work and Pensions to urge a more strategic approach to maximising the take-up of reserved benefits. To date, unfortunately, no response has been received.

Our 2021 benefit take-up strategy sets out the Scottish Government's approach to maximising the take-up of Scottish benefits, as well as providing our best estimates of the take-up of the benefits that are currently being delivered.

Acknowledging that social security must be part of a more holistic approach to income maximisation in order to support recovery from Covid, the strategy is built around five key principles that were developed through extensive stakeholder engagement and experience panel research.

First, we will prioritise person-centred approaches. We recognise that one size does not fit all and that we need to adapt and deliver tailored approaches. Secondly, we will communicate and engage effectively and send out the right messages at the right time and in the right place for the target audience. Thirdly, we will bring services to people: we will simplify processes and ensure that we bring advice and support services to people where they need it, rather than always expecting them to come to us. Fourthly, we will encourage cross-system collaboration and ensure that other public sector and third sector organisations help to deliver. Finally, we will continuously learn and improve, building on the evidence that we know and taking it on board to do things differently if required.

Each of those five principles is important when taken alone. Bringing them together in the 2021 strategy means that they will work in combination and yield far greater impact.

Inclusivity is at the centre of the social security system that we are building and is fundamental to

our approach to promoting the take-up of benefits. We know that many barriers exist that prevent take-up and that vary across different segments of the population. Our commitment to engaging with seldom-heard groups and those that represent protected characteristics is driving new and bespoke approaches to supporting people to access assistance.

In January, we will launch our social security advocacy service. The Scottish Government has invested up to £20.4 million in the service, which will be delivered independently of the Scottish Government and Social Security Scotland. That service will mean that anyone who identifies as having a disability and requiring help to communicate will have free access to the support that they need to participate fully in social security processes and decisions that affect them.

We are also investing £10 million over the current session of Parliament to increase access to advice in accessible settings, to maximise incomes and tackle poverty. That work includes the expansion of welfare advice and health partnerships through funding of £2.9 million over three years and the placement of welfare rights advisers in up to 150 general practitioner surgeries in Scotland's most-deprived areas. We will also consider opportunities to extend that model in education settings. Good evidence exists that placing advice in those trusted settings is a powerful tool for getting information to the people who need it, in the right place and at the right time.

We know that, for many, a fear of being stigmatised can overshadow the need to access benefits. We want to change that by challenging that discourse and empowering people to recognise their rights and access the benefits to which they are entitled. To do that, we are working alongside stakeholders and engaging with those with lived experience.

Later this month, we will launch a marketing campaign that will focus on financial wellbeing, beginning with a focus on removing the stigma around benefits. Our primary audience will be those people whom the Covid-19 pandemic has impacted and who are struggling financially as a result.

The Scottish Government is committed to building a robust and accessible Scottish social security system. We are investing in supporting access to social security and committing substantial resources to develop and implement our strategy. I look forward to hearing what members have to say in the debate.

The Presiding Officer: Members might wish to be aware that we have time for interventions, and I will give that time back whenever possible. Any member who wishes to contribute this afternoon

should ensure that they press their request-to-speak button.

15:08

Miles Briggs (Lothian) (Con): I apologise, Presiding Officer—I have just pressed the button.

I welcome today's debate on accessing Scottish social security benefits and the on-going discussions across Parliament about the priorities around the reforms that are needed. I was pleased to visit Social Security Scotland this Monday alongside fellow members of the Social Justice and Social Security Committee. I thank those who work in the organisation for that helpful visit, which Pam Duncan-Glancy has already mentioned, and for the work that they have undertaken to date to help establish the organisation.

As the cabinet secretary has said, it is clear that, despite the pandemic, Social Security Scotland and the Department for Work and Pensions are working in close partnership to build the systems in Scotland that can help to develop a new institutional knowledge as well as deliver the successful benefits system that Scotland requires. I thank the organisations that have provided useful briefings ahead of the debate.

The Scotland Act 2016 introduced sweeping devolution of welfare powers. Scottish ministers now have full control over 11 benefits that were previously administered by the UK Government. The Scottish Government is also now able to top up UK-wide reserved benefits as well as create its own suite of new benefits.

Building a sustainable and responsive social security and benefits system is in all our interests. We, in the Conservative Party, want to make sure that the system that the next Scottish Government will inherit is fit for purpose and will deliver for the people of Scotland.

It is extremely important that Parliament scrutinises the costs of setting up Social Security Scotland. It is estimated that the costs now stand at approximately £651 million. Four years ago, the SNP said that it would cost approximately £307 million to create the new agency under the devolved powers that were being delivered. Social Security Scotland is clearly costing more than that, and Parliament has the important responsibility for scrutinising that.

The Minister for Social Security and Local Government (Ben Macpherson): I appreciate the importance and significance of the points that Mr Briggs has raised, and I believe he does so in good faith. However, I ask him to consider that Social Security Scotland is delivering more benefits than were envisaged in 2018, because of the seven new benefits that have been created,

and that we are at a key point in the conception of Social Security Scotland in that we need to build its strength not just for the years to come, but for the decades thereafter. We need to make sure that it is a strong institution for the people of Scotland, as Mr Briggs rightly said he wants it to be.

Miles Briggs: I accept the minister's point, but it is important that Parliament and the committee, especially, scrutinise the costs of establishing the operation. In fact, we were told on Monday that operating costs, including agency agreements with the DWP, are sitting at around 10 per cent of all current benefit expenditure that is being made in Scotland under the suite of benefits that the minister has outlined. I welcome the assurances that we have been given that that is a prediction and that that figure will come in line with the DWP figure, which currently stands at around 6.3 per cent of benefit expenditure. All of us in this chamber will want to make sure that every taxpayer pound is being put into payments for claimants, not administration costs.

The use of technology and new working can reduce those costs, and that is an important argument that we have not had about how we modernise our welfare system. As I have said, I am sure that every member wants to see the money that we are putting into welfare in Scotland through this Parliament or Westminster going to claimants.

An important part of today's debate is about looking to the future and the proposed reform of the ways in which people will be able to access social security benefits under the new system and new models that are being outlined. The Scottish Government has already signalled that it intends to replace their personal independence payment with ADP. At the moment, however, the new criteria and assessment protocols in accessing the benefit are not clear.

In its useful briefing, SAMH states that approximately 39 per cent of people who are in receipt of PIP in Scotland have a mental health problem. We all know that that group of clients faced some of the greatest challenges during the pandemic, and SAMH research has found that such applicants often find that accessing processes and frequent reassessments cause additional stress. I know that all members of the committee want to know what the reforms will actually look like and what processes will be put in place for those individuals to have awards made. Organisations such as SAMH and the MS Society Scotland are looking for those details ahead of any potential reforms, and it is important that Parliament also has the opportunity to properly scrutinise them.

Neil Gray (Airdrie and Shotts) (SNP): Will the member take an intervention?

Ben Macpherson: Will the member give way on that point?

Miles Briggs: If I have time, I will take both interventions.

The Presiding Officer: Yes.

Ben Macpherson: Mr Briggs will be aware that the Scottish Commission on Social Security has given its feedback and recommendations on the draft regulations for the adult disability payment; the Government will respond to that soon. The committee will also have the opportunity to scrutinise the regulations when they are laid in Parliament.

Miles Briggs: I agree, but it is not clear how the changes will be put in place, what criteria will be used or who will undertake some of the assessments that might be needed.

Neil Gray: I thank Miles Briggs for giving way.

I am very much looking forward to there being divergence on policy and eligibility in relation to the adult disability payment and the child disability payment, compared with the previous position on PIP. According to evidence that the Social Justice and Social Security Committee has received, the Scottish Fiscal Commission predicts that, by making it easier for people to apply for ADP, the additional cost to the Scottish Government will be £500 million, which will need to be found from elsewhere in the Scottish budget. That highlights how much easier ADP will be to access, compared with PIP. Would Miles Briggs care to reflect on the fact that that means that PIP is a big barrier to disabled people accessing support?

Miles Briggs: I agree with Neil Gray, but it is still early days. We do not necessarily know what uptake will look like or whether payments will be easier to access.

I also agree with Neil Gray in relation to the new assessments that might be needed. At the Social Justice and Social Security Committee, we have discussed who will undertake those assessments and whether that could put people off applying, as is the case under the current system.

It was interesting to hear on Monday about the work that has been undertaken on supportive documentation, because I think that there is a need to consider reform in that area. We already know about the challenges that exist in building an integrated system that involves general practitioners, health boards and local authorities. It is not clear from the conversations that we have had whether that will be any easier under the new system. It is clear that the public organisations that I have mentioned need to consider how they can

become an integral part of the process of designing and developing any new system.

In the time that I have left, I want to touch on the Social Security Scotland charter. As the cabinet secretary mentioned, section 3 of the 2018 act places a duty on ministers to promote the take-up of benefits. The act specifies that ministers must publish a strategy for promoting the take-up of benefits, on which they should consult individuals and organisations. The review has recently completed its work on that, and the thinking in that regard is being considered by the Government. It is important that the many organisations that work in this area and the many people with lived experience are an integral part of what comes out of the review.

The Social Security Scotland charter sets out what people can expect from the Scottish social security system and how Social Security Scotland will uphold those principles. However, it is important that, as part of that, a commitment is made that people's wellbeing will be assessed. It would be interesting to hear from the minister or the cabinet secretary—I do not know which of them will close the debate—what evaluation there has been to date of the new system and the efforts that have been made to embed the charter and the values that it embodies, on which we all agree.

Today's debate provides us with a welcome opportunity to discuss the new Social Security Scotland systems that are being put in place, and I hope that it will give all members an opportunity to contribute to what should be a cross-party effort to establish those systems.

15:17

Pam Duncan-Glancy (Glasgow) (Lab): One of the things that I say most in the chamber is that I welcome the Government's policy intentions but I do not feel that its actions go far enough to make them a reality, so members will be unsurprised to hear that my speech today will be no different in that respect.

I give the Government a lot of credit for recognising the importance of addressing access to social security. The rhetoric is good, but, in my view, the solutions that have been set out with regard to addressing access to social security will not go far enough in doing what the Government wants to deliver. As many members will know, I do not think that the pace or scale of what the Government is doing on social security will quite deliver the policy intentions or the charter or reduce poverty in Scotland at the pace or on the scale that we need it to.

Low take-up of benefits is an age-old issue and one that requires new and revolutionary solutions.

Neil Gray: All of us are impatient to move away from the broken Westminster social security system that let down so many people who sought support. Does Pam Duncan-Glancy agree that the feeling that we got from senior members of Social Security Scotland on Monday, including those who have previously worked for the Department for Work and Pensions, was that the move towards the delivery of new benefits was happening at "an incredible pace", to use their words?

Pam Duncan-Glancy: I am not surprised that they described it in that way, because the organisation is new, we are in the middle of the pandemic and, as was highlighted earlier, four benefits have been delivered in an unexpected way.

I do not deny that, as an organisation, it has been quick to deliver those benefits, but I am frustrated and impatient for a change in policy direction. As Neil Gray knows, the change from DLA to PIP has already excluded a number of disabled people. As he also knows, and as the committee heard, there are tens of thousands of unpaid carers who are unable to access the support that they need. We need to move faster on that.

Jeremy Balfour (Lothian) (Con): Is Pam Duncan-Glancy slightly surprised that the regulations for the new Scottish PIP are almost identical to the PIP that we have from Westminster? Was she expecting something slightly more radical and different from the Scottish Government?

Pam Duncan-Glancy: To be honest, I was expecting more from both Governments, but I definitely expected the new PIP to be far more radical than what I have seen. We need to move quickly on that, because the poverty that unpaid carers and disabled people are facing is urgent—we need to take action.

The Scottish Government has recognised that people who are in poverty, disabled people, people who are shielding, children and young people, older people, minority ethnic communities and women have been the hardest hit by the pandemic, but it is unable yet to give a clear picture of who those people are, what they are currently claiming and how effective the social security system is at supporting them. The strategy says that it is very difficult to identify some people, including carers.

Finding a way to identify people is vital, because we have already seen the real-life impact of not having the data that we need. For example, 125,000 children who are entitled to the Scottish child payment are still missing out on that £10 a week, because we do not have the data and correct information to find them. We have

suggested a solution to the Government for getting around that, which I suggest that it considers. Members know that I and Labour colleagues do not believe that £10 a week is anywhere near enough, but we can guarantee that having something is significantly better than having nothing.

On page 55 of the benefit take-up strategy, the Government states:

“Identifying the size of the eligible population for carer benefits is challenging, due to the complexity of eligibility”.

The document goes on to say that the situation is the same for young carers and disabled people. That does not need to be the case. I have met carers and disabled people on a number of occasions, as has the Social Justice and Social Security Committee, and we know that organisations can identify groups of people such as carers, and identify where they are and what they are eligible for. I suggest that the Government can, too.

The document makes a lot of the Government’s engagement with carers, but my experience in recent months has been that carers have not felt engaged with. In fact, they have said that they do not feel listened to. Carers need us to do more than listen; they need the Parliament and the Government to act. I urge the Government to do so and to meet carers regularly, not just in order to learn from them about how to identify who carers are but in order to talk about the way in which carers assistance can be reformed in Scotland.

To use our social security system to its full potential, we have to prioritise good data on who is and is not eligible for support. If we cannot do that, we do not know who needs it and who the system is prioritising. Not having that data limits our ability to see where change is needed. I urge the Government to do more than it is doing at the minute to improve the quality of its data.

More substantively, the debate’s title is “Accessing Scottish Social Security Benefits”, but, unfortunately, in addition to issues with data and the fact that the data that we have shows that as many as a quarter of children who are entitled to the Scottish child payment do not get it, large numbers of people are not accessing benefits at all or at the level that they need, and unfair eligibility criteria, which we have already hinted at, could remain until at least 2025.

Figures for the welfare fund, for example, which were published last week, showed that repeat crisis applications are at their highest point since the fund began, with more than three in four applications coming from people who have already applied in the past. That suggests that people do not have access to the money that they need on a long-term and sustainable basis; instead, they are

living in a state of crisis, relying on piecemeal grants.

We urgently need to provide access to social security for more people at a rate that means that they have enough money to live on. That is why I continue to push the Government to go faster and harder on all this. That would be consistent with the first principle that is set out in the benefits uptake strategy, which is about

“taking account of individual circumstances and tailoring support in ways which reach and resonate with the intended audience.”

Organisations such as the MS Society have made it really clear that the current eligibility for disabled people’s benefits do not do that. The MS Society notes specifically that the 20m rule and the 50 per cent rule for disabled people do not take account of individual circumstances. Since the 20m rule was put in place, one in three people with multiple sclerosis who have moved to PIP have had their support downgraded. The MS Society says that, if it is included in the adult disability payment legislation and there is no prospect of its removal until 2025—after the Government’s 2023 review and the time that is required to implement changes—thousands of people with MS and other conditions will be unable to get the support that they need.

The rule that we currently have fails to take account of variable conditions and is a barrier to social security. Leaving decisions on eligibility and new criteria until after full, safe and secure roll-out is far from being person centred.

The Presiding Officer: Ms Duncan-Glancy, will you begin to wind up, please?

Pam Duncan-Glancy: My colleagues on the Labour benches have urged the Government to move more quickly.

We believe that we need a system that is automated at every point that it can be, that understands and holds the knowledge of who is eligible for social security in Scotland, and that tells those people where and when they can access it. Let us pick up the pace, do what we can to make progress on a minimum income guarantee so that no one falls below that, and get on with the job of delivering with the powers that we have here in Scotland.

15:25

Willie Rennie (North East Fife) (LD): The pandemic has further exposed the need for social security to provide a firm anchor for those who are in work and those who are out of work. It has also shown the need for increased support for those who are disabled and carers. It is vital that we ensure that everyone who should be in receipt of

the new payments gets them. The minister's communication and the new strategy seem about right, with information, partnership, access and a person-centred approach all being included. We can support all that. The paper set out the principles, but my fear, as always, is about the delivery, which often proves to be a little more difficult.

We first proposed the expansion of welfare powers, or social security powers, for Scotland back in the Smith commission talks in advance of the 2015 elections. We wanted a £2.5 billion social security fund; more powers, with the ability to create new benefits and top up others; and a system that fitted in with Scottish principles and approaches and how we would prefer the system to be. We have approached the subject in a very responsible way and worked with the Government. We believe in the fairness, dignity and respect approach, and we have worked constructively throughout the period. However, I want to raise a number of issues with the minister today.

Neil Gray: In the aspirations that Willie Rennie and the Liberal Democrats had for a social security system in Scotland, would he have preferred a system in which all powers over social security were devolved or the more difficult situation that we face with the hybrid system, in which we have to plug in and out of the Department for Work and Pensions and barriers are often put in place by UK ministers?

Willie Rennie: There was an active debate in the work of the Smith commission as to whether to transfer the non-universal credit items, because the universal credit items were considered to be the automatic economic stabilisers, and it was considered more appropriate for them to be at the single market level—the UK level. That is why the benefits that were transferred were the non-universal credit items, apart from the ability to flex on and change some of the universal credit items at a Scottish level. The subject was considered actively at the time, which is why we ended up with the model that we have. I thought that it was the appropriate way to proceed, and it has taken the Government some time to get the limited number of benefits set up, so it probably was the right decision to take at that time.

The first issue that I would like the minister to address is reassessment. We have already heard that 39 per cent of people who are in receipt of PIP have a mental health issue. It is often quite a stressful process to go through an assessment, and SAMH has highlighted that it often adds to the problems that individuals have and makes their mental health problems even worse. I recognise the change that has been proposed, which is for the new system to have a lighter touch and a five-yearly process, but I still cannot understand why, if

someone has been judged to have a long-term condition that is unlikely to improve, they will have to go through any reassessment process at all. Perhaps the minister could explain that in summing up.

I am also really disappointed that the Scottish Government has decided to adopt broadly the same rules and eligibility criteria that apply to PIP for the new adult disability payment. That means that it has failed to change the 20m rule. If someone can walk one step over 20m, they will not receive the higher rate of the mobility component. Under PIP, the 20m rule has failed people living with MS. As a result, many people have lost out on vital financial support and their independence. It has failed to take into account fluctuating conditions such as MS and the impact that invisible symptoms such as fatigue can have on a person's mobility.

Shona Robison: I have a question for Willie Rennie about risk. At the moment, there is no agreement with the DWP that, if we change those rules, which would be difficult to do in the timeframe, people would not lose all their passporting benefits. Does he think that we should take that risk, or does he agree that we have to reach an agreement first before we change those rules?

Willie Rennie: There certainly should be an agreement and an attempt to make sure that we have the easy transfer of benefits. After hearing what ministers have said—and, in fact, what SNP MPs have said for years—my impression is that the SNP is not trying hard enough to get that agreement and make that change. It is important that we get that change, because many people are losing out. I want to hear from the minister what detailed attempt there has been to make that change.

Five years ago, SNP MPs led a debate in Westminster during which they condemned the 20m rule, describing it as “Tory ideology” and an “assault on the disadvantaged.” As we stand, the SNP is going to implement the very same rule in Scotland. The excuses, I am afraid, are just not good enough. We have a Scottish Government that railed against the UK Government but is adopting exactly the same rules for the Scottish system. It is content to carry on with the “Tory ideology” and the “assault on the disadvantaged.”

People with MS and other debilitating conditions will have to wait for another two years before the 20m rule is looked at again, and the reality is that, if it is agreed that it will be changed, it will be 2025 before the solution will be delivered. That is another four years away. People will be left hanging on for years. I do not think that that is fairness, dignity or respect. I would expect ministers to be busting a gut to have that rule

changed, and to have it changed effectively. In the interim, at least the 50m rule should be reimposed before the change is implemented.

On carers benefits, the underlying entitlement issues are significant. They need to be addressed, because there is a massive gap between the number of unpaid carers in Scotland and the tiny number who are entitled to receive carers allowance.

The Presiding Officer: Please wind up, Mr Rennie.

Willie Rennie: It is currently one in 10. Those of pensionable age are losing out, as are many other groups. I would expect the Government to do so much more to get the reality to match up with the rhetoric.

15:33

Clare Adamson (Motherwell and Wishaw) (SNP): I welcome the debate on the benefit take-up strategy, as it represents more progress in Scotland in cementing a societal shift in the way we think about social security, returning to its founding principles as a safety net for those in need and an investment in our constituents.

I was lucky enough to be the convener of the Social Security Committee during its consideration of the Social Security (Scotland) Bill and the development of the new system. The bill, of course, set out the legal framework for a new social security system in Scotland. The focus at that time was to listen to the views of people with lived experience of navigating the UK Government's system in the DWP. It marked a much-needed departure from the governance, policy and rhetoric on social security that we had become accustomed to in the UK framework.

The new system began the process of unpicking the hostility and suspicion that people who are entitled to social security had come to expect under the Conservative Government. For the first time, we had a system designed at the outset to protect and promote human rights, with the Scottish social security principles of dignity, fairness and respect placed on the face of the bill. The Scottish social security charter—our charter—sets out what people can expect. It goes further than that by including a commitment to support people's wellbeing when they engage with the Scottish social security system. I reflect that that is in marked contrast to the othering of people on benefits that emanated from Westminster—and that it was needed, because the UK benefits system is punitive and degrading, as can be seen from the rape clause.

I am lucky enough to take part in the Presiding Officer's Coalition for Racial Equality and Rights

internship programme. One year, my CRER intern had to leave early and miss her time in the Parliament, because she had been told that she would be sanctioned if she did not get back to Glasgow for an appointment, despite the fact that she was taking part in a programme that was designed to build confidence and engage our new Scots in our political life. It was simply unacceptable.

However, in contrast to Tory MPs who break the rules with impunity, there was no option for my intern. Last night, we saw the very worst of Conservative contempt for our citizens, when they thought that they could get away with throwing out the rulebook to the benefit of their own. What an insult to my constituents—and to theirs—who have been sanctioned for attending family funerals, for attending to caring responsibilities, or simply for being ill.

On the Owen Paterson scandal, last night Chris Bryant quoted a Conservative colleague who had said to him:

"justice should always be tempered by mercy". —[*Official Report, House of Commons*, 3 November 2021; Vol 702, c 961.]

Where is the mercy in the operation of the UK social security system? It is not for bereaved constituents, who have lost loved ones because of the loss of disability benefit status; for women who have had to declare rape to access the benefits that they are entitled to; or for those who are constrained by draconian rules that dominate their lives. If the Conservatives can U-turn with the shameless partisanship that was displayed this week, they can U-turn on the rape clause and on the cut to the uplift of universal credit.

However, today's debate is about the benefit take-up strategy, and we have work to do in Scotland, albeit without all the levers that should be at our disposal. The new benefit take-up strategy sets out five principles around which to organise activity to promote take-up: prioritise person-centred approaches; communicate and engage effectively; bring services to people; encourage cross-system collaboration; and continuously learn and improve on the service that is delivered to our constituents.

I also note that the Scottish Government will explore the introduction of automated payments for certain devolved benefits. I encourage keen consideration of that measure and of any proposal that seeks to remove barriers to access to benefits.

Streamlining applications and assessment procedures are important measures for reducing the burden that is associated with benefits access. We know the stress and strain that benefits applications—and, in particular, continuous

reassessments—can have, through engagement with our constituents. Making applications less onerous may go some way towards overcoming the stigma that still exists around social security.

The establishment of the social security system stands as one of the great achievements of the Parliament. As policy makers, we must resolve to build on that work. I am confident that, one day soon, we will have powers for a system-wide reform of social security. When that day comes, we must embed in our reforms those same principles of dignity, fairness, respect and compassion. Our common humanity and our collective interests can be drivers for that change, and I am confident that the new strategy is another step on the road to a fairer, better Scotland.

15:38

Sharon Dowey (South Scotland) (Con): For any social security system to succeed, it is an essential requirement that it delivers—in literally delivering benefits, in delivering service and in delivering value for money. Determining whether Social Security Scotland meets those tests is an interesting exercise, so I ask members to bear with me.

From looking at the delivery of benefits by Social Security Scotland, it is clear that things are not going to plan. Yes, some benefits have been delivered, and the Social Security Scotland staff on the ground who have made that happen deserve praise. However, in reality, what we are seeing is a far cry from what we were promised. There has been a painfully slow roll-out of the Scottish child payment; one benefit has been entirely handed back to the UK Government; and there has been a four-year delay in the transfer of existing cases from the DWP.

The First Minister said:

“I want to make ending child poverty a driving mission for the next Parliament ... It is a downpayment on what will be possible when we have the full powers over tax and social security”.

However, in March 2021, only 1 per cent of applications for the Scottish child payment were processed within 10 days. Most applicants waited 55 days for a decision. That is not quite the down payment that the First Minister promised and certainly not the one that working families across Scotland were hoping for.

Ben Macpherson: Will Sharon Dowey give way?

Sharon Dowey: No.

My second test is: does Social Security Scotland deliver on service? Looking at the figures for client satisfaction, it is clear that the agency has work to do. Although the Scottish

Government's benefit take-up strategy claims that Social Security Scotland will be more effective in marketing its services than the DWP, 81 per cent of suggestions from clients this year concerned improvements to the information that is available from the new agency.

Even more telling is the fact that complaints far outweighed compliments, accounting for 77 per cent of the feedback that was received compared to a mere 18 per cent for compliments. For the best start foods payment, there were 270 complaints about the quality of service and a further 50 that related to accessing the benefit. Those are far and away the highest such figures for any benefit delivered in Scotland.

It is clear that there are communication issues on child disability payments, too. During the pilot programme in Dundee, nearly half the applications were denied. That suggests that work needs to be done to explain the application process and make it understandable to applicants.

The service needs improving, and not only at a national level. Social Security Scotland boasts that it has a presence in every local authority but that is news to most.

Ben Macpherson: Will Sharon Dowey give way?

Sharon Dowey: No.

When I called up my local council to find out details of its local Social Security Scotland team, it had never heard of a local delivery office or the team and could not signpost me to anyone who could help with devolved benefits.

Ben Macpherson: Will Sharon Dowey take an intervention on that point?

Sharon Dowey: No means no.

Neither is there any web page suggest that such a team exists other than a single LinkedIn profile that I found.

If the local benefits team cannot signpost an MSP to the devolved benefits office, how do claimants stand a chance? By comparison, the DWP has two offices in Ayr and regularly hosts job fairs at prominent locations around the town. The local visibility of Social Security Scotland simply has to be improved. It cannot continue to be a backroom operation known only to the people who are in the know.

My third test is: does the social security system deliver a cost-effective service? That idea is enshrined in Social Security Scotland's charter as its final principle:

“the Scottish social security system is to be efficient and deliver value for money.”

Where do we begin? The cost of the new system has doubled, staff requirements have doubled and there is a huge increase in temporary contracts. The cabinet secretary has admitted that Social Security Scotland will be no more cost efficient than the DWP. That is all before the Scottish Government has even agreed to double the Scottish child payment.

Lurking on the horizon is the universal basic income. Should the Scottish Government be looking to introduce such a payment, particularly when it will cost £58 billion a year? Social Security Scotland was unable to handle £347 million of benefits without doubling its workforce or its budget, so how on earth does the cabinet secretary think that it will be able to process £58 billion with ease? That is even before she sources the funding, which amounts to more than three times the current health spending. Surely it is in the interest of ordinary Scots, as well as of public finance, to focus on improving the services that we have—or perhaps even the ones that were handed back to the DWP—rather than launching into a reckless vanity project that fails to target the most vulnerable and hands money to families regardless of their financial status.

We have the opportunity to build a new system, one that is tailored to Scotland and that meets the needs of Scotland's people, so let us do that and build the system that Scotland really needs.

15:44

Marie McNair (Clydebank and Milngavie) (SNP): I welcome the opportunity to speak in the debate on the benefit take-up strategy as set out by the cabinet secretary. No one knows when they are just one life experience away from needing support and assistance that will help to see them through or to ease the burden of financial hardship. A compassionate Scotland has at its heart a social security system that is there for people when they need it and that puts dignity, fairness and respect at its centre. That almost goes without saying—that principle has wide support in the Scottish Parliament and has been implemented by the Scottish Government.

That approach recognises that ensuring that people have access to social security entitlements is incredibly important. Those benefits are there for a purpose and because we believe that they are the backbone of a just and fair society and a vital investment in the lives of our constituents.

If anyone was in two minds about the importance of having a social security system, the worst of the pandemic and lockdowns must surely have ended those doubts. The take-up strategy is a significant contribution to meeting the rights-based approach that forms the platform for our

social security system. It is a comprehensive approach to ensuring that people have access to the support that they are due. The strategy has been shaped and formed by the experience of those who, through no fault of their own, have struggled to navigate the system. There is a strong emphasis on continued consultation to seek out barriers to take-up.

We know that there are three key barriers to take-up. The first barrier is the lack of information, including information about the available benefits in the application process. It is important that we address any knowledge defects relating to new benefits. That is recognised in the approach that has been set out. The second barrier is costly and complex access. It is important that we support people to navigate the system and that we fund advice and support. The third barrier is the social one, including perceived stigma. We must go all out, not just as a social security system but as politicians, to tackle stigma and bring about an end to misconceptions.

We must also invest in services to support people and ensure that those are accessible in places and ways that are best suited to people's needs. I welcome the £10 million allocated during the current session to help to fund that approach. Many councils provide excellent welfare rights services that are in the heart of our communities. I want to take the opportunity to praise all the welfare rights advice services in Clydebank and Milngavie. Local government must be adequately funded to maintain those services and must have equality of access to any additional funding.

Our dignity, fairness and respect approach is important in increasing take-up, too. We should not underestimate how much getting decisions right first time and treating people with compassion will help to increase confidence in our social security system. The shameful UK war on welfare for the purposes of some cheap headlines is cruel and has created stigma that has been hard to bear. We are right to kick out the private sector assessments that lined the pockets of the rich while inflicting misery on many disabled people who have been denied the support that they are due. We are right to take a more compassionate approach to terminal illness claims and we are right to condemn the sanctions regime, which does not promote take-up or provide social security for people when they need it.

Policy is important. When I questioned members of the Scottish Fiscal Commission at our Social Justice and Social Security Committee, they accepted that our changes in policy mean an anticipated higher take-up of adult disability payment compared to the previous UK benefit. It is no wonder that Scope UK, the disability equality charity for England and Wales, has launched a

campaign called “disability benefits without the fight”. Scope is calling for a fairer disability assessment process and for people to be assessed by those health professionals that know about their condition. That does not sound like rocket science, does it?

Why has the benefit system treated people so badly for so long? As Scope says, it should not be a fight, and

“Disabled people should get the right benefits, the first time round.”

Scope also points out that, between 2017 and 2019, the UK Government spent £120 million on fighting appeals to benefit decisions. In Scotland, we must promote the right to appeal and adapt our approach if barriers to taking up the right to challenge a decision are identified.

Setting a policy to meet our agenda of fairness, dignity and respect will help to increase take-up. That approach, coupled with a take-up strategy that is resourced and person centred and that rejects stigma and gets the message out effectively will make all the difference. Let us unite behind that approach to create a compassionate, fair and supportive system of social security that improves take-up by those who need it and invests in the people of Scotland.

15:49

Mark Griffin (Central Scotland) (Lab): The debate is welcome. It allows me to expand on the evidence that I gave this morning to the Social Justice and Social Security Committee on my proposed Scottish employment injuries advisory council bill.

I am thankful that the committee accepted the statement of reasons, but I am even more grateful that it listened to the workers and trade unionists—to members of Unite the union, the Union of Shop, Distributive and Allied Workers, the GMB, the Community trade union, Unison, the Communication Workers Union, the Fire Brigades Union and the Associated Society of Locomotive Engineers and Firemen. They wrote to demand a voice on, and a role in, the new employment injuries assistance benefit. They did so because their colleagues who have caught Covid-19 in the workplace are now no longer fit for work or because women are apparently the wrong gender for that entitlement, although it is clear that they still get ill or injured through their work. Those women do not have access to the industrial injuries disablement benefit, or their entitlement is extremely limited, because that benefit is stuck very much in the previous century.

Any proposed bill will not, in itself, give women and those with long Covid access to the new employment injuries assistance directly. The

Government and the Parliament need experts who have space, tenure and independence to research the illnesses and diseases and to make recommendations based on that. However, it is inconceivable that those issues would not be considered by a body with the authority and power to consider them and to make the first steps on the road to making the entitlement fit for the 21st century.

Trade unionists and workers who get ill at work must have a mandated seat at the table of a permanent, statutory and independent employment advisory council. Their expertise and lived experience of 21st-century workplaces are vital in making proposals that will form the benefit from the very start.

This morning, I asked the committee whether, when the Parliament considers regulations for a new devolved benefit, it would accept an equalities impact assessment that said that just 6 per cent of applications would come from women. It is clear that the answer to that question is no, we absolutely would not. However, that would be the case if a lift-and-shift approach was taken. Doing so would risk embedding a system that promotes inequalities and fails to reflect modern Scotland.

I thank the GMB women’s campaign unit, Engender, Close the Gap and Professor Andrew Watterson for their substantial insights on the issue of women’s health and safety at work. Currently, women have little access to the Westminster benefit because they have barely any entitlement to it. It is a benefit for the injuries and diseases that men got in workplaces that they predominantly worked in during the previous century. Cleaners with respiratory and skin diseases are not recognised by the current scheme, and breast cancer that is caused by shift work—that is the top occupational cancer in women—is not recognised. Even asbestos-related ovarian cancer, which is the most common gynaecological cancer in the UK, is not recognised. Women are missing from that scheme.

Care workers wrote to the committee to say that they risk injury at work daily. They have musculoskeletal disorders in the neck and upper limbs and injuries that are ignored by employers and the outdated UK benefit system.

Changes will not happen overnight, of course, but we need a system to do the work and consider that change. We do not currently have that in Scotland. New data and analysis and broad expertise and testimony will be needed to make the case for change.

I am grateful to the Association of Personal Injury Lawyers, Thompsons Solicitors, the Royal Society for the Prevention of Accidents and the

British Occupational Hygiene Society, which offered their support and insights.

The committee also heard from people who have long Covid or who have colleagues with long Covid, who likely caught that through the course of their work. The impetus for my bill proposal was in response to their experience. Should people who contracted Covid at work not have access to a newly devolved benefit? Workers in health, social care, retail and public transport talk about how they became so severely ill that long Covid was impacting their ability to continue to do their work in the jobs that they loved and about how something should be done to support them.

However, in March this year, the UK Industrial Injuries Advisory Council refused to recognise Covid in that context. That exposes the risk to our social security system in deferring to, and requesting advice from, a UK council over which the Scottish ministers have no power. There has, therefore, been less progress on Scottish benefits, and those key workers whom we depended on and rightly applauded throughout the pandemic have been offered no access to the industrial injuries benefit.

A Scottish council with powers to commission research and make recommendations on how to support people who have caught Covid at work could offer hope that the new benefit will give people the access to social security that they are so desperately lacking under the UK entitlement. In the coming weeks, I will lodge my final proposal for a statutory Scottish employment injuries advisory council that can research, shape and scrutinise the new benefit. We need to ensure that workers and trade unionists who are injured in the course of their employment, especially women and those with long Covid, are at the heart of that council.

When it comes to accessing Scottish social security benefits, I hope to work closely with the cabinet secretary, the minister, the Social Justice and Social Security Committee and members on all sides of the chamber to ensure that there is full and equal access to a new form of employment injuries assistance that is fit for the 21st century.

The Presiding Officer: Before we move to the next speaker, members may wish to be aware that we currently have ample time in hand—for interventions, for example.

15:56

Emma Roddick (Highlands and Islands) (SNP): I am acutely aware of the need to address issues with social security access and take-up. As a member of the Social Justice and Social Security Committee, I hear a lot about the difficulty that people, in particular those with mental illness,

face in applying for and then dealing with the gatekeepers of social security provision such as PIP. However, I am very hopeful that Social Security Scotland, given the principles on which it was created, will not follow the same route.

It is telling that SAMH is already pointing out the advantages in Social Security Scotland's approach, despite the criteria for ADP being the same as those for PIP. How we treat those who ask for help is such a massive part of building a system that respects and ensures the dignity of those whom it supports.

Pam Duncan-Glancy: I share the member's wish to congratulate the Government on making changes to some of the processes. However, would she agree that the 50 per cent rule, regarding the amount of time for which a condition has to be present, is particularly difficult for people with mental ill health? Does she agree that that part of the eligibility criteria for the personal independence payment really needs to be addressed, and that we need to do that soon, rather than waiting until 2025?

Emma Roddick: I thank the member for her intervention—I know that she has a lot of great ideas and that we probably have quite a lot of shared experience of going through the social security process. I look forward to debating these issues when we discuss the criteria for ADP.

Is it not a real shame that a mental health charity telling us that PIP actually drags people into mental health crises is not surprising in this country? Is it not devastating to think that simply speaking to the recipient as a person before changing the amount that they are paid or their eligibility for a benefit is seen as a massive change?

I have been through the gruelling process of applying for, and then trying to hold on to, universal credit twice in my life, so I am no stranger to the often dehumanising process of trying to interact with the DWP as a disabled person. My committee colleague Miles Briggs was right to point out that mentally ill people who access PIP often experience stress, but it is important to recognise that those people experience not just stress, but trauma and severe harm.

In my first PIP assessment, which was many years ago, I was grilled about my mental illness. My doctor had written a letter in support of my application and noted, among other things, that I had suffered from suicidal ideation. The assessor asked me what, if that were true, had prevented me from acting on the suicidal thoughts—they were basically asking, "Why are you alive, then?" It was clear that they believed that I was either a failure or a liar.

Like most members in the chamber, I have helped constituents to apply for benefits and have provided them with emotional support as they went for assessment; I have also done that with friends. Getting the help that you need in order to survive should not be such a traumatic experience. The first principle of the new benefit take-up strategy is to “prioritise person-centred approaches”. That is a very Government phrase, but is also reassuring because it demonstrates the Scottish Government’s intention to put the recipients of social security first. I am proud to be a member of the party that is seeking to take Scotland in a different direction.

The agency in charge of administering benefits is not the only factor affecting take-up. I know from speaking to constituents that stigma still plays a part in damaging the willingness of people who need help and are eligible to receive it to apply. No one will learn anything today from my saying that people often look down on those who rely on social security, but decent social security is not something to avoid, judge, or disparage: it is a sign of a fair and caring society.

During the October recess, I visited a number of organisations in Inverness that focus on food poverty, including a community cupboard and a community fridge. Those are not a new concept in the Highlands and Islands, but their numbers increased drastically during the pandemic as people became more aware of those who were struggling to feed themselves and their families and as others, who would otherwise never have experienced poverty, were suddenly plunged into it through loss of work, illness, or other pandemic-driven life events.

It is right to recognise the role that Highland Third Sector Interface played in supporting those who had big ideas about how to help their communities to put those into action. HTSI hosts a food provision map on its website to signpost people to their nearest provider, whether that is a food bank in Inverness, an oyster delivery service in Kinlochbervie, or one of dozens of community fridges, cupboards and gardens across the Highlands.

What I love about community fridges is that they are not there only for people who are on low incomes. The stigma that I mentioned earlier does not apply. They exist not only to give food to people who do not have any but to stop food waste from supermarkets making it to landfill. That means that walking into those places and leaving with dinner does not mean that someone is poor; it means that they are saving the planet.

I would much rather get to the point where living in poverty is not something people hide but is just something that happens to them and that they are helped out of. I am not ashamed to have relied on

social security and food parcels. That experience is part of who I am, and I consider it incredibly valuable when I am speaking here and undertaking scrutiny work in committee.

Food parcels even broadened my culinary horizons. I expected to find beans, pasta and other familiar items in my parcel, but I was also introduced to tinned crab for the first time in my life through one particularly memorable package. I tell that story because I believe in two things: that input from those with lived experience is critical to making good policy decisions and that an MSP talking about being on social security will normalise it and perhaps help to reduce the stigma.

I trust that those beliefs are shared by the Scottish Government. That is evidenced by its history of consulting with often unheard groups and its commitment to continuing that work. I am grateful for the Government’s determination to change for the better the experience of disabled people and others who need social security in Scotland.

16:03

Maggie Chapman (North East Scotland) (Green): I thank those who work to support the distribution of social security to many people across Scotland. I also thank those who support recipients in voluntary sector organisations, local authorities and elsewhere. We see you and we value you. It would be remiss of me not to acknowledge the personal testimony that we have heard here today. It makes a difference, as Emma Roddick has just said, that people see us standing here with lived experience.

Scotland is re-investing in our vital social security system after more than a decade of cuts. The child payment, which the Greens will fight to at least double as soon as possible, could invest more than £320 million in our children by the end of this parliamentary session. The young carer grant, which we have championed in the Parliament, is providing thousands of young carers with yearly grants to help them enjoy some time away from their caring roles.

Those and other extra supports will be of no use to people who are not aware of their entitlements, to those who need a bit of help to apply or to people who are too embarrassed to apply because of years of shameful attacks on them by Governments and others.

The child payment could not come soon enough, but the Scottish Fiscal Commission estimates that 25 per cent of children—86,000 children—will not receive the support that they are entitled to. That figure does not include the

children who will miss out because their families do not claim the qualifying UK payments.

Those are just the payments that we know about. Scotland will soon deliver disability and carer payments to hundreds of thousands of Scots, with no official estimates of how many people might be eligible. I urge the cabinet secretary to explore how such estimates could be produced. Fighting poverty with social security payments that do not get to everyone they target is like fighting it with one hand tied behind our backs. It does not have to be that way, though. Child benefit take-up is regularly above 90 per cent, reaching 97 per cent in some years recently, and around 96 per cent of new families apply for their baby box.

What can we do? First, we must tackle head-on the stigma created by 40 years of lies about benefit claimants by successive Westminster Governments and the media.

Secondly, we need to expand high-quality income maximisation advice. Some evaluations show as much as a £20 return for every £1 invested. NHS Greater Glasgow and Clyde's healthier, wealthier children project, championed by the Greens in the Parliament, has over 10 years got an estimated £36 million into the pockets of new parents by supporting midwives and health visitors to signpost to money advice services. That is why I am so pleased that the shared Scottish Government-Scottish Greens policy programme commits an additional £10 million for such services. I really look forward to seeing how that will be spent as soon as possible.

Thirdly, we need to be proactive in getting money to people. When people approach Social Security Scotland or local government for support, we should be actively checking what other payments may be on offer that they can claim. With the right information and the right information technology, we can make automatic payments to people without them even having to apply in the first place. Glasgow City Council has proved that that is possible, with school clothing grants, and I am very pleased that the shared policy programme commits to expanding that approach.

We must also make progress in making disability payments more accessible. Regular face-to-face assessments, which were not necessary in 20 years of disability living allowance, were introduced by the UK Government to make disability payments harder to access, demonising and stigmatising the people who tried. Applicants have been forced to travel many miles, sometimes to inaccessible buildings, to attend assessments conducted by assessors who have been entirely ignorant of their condition. In some cases, applicants' health conditions have

been significantly worsened—entirely the opposite to the intention of the disability benefits system.

Our new Scottish adult disability payment could be transformative. Some decisions may be reached using the application form and accompanying information without the need for further assessment—a Green win from 2018 and something of which I am very proud. When a conversation with the applicant is needed, the new client consultation system promises to be less intrusive and more respectful. We need to ensure that people who have those conversations have the information that they need about the people to whom they are talking. I also urge the minister and the cabinet secretary to address the concerns about the 20m rule. When the new payment launches next year, disabled people, their organisations and the Greens will be watching developments carefully to ensure that the promises are upheld.

For too long, Governments have been deliberately putting up barriers to people accessing social security. It does not have to be that way. All of us, but particularly the Scottish Government, should be tearing those barriers down, and I am pleased to see the Greens playing a vital role in that.

16:08

Stuart McMillan (Greenock and Inverclyde) (SNP): I am pleased to speak in the debate. I would have preferred to be in the chamber today, but, as you can tell from my voice, Presiding Officer, I am still struggling a wee bit with an illness. I point that out to highlight the fact that the continuation of the virtual sessions has allowed me and other members to continue to work and contribute from home instead of being unable to participate.

Today's debate is important. I welcome the 2019 benefit take-up strategy and the 2021 strategy. As the cabinet secretary said, the new strategy is based on five key principles: prioritising person-centred approaches; communicating and engaging effectively; bringing services to people; encouraging cross-system collaboration; and continuously learning and improving. I do not think that any MSP could disagree with any of those principles.

The process is crucial and should be scrutinised, but the most important things are the outcomes for our fellow citizens who need to engage with Social Security Scotland to obtain the benefits to which they are entitled. Every one of us will have heard claims of people "milking the system" and being "benefit scroungers". If people obtain resources because the UK welfare system is overly complicated, I do not blame the people; I

blame the system and how it was established. In the same vein, over the years, that same complicated UK welfare system has allowed many people who have desperately needed benefits to miss out on them.

I highlight those two examples for a specific reason. I accept that establishing any new system will not be without challenges and that unforeseen issues will be found along the way. There clearly will be questions about the formulation of any system, but the challenge for any Government is how to fix them. We have seen the desperate state that many of our constituents have been in because of universal credit and the failed amendments to it, so I hope that the Scottish Government and Scottish Parliament never make those two mistakes.

I found the new strategy refreshing, with its principles of prioritising a person-centred approach, continual learning and improvement, and encouraging cross-system collaboration, which will, of course, be the toughest challenge. Through stakeholder engagement, the Scottish Government has identified the main barriers to take-up of benefits. First, there is a lack of information, which leads to a lack of awareness of or misperception about entitlement to benefits and application procedures. Secondly, costly or complex access inhibits the application procedure. That can be because of the need to travel to a welfare or employment office, a lack of resources, including time, or people's limited competence to find their way through the system. We have already heard about a couple of those things from other members. Thirdly, there are the social barriers of perceived stigma, pride, a subjective lack of need for benefits and a lack of trust in institutions.

Sadly, the stigma around claiming benefits is real for many people. I have known constituents who did not want to apply for benefits because of their pride. They did not feel that they needed the benefits and wanted the money to go to others, even though some of those people's lives would have benefited greatly from the additional resource. We have heard from colleagues—including from Emma Roddick, in an excellent speech—about the issue of stigma, and I agree with them about that. We have to do something better about the issue. In the Scotland that I want to see, the stigma of obtaining benefits would be removed.

Some MSPs have never needed to access benefits, while others, including Emma Roddick and me, have. For those of us who have, it was a sobering experience that has stayed with us. That is why I absolutely endorse the three key principles of the benefits that are controlled by this Parliament: dignity, fairness and respect.

The new strategy will deliver a few aspects that I believe will help many of my Greenock and Inverclyde constituents as well as people across the nation. First, actions from the strategy, which build on learning from the 2019 strategy, include working with partners to improve targeting of information and advice, challenging the myths and stigma around claiming benefits, and continuing to remove barriers to accessing social security in Scotland.

Secondly, the roll-out of Social Security Scotland's local delivery network—with 400 staff in 32 local authorities by the time the service is fully operational—will be crucial. That will also enhance the many public and third sector organisations, including Financial Fitness and Christians Against Poverty, that operate in my constituency. I believe that the establishment of a stakeholder take-up forum to proactively identify examples of best practice and settings in which they might be replicated will be hugely beneficial, as will working with stakeholders to co-design interactive and helpful resources to support the mainstreaming of existing good practices around benefit take-up.

Thirdly, the multichannel financial wellbeing marketing campaign, which will begin with a focus on benefit take-up and will cover free debt advice and affordable credit, is vital. In particular, the important work that credit unions undertake in our constituencies can play an even greater part in that activity. Recently, I was delighted to meet with the Tail O'The Bank Credit Union in my constituency. I know how important credit unions are to their clients, but I also know the opportunities that they can deliver for many more people.

Finally, it is vital to work with a range of seldom-heard groups to better understand and address a lack of take-up among particular populations. Scotland is a country with a rich tapestry of backgrounds, which I warmly welcome. Therefore, understanding some of the cultural challenges is vital to ensure that all new Scots are equal partners in our nation.

We all know that, as part of the national mission to tackle poverty, the Scottish Government is determined that everybody should be able to access the payments that they are due. I believe that the new strategy and, more important, the outcomes from it, will help to achieve that mission.

16:15

Alexander Stewart (Mid Scotland and Fife) (Con): Ensuring that help is given to those who most need it is the most important function of every social security system. The members on the Scottish Conservative benches believe in implementing a distinctly Scottish approach to

social security—one that is targeted at the needs of the people of Scotland and backed by the broad financial shoulders of the United Kingdom. Key to achieving that is ensuring that everyone who is entitled to receive help not only can access it, but is encouraged to do so.

However, the Scottish Government's record thus far on delivering social security benefits needs to be questioned, because much more attention to detail is required. For example, it is often reported that the SNP will not finish taking on all of the devolved benefit powers until 2025, which will be nearly a decade after it received the powers. We also know that Social Security Scotland's staffing costs have nearly doubled, and we must be aware of those spiralling costs. Nevertheless, the Scottish Government still has the opportunity to put things right and ensure that Social Security Scotland begins to deliver more benefits.

When it comes to the forthcoming adult disability payment, it seems that the Scottish Government still has work to do to ensure that all claimants receive the appropriate level of award. Earlier this year, the previous Cabinet Secretary for Social Security and Older People stated that DWP-style assessments would play no part in the application process for the benefit. The recently published benefit take-up strategy confirms that face-to-face assessments will take place only when absolutely necessary, and are now to be renamed "client consultations".

However, the dependence on clients dealing with an application form and supplying medical evidence raises concerns, because they might not be able to provide sufficient evidence without undergoing the type of assessment that is used to award PIP. Although some potential claimants will be able to retrieve the required medical records from their general practitioners, many will not have visited their GPs often enough to be able to do that, which could put them at a disadvantage.

As such, the DWP has raised the concern that scrapping face-to-face assessments will mean that many clients will be unable to provide enough evidence to receive the level of award that they might be entitled to. That has to be looked at.

Ben Macpherson: It is important to recognise that, when it comes to the adult disability payment in the system that we are building, only one piece of information from a formal source will be required to support the general care and mobility needs in a client's application. That will be a marked departure from the current system, which requires formal supporting information to evidence each and every difficulty that the client reports experiencing. That is one of several examples of how the way that we deliver disability benefits will

lead to a significantly different experience for the client when applying.

The Deputy Presiding Officer (Liam McArthur): I am happy to reimburse your time, Mr Stewart.

Alexander Stewart: Thank you, Presiding Officer.

We acknowledge that there will be differences and changes. We want a tailored approach, which is important. However, we have to recognise that there will be some difficulties, and that people might slip through the net and will not access all the benefits to which they are entitled. We need to have the time, the funds and the process in place to ensure that people can access benefits.

It is important to ensure that anyone who applies for any type of benefit is given the necessary support and that mechanisms are in place. The risks around the idea of improving potential for payments from the Scottish Government have to be considered. Similar pressures exist for claimants who receive the highest rate of PIP. Those potential pitfalls will need to be considered.

Turning to other aspects of the social security system, I welcome the recent benefit take-up strategy, which members have talked about, and I acknowledge the importance of tailoring support to certain demographics. Many older people face barriers to accessing their benefits, and do not take them up because of those access issues. Citizens Advice Scotland has demonstrated one such barrier, when one of its assessments found that one in 10 people between 65 and 79 are not able to use a computer to access benefit applications, which makes the process much more difficult.

I should stress that changes to benefits can be confusing and stressful for older people who depend on them. We should therefore consider the vital importance of communication. I know that the Scottish Government has considered some of those aspects, but it still needs to address some points, because the system needs to work well and timeously. It is important that the Government continues to engage with older people, stakeholders and charities such as Age Scotland, which have talked about the work that is required.

Another group that members have talked about is those who care for others. I welcome the fact that the take-up strategy acknowledges the simplicity of the carers allowance application process. We need to consider that point, because the benefit will be replaced with Scottish carers assistance. Given the increasing importance of carers over the past 18 months, it is vital that we consider that group now and ensure that we give those people the support that they require.

As I stated at the outset, it is clear that the devolved benefit powers that Scotland has received can, if used properly, be an effective tool to ensure that people receive the support that they need. It is therefore disappointing that we have not gone as far down the road to deliver those benefits as we had hoped.

I am sure that the Scottish Government will take on board some of the concerns that we have heard from many members. If the Government is able to listen, I hope that we can arrive at a social security system to which other countries can aspire. However, at the moment, I am disappointed that we have a strategy that still looks like a missed opportunity.

The Deputy Presiding Officer: Before I call the final speakers in the open debate, I remind members who have participated in the debate that they need to be here for closing speeches.

16:23

Foysoyl Choudhury (Lothian) (Lab): It gives me great pleasure to speak in today's debate. The devolution of welfare powers gives us the chance to shape the kind of society that we want to be, and to restore dignity and respect to the heart of the social security system.

However, we now know that the delay on the SNP's part has only halted progress and has potentially affected benefit take-up in Scotland. Covid-19 has hit low-income families and the most vulnerable people disproportionately hard, and it has deepened poverty and dragged more families into financial insecurity. Today, half of families who are in poverty have a member who is a disabled person. Even before the pandemic, child poverty rates were high and were projected to rise further.

Over the next decade, Scotland must be bold and willing to use the full levers of power in order to transform, if we are to meet our target on child poverty and live up to our ambitions of being a nation that respects, protects and fulfils human rights, and one in which we can all achieve our potential.

We can start with the Scottish child payment, which has continued to be on the minds of members thanks to the efforts of my friend and colleague Pam Duncan-Glancy. Just over a quarter of children in Scotland live in poverty—260,000 children right now, in 2021. That should shame us all. We talk a lot, but Parliament needs to get seriously ambitious for Scotland's children. Let us raise the Scottish child payment to £40 a week. Let us ensure that every kid in Scotland has a good quality of life without the people who love them having to worry about where the money is coming from.

Even with full roll-out, the Scottish Government is likely to miss its interim child poverty target by 6 per cent, thereby leaving an extra 50,000 children in poverty. From the end of furlough to the cruel cut to universal credit, thanks to the Tories and the Scottish Government's delays in rolling out and increasing the Scottish child payment, Scottish families' incomes have been squeezed when they are already having to deal with the economic shock of the pandemic. We can and must do better.

People who have lifelong conditions look at Parliament and ask how we are going to defend them. For example, people who have multiple sclerosis are looking for hope. The MS Society, Labour and many other organisations are all calling for removal of the 20m rule from the proposed adult disability payment assessment. The Scottish Government is replacing the personal independence payment with the ADP and has, for the new benefit, retained the PIP eligibility criteria, including the 20m rule, in its assessment criteria. In 2021, a Citizens Advice Scotland survey found that a majority of advisors working to help people with disabilities to navigate the social security system agreed that the distance should be extended to 50m.

Fatigue, both physical and mental, is one of the most debilitating symptoms of MS and other neurological conditions, and the rule does not consider the severity of the fatigue that many people experience after walking 20m. I would therefore be grateful if the Government could respond to the concerns that have been raised by people who have MS. Is the Government prepared to change the eligibility criteria? Those who claim the disability payment deserve dignity and respect.

The social security system that is shaped in Parliament must ensure that no one is held back by poverty and inequality. Scottish Labour would use the powers that we have in Scotland to make sure that people have the support that they need in order to participate fully in society. The social security system that Labour would build would secure the wellbeing and human rights of everyone, and it would seek to guarantee a minimum income standard that no one would fall below. Having a strong and adequate automated SSS would lead to a higher level of uptake. Scottish Labour would build a social security system based on the principles of adequacy, respect and simplicity.

Those are the principles that will guide me as we come together to shape our social security system for Scotland and ensure that it works for all.

16:28

Paul O’Kane (West Scotland) (Lab): I thank all the organisations that provided briefing material ahead of today’s debate. We have heard about the work of the Child Poverty Action Group in Scotland and the MS Society.

The creation of Social Security Scotland is testament to the power of devolution, and we want to use those powers and make sure that they have a real impact on people’s lives. I think that we have heard a degree of consensus on that in the chamber today.

The cabinet secretary began by talking about the human rights approach that we want, and we have heard from all around the chamber that a cross-party effort is required if we are to get it right. I hope that we will have further opportunities to discuss the matter in the chamber. Today, we will end our debate without having votes on a motion and amendments, but I think that it is important that we come back to the subject in order to allow Opposition parties to continue our scrutiny of the process in an effort to get the best possible outcomes from enabling people to access new benefits.

Today’s publication of the Scottish Government’s strategy has shown that there are gaps in knowledge about who is using our social security system and how we can encourage people to take up the benefits to which they are entitled. I will start by reflecting on the Scottish child payment, which my colleague Foysoy Choudhury has just covered and which Pam Duncan-Glancy also spoke about.

The data that has been published shows that only 77 per cent of eligible households are accessing the Scottish child payment. That means that, even with further investment, we are not reaching almost a quarter of the families who are entitled to it. We know from organisations including the Child Poverty Action Group what we can and must do in order to reach that extra 23 per cent of eligible households. We must ensure that we invest in analysis of applications in order to identify better the families who are eligible. Data is key. With data in hand, the Scottish Government should be able to reach out to more families and put that money in their pockets. We know how crucial that is in respect of lifting more of Scotland’s young people out of poverty, as colleagues have said.

I think that we all agree that there is a need to invest more in the system. There is some consensus on the need to ensure that we have a system that works, that knows where people are and that seeks to meet them. With that in mind, although the strategy that has been published has some detail on what has come before, I am

concerned that there is a lack of detail on the strategic approach to increasing benefit uptake under the new system.

The point that Alexander Stewart made about targeting priority groups is key in that regard. The point was echoed by Miles Briggs, who spoke about the support that is needed for various groups of people, including people who suffer from poor mental health who have been supported by the Scottish Association for Mental Health. More needs to be done to reach those groups, to find out what the barriers are and to work with them to ensure that they get access to their benefits.

A number of members spoke powerfully about stigma, which continues to be a significant barrier for people. I hope that the minister will say something about that in his summing-up speech.

Maggie Chapman and others mentioned the importance of automation in the benefits system. Automation has been a central priority for the Scottish Labour Party. We believe that automation would effectively overcome many of the significant barriers to take-up, which include lack of knowledge about entitlements. If an individual could make one claim that would automatically trigger their entitlement to other supports, that would have a hugely positive upward impact on take-up rates. Most important, it would also help to reduce and prevent poverty and to support people’s wellbeing.

Another key area that has been raised by the MS Society Scotland is issues surrounding the adult disability payment and ending of the 20m rule, which members from across the chamber, including Willie Rennie, Foysoy Choudhury and Pam Duncan-Glancy, spoke about. The 20m rule is incompatible with a system that is based on dignity, respect and fairness. It is an archaic rule that stipulates that if a person can walk that distance, that justifies their not having access to the enhanced rate of mobility support. The rule harms people with disabilities—it takes money out of their pockets, which means that they lose their independence. Throughout the debate, we have heard that limiting a person’s independence and their ability to socialise, to go to work and to lead a more normal life has huge ramifications and impacts.

We have a lot more work to do when it comes to righting the wrongs of past systems and ensuring better uptake of benefits. Colleagues have spoken about the importance of availability of advocacy and advice; Marie McNair spoke about the importance of the role of local government in funding welfare rights and advice. I am sure that we all want advocacy and advice to be at the heart of the new system.

My colleague Mark Griffin spoke passionately about his member's bill. I hope that the cabinet secretary will accept Mark's offer of working in a spirit of partnership on that agenda. There must be further dialogue on that.

There is often a temptation to make this about the UK Government versus the Scottish Government—Westminster versus Holyrood. Some members strayed a little into that area this afternoon. However, what I have seen, and what Emma Roddick powerfully spelled out for us, is that it is about the importance of people's lived experience and ensuring that we work together collectively to drive co-operation between the Governments to support those of our constituents who most need the support of social security.

16:35

Jeremy Balfour (Lothian) (Con): I remind members that I am in receipt of PIP at the higher rate.

The best way for the vulnerable in our society to be aided is from a devolved level. It is pretty self-evident that those who are closer to the communities that they seek to help can more effectively identify needs and provide tailored solutions. For that reason, I find the principle of Social Security Scotland exciting and see it as having great potential. Like other members, I visited the organisation on Monday.

We have an opportunity to build a uniquely Scottish system that is tailor-made to deal with people and circumstances here, while having the robust and reliable underwriting of the DWP. That underwriting is one of the benefits of Scotland being served by two Governments. We can have different localised policies with the same financial backing. For example, we could rethink and consider treating people with MS, epilepsy and other such disabilities extremely differently, which other members have picked up on during the debate. Having a tapered system that made the support of such people directly proportionate to the regularity of their episodes could be a great way to ensure that the vulnerable in Scotland are served efficiently and effectively.

I am slightly confused. The cabinet secretary said this afternoon that we cannot make that change because there is no agreement with the DWP, but, at the committee last week, the minister said that he wants everybody to be safely transferred across before looking at it. Even if an agreement was in place, the minister insinuated last week that we would not make the change. Perhaps he would clarify that in his concluding remarks.

Shona Robison: There are two key points. One is that, if we opened up a different system, we

would be running two systems concurrently, which would be complex and difficult, because people would want to go on to the better system. That is the first risk, which SCOSS has identified as a serious risk. The other point is that, without an agreement with the DWP, that would risk passporting benefits and, although a lot of dialogue has taken place, the agreement is not there. I am sure that Jeremy Balfour will appreciate and understand those two fundamental risks.

Jeremy Balfour: I understand the risks, but I agree with Willie Rennie that an agreement with the DWP should be reached much sooner than 2025, which will be the earliest possible date for that to happen.

That is one of many ways in which the Scottish welfare system could be implemented.

The devolution of benefits presents an amazing opportunity to shape welfare in ways that Scotland wants. That is what the SNP wants, of course: an opportunity to radically change the system from Westminster's system—to get rid of the unfair and heartless system that SNP members keep going on about. However, what has happened? The draft regulations that have been laid and the conversations that we are having today all point to the fact that the Scottish Government will keep the same regulations that we already have. There is no change to the 50 per cent rule, no change for people with MS and no change on mobility. It is simply the old system copied and pasted into Scottish legislation, which is a missed opportunity.

My colleague Miles Briggs pointed out that, only four years ago, the Scottish Government estimated that setting up Social Security Scotland would cost £307 million, but the cost has risen to an eye-watering £650 million. I do not know about you, Presiding Officer, but I struggle to think of many private sector organisations that would categorise a project that came in more than 100 per cent over budget as anything other than an unmitigated disaster. We were led to believe that running the agency would require 1,900 staff but, again, that was an SNP illusion and we have seen that number almost double to 3,500.

My colleague Sharon Dowey pointed out how desperately slow the Government's roll-out of the Scottish child payment has been. As she said, only 1 per cent of applications were processed within 10 days in March 2021, with most applicants waiting 55 days for a decision, and it is an easy benefit to implement. The delays mean that families spend more time worrying about their finances and stability. [*Interruption.*] I will not take an intervention at the moment.

While I am on the subject of the Scottish child payment, I note that the SNP-Green Government

is yet to commit to doubling it for the next financial year, delaying vital funds from reaching those who need them the most. Every party in this Parliament agrees that the payment should be doubled, yet the SNP refuses, for reasons that are frankly beyond me.

All of that points to an SNP-Green Government that is failing Scotland on social security. It has taken an initiative that had so much potential, injected it with its patented nationalism and failed to deliver for the average person in Scotland. As has been pointed out time and time again, including in the chamber this afternoon by my colleague Alexander Stewart, the same Scottish Government claims that it could set up a fully independent Scotland in 18 months. On the basis of the 10 years that this country will have to wait for it to take control of devolved social security, why should we believe its pipe dream or any of its other promises to deliver? The scary thing is that, if it comes to independence, the SNP will not be able to go back to the UK Government for help when it comes up against the harsh realities of governance.

I would like the minister, when he winds up, to thank the DWP again for all the amazing work that it has done in Scotland. It has supported the Scottish Government and bailed it out time and time again. If it had not been for the DWP, the most vulnerable in our society would have been let down by this Government. It has failed to deliver and has failed on its promises, and we will scrutinise it again and again until it gets things right.

16:42

The Minister for Social Security and Local Government (Ben Macpherson): The strategy that we are considering today, with the associated issues around it, is about how we, in the Scottish Government, and we, as a society, can work together to improve the way in which we ensure that all those across our society who are entitled to social security get what they are due. It is about working with partners to improve the targeting of information and advice, challenging myths and stigma around claiming benefits and continuing to remove barriers to accessing social security in Scotland and more widely. It is about encouragement, engagement and empowerment; information and support; and, yes, changing social attitudes about how we, as a society, approach the concepts of social security and welfare.

As the cabinet secretary rightly emphasised in her opening remarks, social security is a collective investment in ourselves and one another, and it is a human right. For too long in the United Kingdom, the critics of social security have been too loud and have set too much of the tone. As Stuart

McMillan pointed out, phrases such as “benefit scroungers” have echoed far too much throughout our media and commentary. As Maggie Chapman rightly emphasised, the responsibility for that is shared between politicians and those in the media who have amplified those negative and unhelpful positions. It is almost baffling how much criticism there has been of the concept of social security throughout recent decades. It is a system that is about helping people, yet in many quarters it has been a target of negative criticism.

Pam Duncan-Glancy: I recognise your description of the toxicity in the debate around social security in recent years and, as you rightly pointed out, the past few decades. Given that, I ask again whether you will commit to taking the 20m rule out of adult disability payment. We can discuss when you do that, but all the conversation and chat that we are hearing about the human rights approach to social security will not fundamentally change how much money people get in their pockets or who gets it unless we do that, so I ask you again to commit to doing that.

The Deputy Presiding Officer (Liam McArthur): Ms Duncan-Glancy, if you could direct your comments through the chair, that would be helpful.

Ben Macpherson: I thank Pam Duncan-Glancy and others who have raised that important point, which I will come on to in due course in my closing remarks.

I return to the conceptual points that I was making. When I was thinking about the debate, I looked at the history around the time this Parliament was conceived and I found the following quote from Tony Blair in 1999, which of course was the year in which the Parliament was created. This is not a criticism of Blairism or the Labour Party; it is just an interesting quote for context. He said:

“In future, welfare will be a hand-up, not a hand-out.”

That appeasement of critics of social security, which lasted for several years into the early part of this century, was a mistake as well as a criticism. Collectively, as a society, we are all responsible for that. Many of us challenged that view, but we obviously did not challenge it enough. We need to be open and move forward to the position that there is nothing wrong with either a hand-out or a hand-up. We want to do what we need to do to help people to contribute and realise their potential as much as possible.

It is about busting the myth, because not everyone can work and, as we know, not all work pays enough to live well. That is where we need social security, and where we need to value it. Emma Roddick made several important points, but one that stuck out to me was that this is about how

we create a fairer and more caring society. That is where the emphasis and focus need to be.

I remember when the Social Security (Scotland) Act 2018 was passed, and Jeane Freeman was sitting on the seat to the right of where I am today and I was sitting in the row behind. It was not only a defining moment and a shift for the Parliament but the start of how together we could begin to shift consciousness across the wider country. That is what the benefit take-up strategy is about for us as a Government. It is about what the 2018 act stipulates that we must do, but it also gives us focus to work with partners and create a sense of collaboration more widely in society in order to make the difference in helping people that we all want.

I turn to some of the points that were made in that spirit of collective engagement. I note Miles Briggs's point about the young carer grant, on which I would like to engage with him. On recent activity, he talked about the evaluation of the social security charter. The Scottish Government and Social Security Scotland take the monitoring of our commitments in the charter extremely seriously and we have already published two editions of the charter measurement framework, which reports on the progress that we are making. Indeed, the 2020-21 report was released yesterday. I look forward to engaging with Mr Briggs on that.

Alexander Stewart made some very constructive points, which I welcome. I look forward to continuing to work with him.

I wanted to be consensual at the end of this debate but, unfortunately, I found the comments of Sharon Dowey and Jeremy Balfour unnecessarily negative. I think that their Prime Minister would call them doomsters and gloomsters, because they really did not get into the spirit of what the debate is about and what the benefit take-up strategy is focused on. There were some significant inaccuracies or mischaracterisations in what they said. For example, the annual report that Social Security Scotland issued this week reported a 90-plus per cent satisfaction rate on engagement with the agency. The local development teams have been operating in pilot areas, so they are not fully stood up in all local authorities. Both Sharon Dowey and Jeremy Balfour made critical points about the Scottish child payment. Of course that is an innovative creation of the Scottish Government, but it has helped 108,000 children. That is a positive to celebrate and engage with, and we should have come to this debate in the spirit of recognition and determination to do more together.

To move back to the benefit take-up policy, on which we are focusing, it is important to re-emphasise some of what the cabinet secretary

said. We will launch a £20.4 million independent advocacy service and we are investing £10 million over the current parliamentary session to offer advice in accessible settings in order to maximise incomes and tackle poverty. I think of the people I have met in different parts of the country who have talked about how they heard about Social Security Scotland benefits in a school setting or via an organisation such as a carer support network. Those are important investments that will increase take-up.

The full roll-out of Social Security Scotland's local delivery network will be significant and will involve 400 staff in 32 local authorities by the time the service is fully operational. We will, of course, continue to work with third sector organisations and charities proactively and in an engaged way, and we recognise all the contributions that such organisations have submitted ahead of the debate.

Also important is the work of engaging with seldom-heard groups to better understand and address non-take-up among particular populations. Paul O'Kane rightly emphasised that point. We are, and will be, very focused on that in the strategy and as we go forward. We have rightly made our engagement as inclusive as we can, with materials that have been proactively produced in an easy-read format and in different languages such as British Sign Language; information is available on request in more than 100 languages, including Braille. Our agenda is focused on inclusivity and engagement.

That leads me to address broader points that have been raised about delivery. I appreciate that the focus has been on the benefit take-up strategy, but I want to touch on some of the delivery questions that have been raised.

First, the point about build is so important. We are building a new institution in Scotland. We want it to be strong in the here and now, to deliver in the period ahead and to be robust, agile and effective for decades to come. That is why what has been done in the years that we have lived through since 2018 and what will be done in the period ahead are so important. We want to create that strength and agility, including, for example, an IT infrastructure that will do things in a more automated way, as Paul O'Kane and Maggie Chapman rightly emphasised.

Miles Briggs: There is still concern about who is going to be delivering some of that potential work, especially when it comes to assessments. We know of the delays that currently exist in GPs' provision of those. Where is the Government on the work programme that deals with the workforce that is expected to undertake assessments or to provide evidential documentation on people's conditions?

Ben Macpherson: Miles Briggs has raised an important point. We have had engagement with the medical profession and with health boards on that aspect of the delivery programme. I had an engagement and update on that this week. We are encouraged by how positively it is progressing, and I would be happy to keep in touch with Miles Briggs and the Parliament more widely on the importance of those points.

I come to some of the points that Willie Rennie raised. First, he talked about the position on lifetime awards. I want to make it very clear to him that that is also very important to us in the Government, and that work is under way to establish the parameters for the provision of indefinite awards to clients whose needs are very unlikely to change. We are committed to building a person-centred social security system that is based on the principles of fairness, dignity and respect, and to reducing the number of unnecessary reviews, which are, of course, a source of stress and anxiety for some clients in the current system. We are committed to that, and I am happy to keep him updated.

Jeremy Balfour: I welcome that comment from the minister, but my reading of the regulations—perhaps he could clarify this—is that even someone with my condition, if I can be personal, would still have to go back every 10 years to be assessed. Why are we still asking people who have lifelong conditions to keep going back? We are not getting rid of that requirement; we are just making it a slightly longer period.

Ben Macpherson: I refer Mr Balfour to my last comment: we are currently working on the parameters for the provision of indefinite awards, and I am happy to keep the Parliament updated on that.

Considerations were raised on the 20m rule. It is important to emphasise that we are making changes to the delivery of disability assistance that will significantly improve the experience that disabled people have when they access payments. We are confident that those changes, such as replacing assessments with person-centred consultations, will address concerns about how the criteria are applied and how decisions on mobility are made. I refer members to my answer to a parliamentary question from Pam Duncan-Glancy on the matter, S6W-02508. I would be happy to take correspondence from any members on that. The cabinet secretary has also stated SCOSS's position.

All of this is oriented around the fact that we are simultaneously building the new agency, creating the new and replacement benefits and transferring cases. That transfer was initiated last month. It is one of the biggest transfers in the history of the UK state. It is important to remember the sheer

size of what we are doing. We have made changes. We have made changes to the support in relation to terminal illness and to the support for carers, and there are the seven new benefits that I mentioned.

I am happy to record our thanks to the DWP for the engagement that we have had with its officials and the collaboration that they have shown. I am glad that our officials are working well together. The cabinet secretary and I had a meeting with UK ministers this week on eligibility criteria and passporting and we seek to engage with the UK Government as constructively as possible.

It is important to refer back to the benefit take-up strategy and the wider question of how we collectively do as much as possible to ensure that Social Security Scotland makes as big a difference as possible throughout our society. It is about looking forward, not back. It is about not blaming others but working as team Scotland. Despite some of the negative comments that have been made, I appeal to members that we all commit and recommit to getting behind the project of Social Security Scotland and being positive about what it is doing, realistic about what it can achieve and ambitious about where we want it to go.

We are committed to that. The benefit take-up strategy sets out how we can engage citizens in that work, and all MSPs can play a part. Let us ensure that, although we are not voting today, we commit ourselves to doing all that we can to help people in communities throughout Scotland to access the support that they are entitled to, that they deserve and that we want them to have.

Business Motion

16:58

The Deputy Presiding Officer (Liam McArthur): The next item of business is consideration of business motion S6M-01986, in the name of George Adam, on behalf of the Parliamentary Bureau, setting out changes to next week's business.

I call the Minister for Parliamentary Business, who joins us remotely, to move the motion. [*Interruption.*] I ask the minister to attempt to move the motion again. [*Interruption.*] I ask Gillian Mackay to move the motion.

Gillian Mackay (Central Scotland) (Green): I will not do as good a job as the Minister for Parliamentary Business would have done.

Motion moved,

That the Parliament agrees to the following revision to the programme of business for Wednesday 10 November 2021—

delete

followed by Ministerial Statement: International Development COVID-19 Support – Partner Countries and Humanitarianism

and insert

followed by Ministerial Statement: Scotland 2045 – Planning for Net Zero—[*Gillian Mackay*]

The Deputy Presiding Officer: Thank you very much indeed. You managed to do it with much less of a stern stare, I have to say.

Motion agreed to.

Parliamentary Bureau Motion

16:59

The Deputy Presiding Officer (Liam McArthur): The next item of business is consideration of Parliamentary Bureau motion S6M-01987, on approval of a Scottish statutory instrument.

Motion moved,

That the Parliament agrees that the Health Protection (Coronavirus, Restrictions) (Directions by Local Authorities) (Scotland) Amendment Regulations 2021 (SSI 2021/329) be approved.—[*George Adam*]

The Deputy Presiding Officer: Welcome back, minister. The question on the motion will be put at decision time.

Decision Time

17:00

The Deputy Presiding Officer (Liam McArthur): We now move seamlessly to decision time, thanks to the valiant efforts of the minister in the previous item. There is only one question to be put as a result of today's business. The question is, that motion S6M-01987, in the name of George Adam, on approval of a Scottish statutory instrument, be agreed to.

Motion agreed to,

That the Parliament agrees that the Health Protection (Coronavirus, Restrictions) (Directions by Local Authorities) (Scotland) Amendment Regulations 2021 (SSI 2021/329) be approved.

Meeting closed at 17:00.

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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