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Official Report

MEETING OF THE PARLIAMENT

Tuesday 24 February 2015

Session 4

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Scottish Parliament

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

Time for Reflection

The Presiding Officer (Tricia Marwick): Good afternoon. The first item of business is time for reflection. Our time for reflection leader today is the Right Rev John Chalmers, the moderator of the General Assembly of the Church of Scotland.

The Right Rev John Chalmers (Moderator of the General Assembly of the Church of Scotland): The Space is a drop-in centre in Govanhill run by the Sisters of Charity of St Vincent de Paul. One day, a mother of nine children who had been traded in for a younger model found her way in desperation to the Space. She had been left to care for her children alone, but her biggest challenge was her young son who had severe learning difficulties and was incontinent.

The boy could hardly walk; his shoes were two sizes too small and they had not been off his feet in months. All I am going to tell you is that the worker at the Space bought socks and a new pair of shoes for that young boy, peeled off the old shoes, took the boy's feet on her lap and washed them clean. While she did that, the boy's mother wept. She wept because, where she stands in the pecking order of life, no one had ever done that for her or for her boy.

The woman was experiencing love and grace being poured out. There were no words, but two things were true of that scene: real practical help was being given to someone on the margins of society, and the God that I believe in was present—present in a pair of shoes and socks from Asda. The God that I believe in is not some puppet master presiding over good and evil in the universe; the God that I believe in walks with the poor.

The real reason for telling you that story is that I believe that there is a direct link in the chain of consequences that connects this place of government to that woman and her child and to the worker dedicated to her work at the Space. You see, I do not subscribe to the idea that people enter public life for self-aggrandisement. The people I know who give themselves to public life do so in order to make a difference and leave the world a better place than they found it.

Today, I want you to know that, when you make the right decisions here about how priorities are

set, how money is spent and how the right resources find their way into the right places, somewhere way down the chain, a needy child gets a new pair of shoes and a mother starved of affection gets the chance to weep.

Topical Question Time

14:04

Scottish Parliament Election 2016 (Votes for 16 and 17-year-olds)

1. Bruce Crawford (Stirling) (SNP): To ask the Scottish Government what its position is on the comments in the recent House of Lords committee report regarding extending the franchise to 16 and 17-year-olds for the 2016 Scottish election. (S4T-00945)

The Deputy First Minister and Cabinet Secretary for Finance, Constitution and Economy (John Swinney): The Scottish Government does not accept the views expressed in the House of Lords committee report. Both Parliaments have been asked to consider the transfer to the Scottish Parliament of the power to lower the voting age, as recommended by the Smith commission. Section 30 of the Scotland Act 1998 is a tailor-made process for doing that. That process has been used many times, including to enable the Scottish Parliament to legislate to hold the referendum on independence last year.

The Scottish Government's proposal to extend the franchise to 16 and 17-year-olds in Scottish Parliament and local authority elections will be the subject of a bill that will be scrutinised in detail by the Scottish Parliament. Many of the points in the report will be considered as part of that process and need not affect the consideration of the order.

Bruce Crawford: Is the Deputy First Minister aware that the Devolution (Further Powers) Committee has now met more than 150 high school pupils from across Scotland and surveyed more than 1,000 online, and that the vast majority support voting rights at 16 for elections in Scotland? Does he agree that, before coming to its conclusion on voting rights for 16 and 17-year-olds, the House of Lords Select Committee on the Constitution should have engaged in a real and meaningful discussion with young people on this important matter, however remarkable that idea might be to it?

John Swinney: That would have been helpful. I think that the participation of 16 and 17-year-olds in the referendum, which the Scottish Parliament legislated for, is viewed across the board as one of the most successful elements of democratic participation that we have seen in many years in Scotland and one of the key democratic triumphs of the referendum campaign. I think that those of us who witnessed the engagement and enthusiasm of young people in exercising their democratic rights saw their value and impact on the process. Crucially, we all saw that young

people were able to express their views and contribute in a substantive way in the referendum process. The concerns and views that the House of Lords committee report expresses are therefore unfounded.

Mr Crawford made a point about the extensive engagement that the Devolution (Further Powers) Committee has undertaken. In a sense, that opens up the awareness and scrutiny of this important area of activity. I am glad that that engagement by the committee has had such a positive response.

Bruce Crawford: Does the Deputy First Minister further agree that it would be astonishing and deeply regrettable if the unelected House of Lords failed to agree to pass the draft order on Thursday, particularly given that the House of Commons agreed on the matter without a vote on 2 February and that all parties that are represented in the Scottish Parliament support the proposal to extend the franchise to 16 and 17-year-olds for elections to the Scottish Parliament?

John Swinney: There is something wholly absurd about an unelected house of Parliament trying to constrain the willingness of two democratically elected institutions—the House of Commons and the Scottish Parliament—to extend the franchise to 16 and 17-year-olds in our society. It would be equally absurd if a cohort of young people who were able to exercise their democratic responsibilities so effectively and fully in the referendum last September were denied the opportunity to participate in the 2016 Scottish Parliament and 2017 local authority elections.

For many young people, it will be very strange that they were able to participate in the referendum but will not be able to participate in the forthcoming United Kingdom general election. However, I democratically accept that that is an issue for the House of Commons and the House of Lords to determine. It would be absurd if two democratically elected institutions—the House of Commons and the Scottish Parliament—had their will thwarted on the matter. Therefore, I hope that the House of Lords will support the order on Thursday.

Jackie Baillie (Dumbarton) (Lab): We would always note the concerns of the House of Lords Select Committee on the Constitution, but it certainly does not bear out our experience in the referendum. I associate myself with the cabinet secretary's remarks about the participation of young people. It is important to recognise that voting for 16 to 18-year-olds was passed unanimously by the House of Commons. Labour is absolutely committed to extending the franchise, as are very many other members in the chamber.

Does the cabinet secretary agree with our proposals to abolish the House of Lords and

replace it with a senate of nations and regions to give Scotland a stronger voice in the United Kingdom?

John Swinney: I always endeavour to find points of agreement with Jackie Baillie. On some of this, she and I are as one. I very much agree on her point about the section 30 order. I appreciate the Labour Party's support on the order in this Parliament, notwithstanding the legitimate scrutiny that will be exercised when the bill is introduced, which is entirely the proper preserve of the Labour Party.

Jackie Baillie will be familiar with the fact that I am not a fan of the House of Lords. We would manage quite well without it. She and I will not agree on the question of future constitutional structures because, despite the disappointment of the referendum result last September, I remain committed to a unicameral Scottish Parliament managing the democratic affairs of an independent country.

The Presiding Officer: Jackie Baillie?

Jackie Baillie: Thank you, Presiding Officer, for an unexpected opportunity to ask a further question. Will some of the efforts that went into increasing the registration of 16 and 17-year-olds for the referendum be replicated for the Scottish Parliament elections? We can learn much from the good practice that extended across Scotland at that time.

John Swinney: That is a valid point. It is clear that, during the referendum process, young people had the opportunity to understand the issues that were involved. I saw those issues being taken forward very seriously by young people, with a tremendous amount of engagement. I watched a major debate that the now First Minister took part in with young people at the SSE Hydro. All that I can say about that debate is that I am glad that I was not on the panel. It was a courteous but demanding environment in which to participate. Any observer of the process would see that the young people did the country proud by how they contributed to the debate.

We must accept that voting by 16 and 17-year-olds is a new part of our democratic process. Therefore, we must ensure that young people are properly and dispassionately equipped for that process. The Government will consider seriously how those issues are progressed. Of course, that is a material point that Jackie Baillie will be free to advance during the consideration of the bill that follows the passage of the section 30 order.

Nigel Don (Angus North and Mearns) (SNP): Will the Deputy First Minister confirm that it is important that the House of Lords does not stick its oar in at this point, as any delay in making the order will seriously impact on our ability to

enfranchise 16 and 17-year-olds in time for the next Holyrood election?

John Swinney: Mr Don's point is absolutely correct: time is of the essence. The order must be approved by the Privy Council before the Westminster Parliament rises for the United Kingdom election. The Privy Council is meeting on 19 March, if memory serves me right, and if the order does not reach that meeting, it cannot come into force. If that happens, this Parliament's opportunity to legislate properly for the exercise of the voting functions and then to give adequate time for the necessary electoral registration arrangements to be made—those arrangements will not be straightforward and will need to be done carefully and effectively—will be lost. There is next to no time for the House of Lords to do anything other than respect the democratic will of this Parliament and the House of Commons.

Alex Johnstone (North East Scotland) (Con): I speak as one of the few members of the chamber who voted against the provision to give 16 and 17-year-olds a referendum vote. However, I have, by virtue of the referendum experience, changed my position on extending the franchise to them. Does the cabinet secretary agree that that expression of unity should send the clear message to anyone who is concerned about the process that there is unanimity in granting the franchise to 16 and 17-year-olds in future Scottish elections and that, although it is right to ask questions, it is wrong to stand in the way of that unanimity?

John Swinney: It is always a delight to see Mr Johnstone changing his mind about something. I just wonder what else we might, with our powers of persuasion, get him to change his mind about in future. Now that we know that Mr Johnstone has some room in his mind to consider alternative propositions, we shall try ever harder to persuade him of their merits.

I welcome Mr Johnstone's contribution. In all seriousness, it is welcome that the Conservative Party, which had reservations about the issue, has taken a different view based on evidence and experience. I compliment the Conservative Party for doing that. It adds to the weight of my argument that Parliament is as one on the question, across all political perspectives.

As I said in answer to Jackie Baillie, there will have to be a piece of legislation in this Parliament to put in place these arrangements. At that time, there will be ample opportunity for all manner of specific issues to be considered, and the Government will allocate the necessary time to ensure that that is the case. To get to that point, the order must be cleared by the Privy Council before the Westminster Parliament rises for the United Kingdom election. I hope that Mr

Johnstone's contribution will help to encourage that process this Thursday.

The Presiding Officer: That ends topical question time.

Legal Writings (Counterparts and Delivery) (Scotland) Bill: Stage 3

The Presiding Officer (Tricia Marwick): The next item of business is a debate on motion S4M-12381, in the name of Fergus Ewing, on the Legal Writings (Counterparts and Delivery) (Scotland) Bill. This is the first bill under our new rules, which allow certain Scottish Law Commission bills to be scrutinised by the Delegated Powers and Law Reform Committee at stages 1 and 2. I put on record my gratitude to the committee for the work that it has carried out on the bill and for its contribution to improving the Parliament's capacity to legislate. I expect further Law Commission bills to be considered in this way.

14:16

The Minister for Business, Energy and Tourism (Fergus Ewing): I echo you, Presiding Officer, in acknowledging that the bill is the first to have been considered under the new Scottish Law Commission procedure, so we are creating a piece of history today, albeit one that I suspect will appear in the minor footnotes rather than the front pages or forewords. Nonetheless, we must recognise that it is an important new development of our parliamentary procedure, and I am extremely grateful to the Scottish Law Commission for its work in providing us with the legislation.

I thank the Delegated Powers and Law Reform Committee for its detailed consideration of and support for the bill, and I thank other members of the Parliament, academics and those in the legal and business community who have expressed their support for the bill. I hope and expect that the new process, which we see coming to its conclusion in respect of the first bill today, will go some way towards increasing the implementation rate of commission reports. The late Donald Dewar often alluded to that in saying that, prior to the inception of devolution, Scotland was the only country in the world to have its own legal system but lack a legislature.

These views are widely shared across the parliamentary spectrum, and in the passage of the bill we have seen the process working well. I was particularly impressed with the way in which the committee took on its new role, so I look forward to successive commission bills being considered in this way. To use a non-parliamentary expression, bring them on.

I thank the Scottish Law Commission for the sterling work that it has done in producing a report that has met with widespread support. It makes the task of legislators much easier when the thoroughness and diligence of the commission results in a report that commands such

widespread support, which has continued throughout the bill's passage.

Although the bill is small and modest, it is an important piece of legislation that addresses the current uncertainty as to, first, whether execution in counterpart is competent under Scots law and, secondly, whether Scots law permits legal delivery of a paper document by electronic means.

The bill does two main things. First, it makes specific provision to enable documents to be executed in counterpart. The bill will put it beyond any doubt that that is permissible in Scots law, which there is currently great uncertainty about. The committee recognised that the uncertainty as to whether execution in counterpart is competent under Scots law appears to have led to a drift away from transactions being concluded under Scots law, with parties instead opting to conclude under the law of a different jurisdiction—for example, English law—in which execution in counterpart is recognised.

When Scots law is not used, that might have the knock-on effect of any consequential litigation not being in Scotland. A key aim of the bill is to address that drift. We want legal work to be undertaken in Scotland, in so far as that is possible, and we do not wish the law itself to be a reason why such enterprise should be conducted elsewhere. The bill will give the legal profession and the business interests that it represents the necessary confidence to use Scots law for transactions in which execution of a document in counterpart is part of the process.

Secondly, the bill provides for the facility to deliver—in the legal sense—traditional documents electronically. There are conflicting authorities on whether a paper document may be legally delivered by its electronic transmission to the grantee or to a third party such as a solicitor or agent for the grantee. The bill resolves that uncertainty so that any document that is created on paper may become legally effective by being delivered by electronic means such as email or fax.

I was heartened by the unanimous support for the bill's general principles from the committee and from all the members who took part in the stage 1 debate. Given the bill's permissive nature, it is not easy to quantify how significant its benefits will be, but it is clear that all participants in the process agree that it is capable of delivering benefits.

For example, Margaret Mitchell pointed to the positive impact that the bill would have on Scots law by helping to ensure that individuals and businesses that seek to undertake transactions in Scotland do not experience obstacles or delay. Jenny Marra commended the provisions on

delivery by electronic means, which she saw as increasing efficiency and flexibility.

I believe that the most obvious benefit of the bill relates to transactions in which Scots law is the obvious choice to govern the transaction but is not used because of doubt over the legality of executing a document in counterpart. The bill will mean that parties will have the confidence to use Scots law.

The bill creates a helpful framework for a variety of transactions, including transactions involving parties in remote rural or island areas, where distance makes meetings more of an issue. A clear strength of the bill is that it provides a flexible and light-touch framework. I am sure that it will initially be used mainly by practitioners and their business clients for commercial transactions, but I share the view of one stage 1 witness that, by enabling parties to be more comfortable with the use of Scots law, it creates the potential for innovation to flow from that in the future.

I am grateful to all who gave evidence in writing and orally to the committee. In that evidence, suggestions were made that were worthy of our detailed consideration. We considered them thoroughly and concluded that the bill as introduced was fit for purpose and capable of achieving our policy aim. I take further comfort from the fact that the bill will have completed its parliamentary passage without any amendment; I do not know whether that, too, represents a new chapter in the history of our parliamentary proceedings.

The bill is a compact but vital piece of legislation that will provide certainty in relation to execution in counterpart and electronic delivery of traditional documents in Scots law. We are confident that it will meet a clear and pressing demand from those who are likely to be affected by it and, in my view, its value in bringing clarity, flexibility and certainty to the law cannot be overstated. I hope that future Scottish Law Commission bills that are selected for this process meet with the same level of consensus and success.

It is my duty and pleasure to move the motion. I move,

That the Parliament agrees that the Legal Writings (Counterparts and Delivery) (Scotland) Bill be passed.

The Presiding Officer: Thank you, minister. In relation to your question about whether this is the first bill to have had no amendments, I confess that I do not know, but I suspect that it is not. I can think of a couple of candidates, but I will check and will try to answer the question by the end of today's meeting.

I point out to all members that throughout this afternoon we have some time in hand so, if

members wish to take interventions or to expand on the very important points that I know that they have to make, I will be more than happy, as will the Deputy Presiding Officers, to allow them time to do so.

14:25

Lewis Macdonald (North East Scotland) (Lab): Thank you very much, Presiding Officer. It is notable that the bill is a departure, but on whether it is the first bill to remain unamended, I and others look forward with great interest to hearing from you, Presiding Officer, before the day is over.

As has been said, the Legal Writings (Counterparts and Delivery) (Scotland) Bill is perhaps not the stuff of legend and it may not even attract many newspaper column inches outwith the specialised press, but as the Presiding Officer and the minister have said, it is significant in its own way. It is the first bill to come through the new process led by the Delegated Powers and Law Reform Committee. I, too, thank the committee for its diligence in that matter.

The new process reflects our shared experience as a Parliament; it is a timely innovation, as the powers and responsibilities of the Scottish Parliament are set to increase substantially in the period ahead. The bill is also in itself a modernising statute in that it seeks to bring the law up to date in the electronic age. The ways in which individuals and companies do business are changing and will continue to change, so it is important that our legal system keeps up with that process.

The case for devolution over the past 40 years has been based on many arguments, both great and small. Since 1999, this Parliament has initiated major changes in social policy, but at the same time we have also made small but important adjustments to statute in order to reflect changes that have been made elsewhere. However, the need to adapt Scots law to reflect change in the modern world has been recognised for even longer; it is now 50 years since the Scottish Law Commission was established to keep the Scottish legal system under review.

Mr Ewing referred to the late Donald Dewar; for Scots lawyers like him and John Smith the process of continuously updating Scots law was an important one, and the Scottish Law Commission was therefore seen as a very valuable institution. The United Kingdom Parliament, in their view, lacked the capacity to deliver in a timely and efficient manner all the reforms of Scots law that would be required. With the best will in the world, the parliamentary time

that is available at that Parliament was simply never going to be enough.

Devolution was, of course, promoted for much wider reasons, but a devolved Scottish Parliament has had the additional benefit of offering a way around delays in enacting law reforms on which everyone was agreed. It is fair to say that this devolved Parliament has taken a little time to work out the best way to deliver that objective, but there is no need to apologise for that. This is, after all, a maturing institution. We have from the beginning passed legislation to clarify the law: for example, to conform to European human rights legislation, which is fundamental to the constitution of the Scottish Parliament and the founding act of Parliament that created it. However, we are now moving on to a new phase, and I think that the committee's focus on law reform will prove useful to both the Parliament and the legal profession, while the whole Parliament remains responsible—as it is today—for the final outcome.

The substance of the bill is also welcome. We live in an age of electronic communication and in an age of ever more rapid technological change. The Scottish Law Commission has rightly identified areas of uncertainty in the application of Scots law to contractual arrangements in this electronic age, and has produced measures to resolve those. This is what the bill is all about: it is about making clear the terms on which signatures of counterpart documents can form a single agreement, and how delivery by electronic means can have the same effect as delivery of a physical document.

As the minister said, there has been little dissent from the terms of the bill, other than through increased clarity being sought. That consensus in support will doubtless be reflected in our debate today.

It is important to recognise that the agreement that is represented by the bill applies to the current position; it would be a mistake to assume that passing the law will be enough to address the impact of technological change on the terms of Scots law. It will do for now, but it is certainly an area that the Delegated Powers and Law Reform Committee and the Parliament will have to revisit before too long. The nature and pace of technological change are such that we will be back here to repeat the process in order to meet the next challenge—whatever it may prove to be—that renders uncertain the existing status of legal rules and procedures.

Even as members of this very young Parliament, we have seen quite dramatic change since the first election in 1999. Those of us who were members at the outset were rightly pleased that the Parliament was ahead of the game in enabling us to communicate by email to respond

quickly to our constituents and to access information from across the Parliament and beyond. However, the scope of electronic networking has grown dramatically since then, and although the Scottish Parliament was trailblazing in its adoption of new technology compared with older parliamentary institutions, we have had to work hard to stay in touch with the people we represent.

For young people under 30, the internet is not just another tool, but is part of the definition of how we live; the internet is as much an accepted part of ordinary life as phones and aviation were a generation ago. If that means that constant change and adaptation are required in Parliament, the same is true for business, both in Scotland and further afield. Marketing is increasingly done online; contracts—thanks to the bill—will go the same way; and the whole idea of how people do business will come to reflect the virtual environment in which we all live and work.

The bill is useful, not because it will bring businesses flocking to these shores, but because it will ensure that Scotland and Scots law do not get left behind. The process of law reform as it is exemplified by today's debate does not give Scotland a novel competitive advantage, but ensures that we are not at a disadvantage and that our Parliament delivers on one of the purposes of devolution.

The focus of Scots law must continue to be on the justice system to ensure that our courts are first and foremost about delivering justice for the people of Scotland. The bill can help to ensure that we also have a legal system that is modern, up to date and fit for purpose, and that our courts can settle business disputes effectively and efficiently and can therefore support Scottish business and the economy.

On that basis, I am pleased to welcome the bill and to offer the support of the Labour Party.

14:32

Annabel Goldie (West Scotland) (Con): Insomniacs might regard the bill as the equivalent of Mogadon, but to former lawyers such as the minister and myself, it is beyond fascination, because the substance of the bill is important.

I, too, echo the tributes that have been paid to the Scottish Law Commission and the Delegated Powers and Law Reform Committee, both of which have performed important functions in getting the bill to its current legislative state.

As we have heard, the bill seeks to improve the way in which legal documents are signed and brought into legal effect under Scots law. It is true that there is currently a great deal of uncertainty

among legal practitioners as to whether documents can be executed in counterpart. Sources from the 18th century indicate that it is an acceptable practice, but that is not widely recognised within the legal profession and so in Scotland signing ceremonies, or round robins, of one document have long been the practice for executing documents. However, for multijurisdictional transactions, which are now commonplace in the commercial world, that can prove to be costly and inefficient. It is the case that parties to contracts have often opted instead to use English law or even New York law instead—both of which permit execution by counterpart. That is not a positive place for Scots law to be, so the desire to reform this area of contract law is understandable.

Although I am unconvinced that the bill will give Scots law a so-called competitive advantage, as the stage 1 report highlights, it will put Scotland in a more equitable position with other jurisdictions, as Mr Macdonald suggested.

However, I want to sound a couple of cautionary notes as the bill concludes its passage through Parliament this afternoon. The first is that section 1(4) provides that the single executed document may be made up of all the counterparts or might comprise one entire counterpart, together with the pages on which the different signatures have been subscribed. That may have practical advantages, but if the document is registered in the books of council and session, that means that the remaining counterparts will potentially be lost. That practice has implications if, at some point in the future, a solicitor wants to check the additional counterparts for inaccuracies or inconsistencies, or if it is suspected that there has been a fraud. Indeed, the policy memorandum underscores the importance in practice of preserving documents where the transaction involves “loans or leases of land.” However, under the new regime, the paper trail would not provide a complete picture.

The Faculty of Advocates gave evidence to the committee on that point. It expressed concern that execution in counterpart could lead to different parties signing different versions of a document, either through error or fraud. Robert Howie QC explained:

“If one permits execution by the exchange of the back pages of a contract, each signed by a particular party, plus the front page, it is all too easy for the rogue or fraudster to amend the critical stuff in the middle of the sandwich.”—*[Official Report, Delegated Powers and Law Reform Committee, 30 September 2014; c 22.]*

However, the faculty was in the minority in that view and was unable to provide quantifiable evidence in support of its concerns.

Graeme Pearson (South Scotland) (Lab): I presume that Miss Goldie would acknowledge that

the public will expect the Faculty of Advocates, as professionals, to give a high level of attention to the need to administer documents thoroughly in order to ensure that the kind of difficulties to which Miss Goldie alluded will be prevented on as many occasions as possible.

Annabel Goldie: I imagine that, in practice, it is more likely to be practising solicitors than advocates who will deal with the transmission of the documents and the advice to clients on executing them. I will come to that in a moment—it is a point well made.

The minister was perhaps not convinced of the need to lodge amendments at stage 2 to provide additional safeguards. I have some sympathy with that view; I understand that the risk of fraud and error is not new. However, even though the faculty's concerns were ultimately dismissed, it is my view that it put forward valid concerns.

The obligation to register a document in the books of council and session is not mandatory. To come to Mr Pearson's point, there is an imperative on the Law Society of Scotland to issue practice guidance notes to practitioners to ensure that there is retained physical evidence of to what signatories believe they are putting their names.

Nigel Don (Angus North and Mearns) (SNP): Will Annabel Goldie take an intervention?

Annabel Goldie: I am into my last minute, Mr Don, so I will just proceed—

The Presiding Officer: I can give you a bit more time, if you wish.

Annabel Goldie: Presiding Officer, how can I refuse?

Nigel Don: I am grateful, Presiding Officer, and I thank the member for taking the intervention.

As I heard the evidence to the DPLR Committee, there was essentially a recognition that if we allowed two different documents—because that is what counterparts are—we would open up the box to their being different. We could do it no other way. Therefore the member has probably reached the right point by saying that the professionals involved need to ensure that the two, or multiple, copies are available for inspection later. That is the best evidence that we have. However, there is no alternative to having execution in counterpart other than having several copies, which could be different.

Annabel Goldie: The dilemma is how we, as a legislature, strike that balance. To be fair, there is a genuine attempt to do that. I have proffered my view of what the professional body that is responsible for solicitors in Scotland might think of doing; it has a useful role in that respect.

I would also be minded strongly to urge Parliament to commit to undertake post-legislative scrutiny of the bill once its provisions are implemented. Scotland is a small country and the legal profession is fairly contained. I do not think that it would be difficult to secure evidence and find out how the bill is working in practice.

Those are what I described as cautionary concerns. The bill received cross-party support at stage 1 and no amendments were lodged at stage 2. It is broadly non-contentious. I can confirm that the Legal Writings (Counterparts and Delivery) (Scotland) Bill has the support of the Scottish Conservatives today.

14:39

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): My experience says that this is a real issue and it is not a particularly new issue. On one occasion, 25 years ago, I had to fly from Vienna to San Francisco so that a contract could be signed. I had a very nice dinner with a director at Bank of America, who was the other party to the contract, I had a good night's sleep, and then I got a taxi back to the airport and flew to Glasgow. I spent a total of 14 hours in San Francisco and for most of that time I was sleeping. Anything that helps us to address such situations—which, frankly, are a waste of time and money—has to be good news.

Quite reasonably, Annabel Goldie raised the issue that, potentially, different versions of a document could be signed in the belief that they were the same version. One issue that I pursued in the committee at stage 1 of the bill—with the Faculty of Advocates and with others—is harnessing the power of mathematics and of electronics to inhibit that particular possibility. It is perfectly possible, with a public algorithm and a public key, to derive a hash that represents uniquely a particular document. A single dot, comma or letter being changed in the document would result in a different key, so even if there were multiple copies, it would be possible to know whether those multiple copies were identical by the application of appropriate technology.

The bill does not provide for that option but it formed part of the consideration of the bill and I hope that, at some future date, we will be able to return to that subject and enable and require that procedure to be used.

Mike MacKenzie (Highlands and Islands) (SNP): I seem to recollect that a similar mechanism was used by Mary Queen of Scots, yet some of her letters were intercepted, which ultimately led to her demise. Would the member care to comment on how effective that mechanism may be in reality?

The Presiding Officer: Mr Stevenson, can we keep to the topic of legal writings?

Stewart Stevenson: I was referring, of course, to some of the stage 1 discussions. I will simply say that of course we should consider the decryption work of George Scovell, who worked for Wellington and broke the codes of Napoleon. That is a much more significant thing. However, that is beyond the scope of the debate and perhaps cannot be fitted in, even in a generous six minutes.

The real point that came up and which we put to witnesses at stage 1 was whether we should create the electronic infrastructure in Scotland so that a single copy can be held in one place and signing can be done electronically from dispersed geographic positions. There was some acceptance by witnesses that that was a good idea, but it was an idea that they would like to be the second jurisdiction to implement rather than the first. However, there comes a time when we have to be bold and perhaps take up that option.

Sometimes we have to take such things for granted if we cannot understand some of the mathematics that make them possible; in mathematics, there are P problems and NP problems. In essence, the NP problems are the ones that cannot be solved and the encryptions that we use these days are of that character.

The Faculty of Advocates and others in the legal profession are, not unreasonably, intensely conservative in their approach. They want to move in small steps, test, confirm that things work and provide the necessary security. However, the danger with the process that the Law Commission undertakes—it involves a rigorous examination before fully developed proposals are brought to Parliament, which is extremely helpful—is that all the contentious and difficult bits have been removed from the proposals, so we end up with something that is the lowest common denominator, to some extent.

Although the bill levels the playing field for Scotland and enables us to stand shoulder to shoulder with jurisdictions that allow counterpart operations, it does not take us ahead of the pack. The witnesses agreed that there was scope for returning to the issue in the future.

We must be confident, if we decide to hold contracts in a central database, that a document's confidentiality will be protected. That raises a difficult issue for Governments of whatever complexion, and wherever they may be based. Governments naturally have a difficulty with absolutely secure secrecy of information, conversations and communication, but in this case we will not get commercial adoption unless that assurance is present.

We will need to return to looking at how—as the committee heard in evidence sessions—we can provide absolute security in a legal framework that places such onerous responsibilities on those who use that kind of unbreakable encryption and security to respond to legal requests for access. That has been done before—it is not particularly new—and we need to return to the subject.

In appearing before the committee, lawyers showed that they were willing to listen to the arguments but would proceed slowly. Indeed, it was 25 years ago that I was invited by the Faculty of Advocates to talk to its members about whether it could introduce a secure email system. They listened politely, but decided that they would not do so.

Lewis Macdonald spoke about the new generation, and how people under 30 view the electronic world. It is 35 years since I sent my first email, so some things have been around for an awful long time. We need to think about how rapidly things move on.

My grandfather was born when Abraham Lincoln was President; my father was conceived before the Wright brothers flew; and I was 11 years old when the first transatlantic telephone cable came into operation. Every life takes us forward, and we may have to speed things up a wee bit in the legal world to ensure that we keep up with the pack and that we can draw new business to Scotland rather than simply protect the business that we have.

The bill is an excellent piece of legislation, and I am sure that all members of the committee very much welcome the gracious comments with which the Presiding Officer opened the debate. I look forward to hearing what our committee convener has to say if he is called to speak; I see that his button is pressed. I am happy to support the bill, and I hope that the Delegated Powers and Law Reform Committee gets many more opportunities to engage in the overwhelming excitement that is legislation in the Scottish Parliament.

14:47

Margaret McCulloch (Central Scotland) (Lab): I want to reflect briefly on when we last voted on the bill at stage 1, and on the scrutiny of the bill that we have undertaken in committee. As members will be aware, the then Subordinate Legislation Committee's remit was extended in 2013 and, as the Delegated Powers and Law Reform Committee, we scrutinise not only subordinate legislation and the delegation of powers, but Scottish Law Commission bills of the kind that we are debating today. Indeed, this is the first time that a recommendation of the Scottish

Law Commission has been brought to the Parliament under the new arrangements.

The bill that Parliament is asked to consider has already been passed unopposed and unamended at stage 1 and stage 2, as has been mentioned, and I see no reason for Parliament to reject it at stage 3. I believe not only that the general principles of the bill are sound, but that—as I will explain—there is a demonstrable need to modernise our contract law in Scotland. The bill proposes to clarify how a document can be executed in counterpart, and it will expressly permit the delivery of paper legal documents electronically.

In supporting the bill, I hope that Parliament can give clarity on key concepts in Scots law and practice; reflect changes in technology and business practice; and make a wider contribution to the Scottish economy. The Scottish Law Commission has, in its work, highlighted the need for the bill and demonstrated that there is support for reform across the legal, academic and business communities.

The Scottish Law Commission identified two problems with commercial and contract law in Scotland that the bill could address. The commission highlighted the need for clarity in respect of counterparts, because it is not certain that a legal document can be brought into effect if it is signed in counterpart. The commission also called for clarity in respect of the law on delivery, because it is not clear whether a paper contract can be said to have been delivered if it is sent and received electronically. The commission's view is that the law as it stands is not fit for purpose. The letter of the law in Scotland is out of step with contract law in neighbouring jurisdictions and with common legal and business practice.

The committee heard evidence that businesses in Scotland sometimes choose to use English rather than Scots law to govern agreements because counterparts are permitted south of the border. That disincentive to use Scots law is compounded by the legal uncertainty over methods of delivery, and it could harm our economic competitiveness. By allowing the use of counterpart signatures as an option to execute a contract and by allowing contracts to be delivered electronically, we could help businesses to make savings on time, travel and accommodation.

As I said in the stage 1 debate, only a limited number of people in a business are authorised to sign legal documents on behalf of the company and the law here currently requires more of them than is required of their counterparts elsewhere. The bill is an opportunity to remove a disincentive to conducting business in Scots law and to make it easier for parties to enter into commercial contracts and transactions. With some small but

significant changes, we can bring contract law up to date and make it fit for purpose. For that reason, I will support the bill.

14:51

Nigel Don (Angus North and Mearns) (SNP):

This is an interesting point to have reached, partly because, as many members have mentioned, this is the first bill that has been dealt with by the Delegated Powers and Law Reform Committee, and partly because there is relatively little in the bill. Even speaking third among the back benchers, I find myself with nothing much left to say about the substance of the bill. However, that is actually no bad thing, because I would like to consider the process of getting to where we are.

I thank my colleagues on the committee for their diligence and their careful consideration of the bill. There were one or two moments when we wondered just what we were doing next, because we had not gone through the process before. For example, we wondered how to handle the process when there are no amendments at stage 2. The minister still had to turn up and we read through the section numbers. However, we have got there, and it has been an interesting experience.

As members have said, Parliament has historically never found enough time for the repair and maintenance of Scottish law. We now have the opportunity to do that. We have done it on some occasions, even within my time. I recall in the previous session the Sexual Offences (Scotland) Bill, which came to the Justice Committee from the Scottish Law Commission. Bill Butler brought us a member's bill on damages that came from the Scottish Law Commission, and we had the Long Leases (Scotland) Bill, which we started in session 3 but which I think was finished in session 4—that was another one that came from the commission. We have managed to do some of that work, but there was a general recognition that it had not been going fast enough and that we needed to find another way of operating.

In the second session of Parliament, we had two justice committees, but I have not found anybody who thought that that was a good way forward or anyone who wants to go back to that. However, given that the legal system is firmly within the Justice Committee's remit and that we know—I know it very well, because I sat on the committee for all of the previous session—that the Justice Committee has a large number of things to do, the Parliament has a bit of a problem in moving all the stuff through.

The current idea was considered in session 3, but it really came to a head only in this session. I well recall an invitation from Roderick Campbell to

a meeting on 15 June 2011—you may recall it, too, Presiding Officer—at which the Scottish Law Commission gave one of its periodic presentations to us. Christine Grahame, the Justice Committee convener, and Bruce Crawford, the then Cabinet Secretary for Parliamentary Business and Government Strategy, were there. That was the start of the process because, at the meeting, we said that officials ought to go away and consider whether we should change standing orders. That was the date on which the process that we are just completing started.

I also pay tribute to the many officials under your jurisdiction, Presiding Officer, who thought through how we could change the standing orders and brought forward workable standing orders that we have used. I really am pleased; those officials have to do that work, and they did it diligently and effectively. That is where we started from.

The bill that we have before us fits the standing order requirements. There is a wide degree of consensus among key stakeholders about the need for reform and the approach recommended, which of course has been demonstrated by the fact that there are no amendments. The Scottish Law Commission did its consultation so well that the Government found no need to consult, and I have to say that when the committee consulted in the normal way we did not bring up very much that had not been said before.

Where should we be going? That is what I would like to address over the next couple of minutes. We know that we need to keep Scots law up to date. As Lewis Macdonald and others have pointed out, modern practice is changing, not just in commerce but in the way that we do business. Only the other day I was looking at some pension funds that I could have accessed online, set up online, paid into online and from which, in due course, I could have received payments online. Some of our quite complicated legal transactions are now being conducted online and we need to ensure that we have a legal system in which the inevitable errors and faults can be negotiated.

Not only do we live in the time of the internet but, as a result of that, we have multinational interactions in our normal, everyday lives. We also have, I would suggest, more multicultural families—more families that are the result of partnerships across nations, because we can now physically move around so much more.

Given that that is the environment in which we have to legislate, in which we are trying to operate and in which we must make Scots law workable, I suggest that we will need to do more of the kind of thing that we have done. We are both well aware, Presiding Officer, that a small bill on succession has been proposed, which will be the next bill for my committee. I am sure that both you and the

Government will ensure that it fits the criteria as they currently stand and I have no doubt that you will do that faithfully. However, having read the consultation on how we might amend succession law, I have to say that finding things that are non-contentious will be rather more difficult than it has been with this bill. I therefore suggest to you, Presiding Officer, and the chamber that we need to start thinking about whether there should be a wider remit for my committee or any other; I would not want to say what the process should be. We need to ensure that we can look after the repair and maintenance of Scots law—in particular, perhaps, private law—without it having to go through the Justice Committee, for all the reasons that we now well understand.

I commend the bill to Parliament and I thank my colleagues for their diligence in the work that has been done.

14:57

Annabel Goldie: It is evident from the tenor of today's debate that the bill has cross-party support, and I restate my party's support for it. It is fair to say that members have focused largely on the advantages of the reforms in the bill. That is wise, because there has been considerable doubt as to whether documents can be executed in counterpart under Scots law, and the bill provides the necessary clarification for legal practitioners.

I acknowledge the need to adapt and change our centuries-old legal system to meet the exigencies of the modern age. I am pleased that Scottish businesses will no longer be deterred by the impracticalities of the signing ceremony or the round-robin process that has been the hallmark of getting deeds executed to date.

Many members—including Lewis Macdonald, Stewart Stevenson and Margaret McCulloch—recognised that the increased speed of transactions and potential savings in travel and accommodation costs will no doubt benefit the business community, and that is to be welcomed. However, I reiterate that the issue of safeguards remains. In his opening speech in the stage 1 debate last year, the minister emphasised that

“the approach has been to ensure that the legislation is permissive and as flexible as possible.”—[*Official Report*, 25 November 2014; c 36.]

I fully accept that that is a well-intentioned approach, but I am a little anxious that the new arrangements could facilitate fraud or, more conceivably, error. As I said in my opening speech, I realise that those are both possibilities under existing arrangements and I understand that execution in counterpart is an optional process, but most practitioners and their clients will opt to adopt what is proposed in the bill.

As parliamentarians, we have to guard against even theoretical or notional risks. Although the committee and the stage 1 witnesses were satisfied that such risks were negligible, and I respect their conclusions, I do not fully agree with that assessment.

On the potential for fraud and error, Stewart Stevenson made a characteristically interesting observation about the role of mathematics and electronics. I would comment in more detail on that, but I am not sure that I understood it all. However, I understood Mike MacKenzie's colourful addendum to Mr Stevenson's speech about the potentially terminal consequences of overreliance on such techniques.

I again urge the Parliament to seriously consider post-legislative scrutiny of the bill at some appropriate point in the future to ensure that, if any loopholes have emerged, we can deal with them. I also reiterate that the Law Society of Scotland should issue to practitioners practice guidance notes to ensure that signatories know what they are signing and that the agreed signed version or a copy is retained in a physical form, whether that is a PDF file or a paper copy.

Mike MacKenzie: Does Annabel Goldie agree that contract documents often consist of huge piles of paper, with a cover sheet that is signed by both parties, and that, in principle, there is nothing to prevent fraudulent or accidental substitution of some of the meat or filling in the sandwich, even under current procedures?

Annabel Goldie: I accept that, and I think that most practitioners or people signing such contracts will be absolutely clear that they want to know what the document is and what they are signing. The bill makes clear a mechanism for ensuring that that can be done. However, the point is that people can in good faith negotiate a contract and reach an agreed position that they distil into the final version of the contract document, then get a signing copy of the document and a page to execute, and then return the executed page, only to find that, through mere error, that page has been appended to an earlier version of the contract. That mistake could happen simply because we are departing from physically attaching the signature to the thing.

I am not disagreeing for a moment with the proposition that we need to modernise procedure and, as I have said, I welcome the bill. However, I point out that this is a fairly major departure from what has happened in the past, and there is a potential for difficulty. All that I want to be sure about is that we try to minimise that. The Law Society has a role to play in that mitigation, as does the Scottish Parliament.

15:02

Graeme Pearson (South Scotland) (Lab): As someone who is not a member of the Delegated Powers and Law Reform Committee, I am grateful for the opportunity to wind up the debate on Scottish Labour's behalf. I am sure that there will be those in the public gallery and watching us on television who are in awe at Annabel Goldie's obvious excitement about and gushing enthusiasm for analysing the detail of the bill, which is mirrored by Fergus Ewing's obvious delight in introducing the details of the bill in the Parliament today. I am wide-eyed at Nigel Don's description of our debate as arriving at a very interesting conclusion.

However, to put aside those observations, although the issue that we are dealing with is in truth not the most pressing issue for the Scottish public, the details of what we discuss in relation to the bill will be critical to members of the public at key times in their lives.

Nigel Don: The member has made the most important point, which is that this is all about how the legal system works. The public do not care about or want to know how the system works, but they want a system that works. Our job is to ensure that that system is good and effective.

Graeme Pearson: I am grateful to Nigel Don for that observation. It gives me comfort to know that I have made a point in the chamber that someone found relevant.

A point was made about whether our modern approach to signing documents in an electronic form adds complication and difficulty to knowing how the documents have been compiled. In that context, I observe that such difficulties perhaps pertain to the generation to which one belongs. There is no doubt that our younger generation of legal minds might well find it far easier to collect material electronically and do so correctly and accurately than to collate paper in the way that we have done throughout our working lives.

Stewart Stevenson: I am with the member in what he is saying. However, I have been party to a 3,500-page contract. It is unlikely that that would be in the front of any single mind, yet a single signature is needed. Whatever system we have, there are practical difficulties that do not get us away from the need for trust and oversight of those whom we trust.

Graeme Pearson: I agree completely. I merely remember that in a previous life I was responsible for creating documents that thousands of people had to refer to in undertaking their duties. When those documents were typewritten, any amendments to individual pages resulted in a complete reassessment of every page thereafter to ensure accuracy. As the member suggested, once the electronic age came along, any changes

were brought to the author's attention electronically and one could see whether any amendments had been made to a document, who made them, at what time and on what date. That is enormously valuable to those who might sign off a document, who know that its authenticity can be relied on.

I am grateful to the Delegated Powers and Law Reform Committee for the work that it has done on the bill. It is a novel piece of work that shows that the Parliament's system can operate and can deliver a number of practical outcomes that the public will overlook but will no doubt find valuable in times ahead.

I had to access civil law recently, and it took six months to process the paperwork and transact a piece of business in a relatively innocuous set of circumstances. If that time and frustration can be avoided by the use of electronic communication, that only speaks well for the law and for the way in which business can be transacted in Scotland in the 21st century.

The proposal in the bill will make Scots law more attractive to its users. It simplifies what has until now been a relatively complex process in terms of the handling of paper, never mind the content of the paper. One might say that it introduces an element of the 21st century into our Scots civil law process.

There might be some lessons to be learned on the criminal justice side. A similar process pertains to the handling and signature of warrants. The time that it takes to obtain warrants for search, arrest or the interception of communications is an issue across Scotland. I would like to think that those on the criminal side will look at what has happened to see what lessons can be learned.

The Delegated Powers and Law Reform Committee has provided a valuable service. It has modernised Scots law to some extent and has made it more relevant. We should acknowledge the Scottish Law Commission's role in producing legislation whose time has obviously come, in that it has passed so easily through the Parliament, with due scrutiny and examination.

Miss Goldie made a very important point about reviewing the operation of this new practice, particularly in relation to the threat of fraud or incompetent handling. That review will tell us whether, regardless of the ease with which the bill is being passed, the bill is effective and efficient in its outcome. One hopes that the electronic transfer of signatures will be deemed to be a door opening to Scots law becoming attractive internationally and that, in due course, people will wonder what all the fuss was about.

15:10

Fergus Ewing: I thank all the members who contributed to the stage 3 debate on the Legal Writings (Counterparts and Delivery) (Scotland) Bill. I will address some of the points that were made in the debate. First, on when we intend to bring the legislation into force, the answer is as soon as possible. On the assumption that the bill is passed today, we hope to commence the substantive provisions about three months from now.

Mr Don raised the question of future bills adopting the new procedure, and he informed the Parliament that it is under contemplation that the second bill under the new procedure will be the succession bill, which I understand is expected to be referred to the Delegated Powers and Law Reform Committee when it is introduced in June 2015, subject to its meeting the necessary criteria for referral. Mr Don touched on that.

He also raised issues about the procedure adopted here and how it will be applied. That is not for me, so I will not go into that. However, I can say that the Scottish Government echoes the sentiment that he expressed and which I think underlay his criticism, which is that we require to have a process for the repair and maintenance of Scots law. That was a prudent comment and one on which it may be sensible to ponder further.

I turn to some of the substantive comments that were made on the bill both at stage 1 and here this afternoon. Annabel Goldie, in an extremely useful speech, for which I am grateful, raised and postulated a number of questions, most but perhaps not all of which were raised in the committee, some by the Faculty of Advocates, some by other members of the legal profession and others by her colleague John Scott. The first relates to fraud and error.

Fraud is something that MSPs and Parliaments cannot stamp out. It occurs. Sadly, it is part of life as we know it, and I suspect that it always will be, no matter what law is passed. However, my experience—and my belief—is that, in Scotland, fraud is rare and honesty is the norm. If that analysis is correct, it is something for which we should be extraordinarily grateful and something that we should cherish and foster as a society. However, we cannot rule out fraud.

I do not believe that anything in the bill increases the possibility of fraud. It may be argued that those who will have recourse to using the benefits of the bill, if one likes to put it in that way, will mostly be in the legal profession, advising businesses in the execution of what may well be highly complex documents. Mr Stevenson referred to his experience of one document having 3,500 pages, and many contractual documents have to

be executed by tens or twenties of parties, or even more. Lawyers will tend to be involved, and I think it is reasonable to say, without putting lawyers on a higher plane of honesty relative to the rest of the populace—

Members: Hear, hear.

Fergus Ewing: I am pleased to hear that there is general assent to that proposition about the honesty of lawyers. It is perhaps not something that one hears every day. Nonetheless, that seems to indicate that if there is a difficulty, it will not be fraud. Any difficulties that parties have with contracts may well relate instead to their content.

As soon as Scots law permitted documents to be valid without their requiring to be executed on every page, that could be said to have increased the propensity for fraud to be effectively accomplished. I believe it is the case, although I am certainly no expert, that until relatively recently—as recently as the early 1970s, or maybe even more recently than that—some documents, including wills, required to be signed on every page.

Of course, there is a particular reason for documents to be signed on every page, but are we really saying that, in Mr Stevenson's example of a contract with 3,500 pages or, perhaps, four or five pages with several annexes, we should impose on society a legal system in which every page requires to be signed? It is plain that that would not be a sensible way to proceed, so we have moved away from it.

As soon as we move away from that approach, however, there is—in theory, at least—the propensity for fraud. I was able to demonstrate one example of such a fraud that has taken place. It is not a private matter but one that has come into the public realm and has been raised with ministers. It is the case of Brebner, in which the first page of a disposition was fraudulently replaced with another, which resulted in an enormous difficulty.

I accept that fraud occurs, but I believe that the circumstances in which the bill will be used will tend to minimise it. I should also say that a party is not bound by a document that they have signed as a result of a fraud. Somebody who is elderly might have been induced to sign a document against his or her will. If that happens as a result of fraud, the contract will be void. Similarly, if my signature is defrauded by somebody else, the contract will be void, not valid. Therefore, the law provides protections against fraud.

Error is more likely than fraud. I think that the witness from the Faculty of Advocates said so as well. The parties will simply not have validly executed in counterpart if they inadvertently sign

different versions of a document, because the bill relates only to documents that are

“executed in two or more duplicate, interchangeable, parts”.

If the parties have signed different documents, its provisions do not apply.

I see that, all too soon, I am running out of time. I had meant to carry on for quite some time and comment on Mr Stevenson's remarks. He managed to bring in references to Napoleon, Mary Queen of Scots and the Wright brothers. How he did that, I am not quite sure but, nonetheless, his speech was of occasional tangential relevance.

Ms Goldie's speech was, by contrast, an example of painstaking forensic analysis of the highest quality, as we have come to expect over several years. I must bow to her superior research, because I have not looked at the 18th century precedent. The shame of it.

That notwithstanding, it is my pleasure to thank everybody involved in the bill who has been thanked already and another group that has not been mentioned: the officials who have provided their support to me in an exemplary professional fashion.

To make a serious point, the officials made sure that the points that the Faculty of Advocates made were pursued. On 28 November, I undertook to ask the Faculty of Advocates whether it had anything else to say. We did not get a reply, so one can infer that the faculty was satisfied with the responses that I gave to the Parliament with the benefit of advice from the Scottish Government civil service.

A range of good points have been made. Some other ones have been made as well. I welcome the cross-party support for the bill. It will make a difference. It will help to save a great deal of time and, perhaps, a little bit of money and will make a modest but positive contribution to the legal profession and, perhaps, enterprise in our country.

I commend the bill to the Parliament.

Building Scotland's Infrastructure

The Deputy Presiding Officer (Elaine Smith):

The next item of business is a debate on motion S4M-12382, in the name of Keith Brown, on building Scotland's infrastructure for the future.

15:19

The Cabinet Secretary for Infrastructure, Investment and Cities (Keith Brown): I welcome the opportunity to debate the role of infrastructure investment and to speak about recent activity and the prospects for the future.

Despite Westminster's real-terms cuts of about 25 per cent to Scottish capital budgets between 2010-11 and 2015-16, we are taking decisive action to accelerate and sustain economic recovery. As was confirmed in the budget earlier this month, we will secure investment of almost £4.5 billion in 2015-16 by way of our capital budget, new borrowing powers, revenue-funded investment, regulatory asset base rail enhancements, capital receipts and, of course, allocation of some of our resource funding to capital assets. That investment will support an estimated 40,000 full-time equivalent Scottish jobs across the wider economy over the year.

Our infrastructure investment plan sets out our long-term strategy for development of public infrastructure. It sets out why we invest, how we invest and what we will invest in from now until 2030. Crucially, it also provides certainty and transparency to markets and the construction industry by outlining a clear pipeline of major infrastructure projects. Next month, I plan to announce the third annual progress report relating to the plan, together with updated investment pipelines. They will show that significant progress has been made in delivering the plan.

The debate is a good opportunity to reflect on the excellent progress that has already been made this year on our major infrastructure priorities.

The Queensferry crossing, which is Scotland's biggest transport infrastructure project in a generation, is on track to be delivered on time and within the revised lower budget range. Last month, the new bridge's three giant towers reached half their final height, and 10 per cent of the total bridge deck is now in place at either side of the towers. The project is providing up to 1,200 job opportunities and a large number of subcontract and supply-order opportunities for Scottish companies.

The new South Glasgow hospital was handed over to NHS Greater Glasgow and Clyde by the contractor at the end of January. The new

campus, which is one of the largest hospital complexes in Europe, has maternity, paediatric and adult hospitals all integrated in a single site.

Gavin Brown (Lothian) (Con): I am glad to hear that the cabinet secretary is publishing a plan next month. What assumptions does the Government make in that plan about the future status of non-profit-distributing projects?

Keith Brown: Gavin Brown will know that there is currently a challenge from Eurostat on classification of those projects. We remain confident that non-profit-distributing models are viable and we believe that we can meet Eurostat's requests, but we are working on that with the Office for National Statistics. Our intention is to proceed with non-profit-distributing models, which have been hugely successful.

The delivery of the new South Glasgow hospital was achieved ahead of schedule and within budget, and the overall migration and commissioning process is expected to be complete by June 2015. At its peak, the project supported 1,500 jobs on site.

Our £1.8 billion schools for the future programme, which will deliver more than 100 new or refurbished schools by 2019-20, includes 18 schools that are complete and open to pupils and 16 that are currently under construction. It is estimated that the programme will support 1,500 jobs on average at any one time throughout its duration.

Earlier this month, I was at the track laying for the Borders railway project, as it was being completed between the Borders and Edinburgh. That railway is the longest domestic railway to be built in the United Kingdom in more than 100 years, and it has reached a significant milestone, which keeps the line on track to open for passengers in September 2015. The reopening of that line offers a once-in-a-generation opportunity to deliver a major economic and social boost for the communities that it will serve. In just a few short months, trains will be carrying passengers to employment, social and study opportunities, as well as bringing visitors and investors to the communities along the route.

In addition to the work that is being progressed on dualling the A96 from Inverness to Nairn, including the Nairn bypass project, we are pushing forward preliminary engineering and strategic environmental assessment work along the whole corridor. That is the first but not the least important step in developing a robust plan to improve connectivity between Inverness and Aberdeen, which demonstrates the Scottish Government's commitment to investing in that strategically important route. When that work is completed, every single city in Scotland will, for the first time,

be connected by either dual carriageway or motorway. That should have been true many years ago.

David Stewart (Highlands and Islands) (Lab):

I welcome the developments on the Aberdeen to Inverness route. However, does the cabinet secretary share my view that it is also important that we invest in rail at the same speed as we invest in road in order to give passengers alternatives?

Keith Brown: It is certainly important to ensure that we bear down on journey times right across the rail network. We have done that in many cases. If members look at, for example, the Edinburgh to Glasgow rail improvement programme, which is overseen by Derek Mackay, the result will be a 37-minute journey time, which is comparable to and competitive with car journeys.

We are dealing with rail infrastructure that is, in many cases, Victorian, and which has not had the investment that it should have had during previous decades. Some time ago, Patrick McLoughlin, who was a transport minister back in 1989 and is the current Secretary of State for Transport, came to Scotland and said that the problem here is that transport infrastructure has not been invested in for decades. He was right. We are trying to rectify that. Although I agree about the need to improve journey times, it is not possible to do everything at once, as I am sure David Stewart understands.

As I was about to say—this deals with the very point that David Stewart made—last November one of the biggest contracts to electrify the main Edinburgh to Glasgow rail line was awarded. The £250 million deal, which forms part of the £742 million Edinburgh to Glasgow rail improvement programme, marks a significant milestone in the project. As I said, it will provide 20 per cent quicker journey times and 30 per cent more capacity. It will also complete an overhaul of stations in both cities. The tremendous new-look Haymarket station was completed on time and under budget, and the transformation of Glasgow Queen Street station into a 21st century transport hub is planned.

Last October, we announced the bidders that were competing to win the contract to deliver the first of twelve major dualling schemes in the £3 billion A9 dualling programme. It is expected that the Kincairdie to Dalraddy contract, which is worth about £50 million, will be awarded this summer, with construction starting thereafter on that five-mile stretch of road. The Scottish Government has made dualling the A9 a priority. I am proud that we are the first Administration ever to do so while recognising the range of economic and other benefits that that can deliver.

I invite the Parliament to welcome significant progress we are making across the length and breadth of Scotland. We are acting to deliver additionality through our £3.5 billion NPD hub investment programme, in the face of what I think everyone can agree are constrained capital budgets. The programme is a central component of that approach. The £1 billion extension to the programme, which we announced last year, will build on the success of the programme to date. I am pleased to say that whenever there has been an opportunity to invest further in our economy, this Government has taken it. In relative terms, our NPD investment programme is one of the largest investment programmes of its kind in Europe, with projects totalling more than £1.6 billion in construction.

Earlier this month, NHS Lothian's project involving the Royal hospital for sick children, its department of clinical neurosciences and its child and adolescent mental health service reached financial close. The project is the first acute hospital facility to be procured under the NPD model. The development brings paediatric care, specialist neonatal care, neurosciences and adult and children's emergency departments together in one place, making access to services much easier for patients and health professionals alike. The new building is anticipated to open in autumn 2017.

The largest NPD programme contract was formally awarded in December for the Aberdeen western peripheral route and the Balmedie to Tippetty scheme. At a recent meeting in Aberdeen, the First Minister announced that we had cut the sod on the scheme to a resounding cheer from the 400 to 500 members of the public who were there: that is how long anticipated the project has been. It is the biggest civil engineering project that the area has ever seen. It will bring substantial benefits, which we estimate to be worth about £6 billion over the project's length, to communities, businesses and individuals across the whole north-east.

Construction will support about 1,500 jobs and more than 100 apprenticeships, graduate places, and other training opportunities. The scheme is bringing short-term economic benefits through £221 million of subcontracts, which have been either put to the market or are soon to be advertised, and it is estimated that longer-term benefits will bring, as I said, £6 billion of investment and 14,000 jobs to the north-east over the next three decades. The scheme will be delivered in stages, with completion expected in winter 2017, which is about six months ahead of schedule. We have listened to local communities. They said that they wanted to see first of all the Balmedie to Tippetty scheme being brought forward, as well as the scheme for getting people

to and from the airport and the city centre, which I am sure Dave Stewart knows very well and which is crucial to economic activity in the area. We will advance those two stages.

The other major projects in the current programme include Inverness College and the City of Glasgow College, which between them are expected to provide facilities for nearly 50,000 students; Ayrshire College's Kilmarnock campus, which will deliver state-of-the-art learning facilities and will play a huge part in the on-going regeneration of the town; and, of course, the M8, M73 and M74 motorway improvements, which will create hundreds of jobs and will drive significant economic, safety and accessibility benefits. That reminds me of the fact that many people in Scotland do not appreciate that we do not even have a full motorway between Edinburgh and Glasgow as things stand, but the M8 project will remedy that by ensuring that we have motorway all the way, and there are also the surrounding projects including the Raith interchange.

Willie Rennie (Mid Scotland and Fife) (LD): I am interested in the projects that Mr Brown has outlined and I welcome many of them. I am also interested in getting a bit of detail on the £180 billion that the First Minister indicated would be invested during the next session of the United Kingdom Parliament. In what year will that investment start and what is the cash breakdown for each year? How much extra money would be invested in each year? Does he have those figures?

Keith Brown: Indeed I do, and I am happy to provide them to Willie Rennie. The £180 billion will be invested over the course of the next United Kingdom parliamentary session across the UK; Scotland will get its proportionate share. It seems to be eminently sensible for the First Minister to have said that we could, for a small reduction in the austerity measures that are being pursued by the Administration that Willie Rennie supports, alleviate some of the harm and create a huge amount of benefit by using that £180 billion across the UK for employment opportunities.

I would have hoped that Willie Rennie could get on board with that. I note from his amendment that he thinks it irresponsible of the SNP Government to make that investment. I point out that the coalition Administration that he supports said that it would by this stage have reduced the deficit to a £5 billion surplus. In fact, the reality is that there is a £50 billion deficit. That coalition promise has about as much weight as a Liberal Democrat promise on tuition fees. It has been proved to be wrong, and the approach that has been taken by the First Minister is a much more rational one.

Our NPD projects have had a good response from the market and the international investor community.

Johann Lamont (Glasgow Pollok) (Lab): Forgive me for taking the cabinet secretary back to the point that he made about City of Glasgow College. Can he confirm that there will be no consequences for colleges including Clyde College in my constituency from the funding of the City of Glasgow College, and that there will be no reduction in provision at Clyde College in order to make the finances stack up?

Keith Brown: The funding for the new City of Glasgow College has been allocated for quite some time: in fact, it dates back to when I was Minister for Skills and Lifelong Learning in 2010-11. The two things are not related.

As I said, there has been a significant level of international investor interest in funding for the M8, M73 and M74 motorway improvements and the AWPR. Funding has been supported by the European Investment Bank and a group of investors that are managed by Allianz Global Investors, one of the world's leading integrated financial sector providers. That demonstrates the confidence in the marketplace in the NPD model from the international investor community and shows that, overall, Scotland's infrastructure is seen as a viable and desirable long-term investment.

Parliament will be aware that infrastructure investment in its widest sense is central to the Government's economic strategy. In the digital sector this year, we will extend access to the next generation of fibre broadband to 85 per cent of premises across Scotland in order to stimulate Scotland's digital economy and to support businesses to benefit from the digital economy.

Our approach to housing and regeneration is fundamental to the Government's overall purpose of sustainable economic growth, through tackling inequality, addressing market failure and creating jobs and business opportunities. We are spending more than £1.7 billion in the housing sector to deliver our target of building 30,000 affordable homes during this session of Parliament, and we will continue to support large-scale regeneration projects in 2015-16 through SPRUCE—the Scottish partnership for regeneration in urban centres—through the £50 million JESSICA loan fund, which is the joint European support for sustainable investment in city areas, and the £25 million regeneration capital grant fund.

We recognise the need for synergy between Scotland's infrastructure and that of the rest of the UK. The Scottish Government supports high-speed rail, but not just to Birmingham, Manchester and Leeds. To realise its full benefit to the UK, the

network needs to be extended further and faster to reach Scotland. That will help us to rebalance the British economy and will assist with ensuring future competitiveness and economic prosperity across Britain. Today I challenge the other parties, when they have a chance to speak, to say explicitly whether they support high-speed rail coming to Scotland or not. It is a simple question and it deserves a simple and straightforward answer.

We continue to facilitate infrastructure investment by others and are actively promoting innovative finance in order to lever in public and private investment. That is true of the national housing trust initiative, the tax incremental financing scheme—which is active in Glasgow City Council's Buchanan quarter project and Falkirk Council's Grangemouth project—as well as the growth accelerator model, which is extremely important.

Last August, we announced that the Scottish Government would invest £0.5 billion in infrastructure in Glasgow by way of a city deal agreement between the Scottish Government, the UK Government and the eight Glasgow and Clyde valley councils.

The Scottish Government recognises the importance of infrastructure investment. I have set out some of the significant steps that we are taking to expand investment to secure economic recovery. During 2015 alone, I expect that infrastructure projects worth around £1.5 billion will complete construction and be ready for use. This Government is supporting investment in schools, colleges, hospitals and transport.

The steps that we are taking demonstrate not just what is being achieved, but what more could be achieved if the UK Government were willing to change its course on public spending. This Government has made that case consistently and I invite Parliament to support it today.

I move,

That the Parliament recognises that infrastructure investment has an essential role in delivering sustainable economic growth by supporting jobs and enhancing Scotland's asset base; welcomes Scottish Government action to maintain levels of investment in transport, health, schools and housing and other projects and programmes through a range of funding mechanisms; supports the strategic, long-term approach set out in the Infrastructure Investment Plan; acknowledges the value being delivered through major projects including the Queensferry Crossing, the M8, M73, M74 improvements, the Aberdeen Western Peripheral Route, A9 and A96 dualling programmes, the Borders rail link, the New South Glasgow Hospitals project and the Schools for the Future programme; recognises the further benefit that projects such as high speed rail would bring and calls for all parties in the Parliament to make clear their support for Scotland being included in HS2; notes that the UK Government has cut the Scottish capital budget by around a quarter in real terms over the current

spending review period; calls on the Chancellor to use the 2015 budget to boost capital investment; notes that real-terms increases in spending, limited to half a per cent each year, would see debt reduce as a share of GDP over four years, but would result in a further £180 billion investment in UK infrastructure, skills and education to further boost the economy compared with the UK Government's current spending plans, and believes that such an approach offers an alternative to the UK Government's failed austerity agenda.

15:35

Mary Fee (West Scotland) (Lab): I welcome today's debate on building Scotland's infrastructure for the future, which gives us the opportunity to recognise the key role that infrastructure plays in our communities, our towns and our cities. Across the Parliament, we might disagree on the strengths and weaknesses of Scotland's infrastructure, but we should all agree that developing a strong, forward-thinking infrastructure policy is crucial to a sustainable and prosperous Scotland. The debate gives us the chance to pause and reflect on where we are with our current infrastructure investment plan and on some of the successes and challenges that have been experienced.

Investing in major infrastructure projects is a central element of the Scottish Government's strategy to promote economic recovery. The five largest infrastructure projects that are under construction are key to improving Scotland's road and rail network. The five projects will cost a combined £3.8 billion to build but, if building, financing and operating costs are taken into account, the combined budget commitment over 30 years is estimated to be £7.5 billion. The Scottish Government considers that spending to be affordable in the long term, but the fact that it still needs to demonstrate the reliability of its analysis has led to concerns about budget cuts across the portfolio having an impact on service delivery.

The hugely important city deals are key to Scotland's future infrastructure. With an investment of £1.13 billion from Westminster, the Scottish Government and participating local authorities, the Glasgow city deal is an example of how we can come together for the greater good of Scotland. It is expected to raise £2.2 billion for the local economy, as well as creating tens of thousands of jobs through its construction phase and many more permanent jobs thereafter. The city deals create economic growth through infrastructure, innovation, jobs and skills, and they should be commended for their cross-party approach.

Many of the infrastructure projects that I have detailed will have an enormous benefit for our local and national economies. In considering how

to build Scotland's infrastructure for the future, it is of benefit to reflect on some of the practices that have gone before and how we can improve on them in the future.

As of August last year, a third of the projects that are set out in the infrastructure investment plan had been approved and were under construction, while 60 per cent had not had an outline business case approved. Good-quality business cases are vital for project scrutiny, decision making and transparency but, according to Audit Scotland, business cases for the Borders railway and EGIP projects were not complete and up to date at all stages. Consequently, at certain decision points, the Government had not fully demonstrated the projects' viability, value for money and affordability.

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): I hear an echo of Labour's previous reluctance to support Borders rail. Is the member suggesting that the money that is being invested in Borders rail should have gone elsewhere?

Mary Fee: Absolutely not. There is no reluctance on my part to support Borders rail. I was pleased to hear the cabinet secretary mention it in the context of updating us on projects, and I look forward to those updates.

In its report, Audit Scotland said that the Scottish Government needed to improve public reporting of infrastructure projects. Except in the case of the Forth replacement crossing, the Government has not informed the public or the Scottish Parliament of the combined estimated financial commitment arising from the projects.

Reporting of the building cost estimates for other projects has at times been incomplete or inconsistent. A litany of projects have been delayed, including the Aberdeen western peripheral route, the Borders railway, EGIP and the dualling of the A9.

Mike MacKenzie (Highlands and Islands) (SNP): Does the member accept that, when campaigners block projects through legal action, the Government cannot really do much about that?

Mary Fee: I am not sure that a response is required to that point.

The cancellation of the Glasgow airport rail link project, in which almost £29 million of taxpayers' money was wasted—

The Minister for Transport and Islands (Derek Mackay): Will the member take an intervention?

Mary Fee: Can I make some progress? I will cover GARL again slightly later.

Derek Mackay: I look forward to that.

Mary Fee: If routine public reporting of infrastructure projects was undertaken, delays and cost increases could be better understood.

Another project on which openness and accountability would be appreciated is the Scottish Government's handling of Glasgow Prestwick airport. Audit Scotland's report shows that the Scottish Government's plans to sell Prestwick airport back to the private sector are viable but that it could take until 2022 for the airport to become profitable. Audit Scotland recommends that the Scottish Government provides a clear vision and strategy for Prestwick airport that takes into account the airport's development potential and includes robust business and financial plans, a full evaluation of potential risk and a well-defined and regularly reviewed exit strategy that sets out the timescale for selling the airport to the private sector.

There are risks to each project, but more needs to be done to ensure that new infrastructure projects are developed in a more strategic way, which includes ensuring that transport links are an integral consideration in the planning process. My colleagues will discuss in greater detail crossrail, EGIP, the city strategies and Glasgow Prestwick airport.

In looking ahead for Scotland's infrastructure, I would like to see improvement in community engagement and community buyout. Last Monday in Glasgow's east end, I visited four community-led projects: a housing association, a community transport project, a community hub and a forthcoming music venue. Those projects are run for the community by local people and have not been pushed by the Government or the council. All levels of government have a duty to play a role in supporting the advancement of community projects across Scotland.

Between 1999 and 2007, we achieved change in many communities across Scotland through the redevelopment and regeneration of areas because the communities picked up the baton and challenged and led their areas to change for the better. I want us to support communities again to develop, encourage and embrace a community spirit that will bring long-term positive change.

Developers have a legal requirement to consult communities on applications for national and major developments. The idea for standards came from people on the front line of community engagement. More than 500 people from the statutory and voluntary sectors and from communities were involved in developing and producing the national standards for community engagement. However, the standards have not been updated since 2005, so it is now time to look at how we can engage with communities when building Scotland's infrastructure.

Engaging with communities and service users should be an instrumental part of any infrastructure investment plan, especially when it comes to public transport. People must have a say about the trains and buses in their area. We need to regulate bus services to ensure that those who rely on them can continue to use them without their route being threatened by cuts. By backing Iain Gray's proposed bus bill, we can give councils and Strathclyde partnership for transport new powers to have some control over routes, timetables and fares.

Keith Brown: I just want to ask Mary Fee the question that I asked in my speech, because I know that she is running out of time. Jim Murphy has said that he is not in favour of high-speed rail stopping in England. Does she support high-speed rail coming to Scotland?

Mary Fee: I confirm that I support high-speed rail coming to Scotland.

Scottish Labour has already announced that, in line with our counterparts down south, we will seek to bring the rail franchise to a non-profit contract. Scottish Labour is also committed to investing in Glasgow's crossrail scheme, which could carry up to 4 million passengers a year and, according to SPT, could create up to 113 new jobs over 10 years, contributing £36 million to Glasgow's economy.

Another area that needs to be considered when looking at Scotland's infrastructure is how to incorporate low-carbon infrastructure investment. As WWF has pointed out, the decisions on infrastructure that are taken now will have an impact for many decades to come. Scottish Government decisions on infrastructure investment need to match the ambition of Scotland's climate change legislation.

The Government's motion rightly recognises the importance of infrastructure and investment in sustaining economic growth. We support high speed 2 as it would deliver high-speed rail to Scotland. However, the motion chooses to blame Westminster entirely for any spending deficits while not acknowledging the Scottish Government's budget responsibilities and decisions.

The amendments from Gavin Brown and Willie Rennie acknowledge the key role that infrastructure plays in driving forward regeneration, as well as the need for openness, accountability and strategic guidance. The amendment in my name identifies the need for a more strategic and focused approach while recognising the pressures that we are under.

I move amendment S4M-12382.3, to leave out from "welcomes" to end and insert:

"supports the long-term approach set out in the Infrastructure Investment Plan but notes that, as of 15 August 2014, under a third of the projects remaining are currently in construction; notes that more needs to be done to ensure that new infrastructure projects are developed in a more strategic way, including ensuring that transport links are an integral consideration in the planning process; acknowledges that a number of promised projects have encountered delays, including the Edinburgh Glasgow Improvement Programme and the Borders railway project, or have been cancelled, such as the Glasgow Airport Rail Link, at great cost to the taxpayer; further notes that there is still further investment required to support user-focused development of the Scottish transport system, including dualling of the A9, electrification and dualling of the rail network, especially on rail lines north of Perth, and ensuring that bus regulation is developed to ensure the bus network meets the needs of passengers not commercial operators; recognises the further benefit that projects such as high speed rail and Crossrail would bring in speeding up journey times in Scotland, and calls for cross-party commitment to long-term projects such as these."

15:45

Gavin Brown (Lothian) (Con): The first email that I opened this morning was a news summary sent by *The Scotsman*. The first item was an article about how the tough transport supremo, Keith Brown, was going to destroy the Opposition parties in a debate today—he would use the debate as a platform to put them on the rack over high speed 2, which was to be the centrepiece of his speech and the debate. Members can imagine my surprise when he did not mention HS2 until he was 13 and a half minutes into a 14-minute speech. Almost under his breath, he whispered that he would be pushing HS2, before moving swiftly on to talk about housing trusts. If that was Keith Brown pushing the Opposition parties, I look forward to hearing him being consensual.

John Mason (Glasgow Shettleston) (SNP): I am interested that the member thinks that the minister should push things, because the Conservative amendment mentions no projects and nothing positive whatsoever.

Gavin Brown: The Conservative amendment is very clear and asks for the investment update plan to be published as soon as possible. I am sure that Mr Mason will understand that that investment update plan includes every project—not just some of them—that the Scottish Government is doing, as well as some that it is probably not doing as quickly as we want. Mr Mason ought to read amendments a little more carefully before jumping in with such interventions.

In an intervention, Mr Rennie asked the minister about the magical £180 billion. The First Minister dreamed up a scenario in which an extra £180 billion could be found and no one would notice—there would be no impact at all. It has taken the best part of a week to get any detail from the Scottish Government about where that money

is coming from and what the Government is going to do. The interesting point is that, if we followed the Scottish Government plans, we would eventually eliminate the deficit in 2024. It would be almost two full parliamentary sessions before we attacked and eliminated the deficit.

What would happen to public sector net debt? It would barely shift over the entire four-year projection: it would start at 81 per cent and fall to 79 per cent of gross domestic product. What impact would that have on the markets and the cost of borrowing? How much extra would it cost Scotland and the rest of the UK to get the magical £180 billion? We do not know.

Mike MacKenzie: Will the member take an intervention?

Gavin Brown: Perhaps Mr MacKenzie will be able to shed some light on the issue.

Mike MacKenzie: Mr Osborne has failed to meet every single borrowing target that he has pledged himself to. What impact has that had?

Gavin Brown: Perhaps we need to send a copy of the budget and the autumn statement to Mr MacKenzie, because on just about every economic measure—much to his dissatisfaction, I am sure—the plan appears to be working.

Keith Brown: What about the deficit?

Gavin Brown: We will come to the deficit.

This year, we have a higher growth rate than any other G7 country has, and next year our growth rate is projected to be higher than that of every other G7 country apart from the United States.

We have the highest employment rate we have ever had. While the unemployment rate is too high, it is far lower than it was expected to be, at just over 5 per cent, compared with France, where it is 10 or 11 per cent.

As the cabinet secretary knows, the deficit was 10 per cent—almost 11 per cent—of gross domestic product when the coalition took office, whereas it is about 5 per cent of GDP now. That is called cutting the deficit in half. As he probably also knows, a small surplus is projected by 2017-18. It has been delayed a few years more than was planned but certainly not for the two full sessions of Parliament that it would be delayed under the Sturgeonomics plan that the Scottish Government appears to have concocted.

I will deal with a couple of other issues that the cabinet secretary raised. He complained about how the capital budget has been cut. However, it is entirely up to the Scottish Government how much of its budget it decides to put into capital. It cannot shift money the other way round so, if it was complaining about revenue, we would have to

take that on the chin. However, if the Scottish Government wants to shift money from revenue to capital, it is perfectly at liberty to do so. To no real measurable degree has it chosen to do so.

The Scottish Government complains bitterly about the amount of money that is available yet, in 2011-12, there was a £30 million underspend on capital—that was £30 million that the Government could not spend on capital. I accept that Keith Brown was not the Cabinet Secretary for Infrastructure, Investment and Cities at the time, and perhaps on his watch things will be different, but that year was not alone. In the following year—2012-13—the Scottish Government was unable to spend £29 million on capital. That is £59 million in just two financial years. Perhaps Mr Brown will do better than that—I certainly hope that he will—but if the Government cannot spend all the money, it is a bit rich of it to complain about the level of money.

Keith Brown: Will the member give way?

Gavin Brown: I think that I have only 15 seconds left but, if there is any leeway, I will certainly give way to Mr Brown.

Keith Brown: I will help Gavin Brown out, because I know that he is coming to the end of his speech. Does he yet feel able to respond to the question whether his party supports high-speed rail coming to Scotland?

Gavin Brown: I do not know why the cabinet secretary asked that again. Every single time we have been asked that question, we have said yes. Of course we support HS2—we always have done. It is interesting to note that the Scottish Government only ever wants to debate the issue in the run-up to a general election. The last time that the Scottish Government wanted to debate HS2 was in the run-up to the previous general election. We supported HS2 then and we support it now.

In the interim, perhaps Mr Brown might want to focus on some of the rail services for which he has direct responsibility. He might want to focus on Scotland. In a briefing, Transform Scotland said:

“Scotland’s rail network north of the Central Belt is in dire need of investment.”

What promises do we hear from the Government there? Transform Scotland points out that,

“In 1895, one could get from Dundee to Edinburgh in 57 minutes but nowadays the fastest rail trip is 64 minutes.”

The Scottish Government would do better to focus on the powers that it has and get its own house in order before blaming everybody else and complaining about the powers that it does not have.

I move amendment S4M-12382.1, to leave out from “welcomes” to end and insert:

“calls on the Scottish Government to explain the performance of the non-profit distribution pipeline since its creation, and asks the Scottish Government to publish an updated progress report for the Infrastructure Investment Plan as soon as possible.”

15:53

Willie Rennie (Mid Scotland and Fife) (LD):

The Government motion asserts that £180 billion can be borrowed without adding to the national debt, but when the minister was asked for some details—such as the starting year and the breakdown year by year—he said that he had the detail, there was a lot of bluster and then there was no detail at all. On something that is central to the Government’s attack on the UK Government, he has not provided any detail. It is not a worked-out plan; it just seems to be a slogan.

I am surprised that the Scottish Government thinks that it can just put forward a slogan. It should provide some detail instead. I give the minister another opportunity to provide me with the detail right now. I will take an intervention. Can he give me the breakdown of £180 billion? When does it start? How much per year? Can he give me that kind of detail?

Keith Brown: I am happy to do so for the benefit of Willie Rennie: £25 billion in 2016-17, £43 billion in 2017-18, £52 billion in 2018-19 and £60 billion in 2019-20—a total of £179 billion. Will Mr Rennie support that?

Willie Rennie: The fascinating thing is that it has taken the minister intervening on me for him to provide any kind of detail at all. The fact is that he still believes that borrowing that amount of money will reduce, not increase the national debt. I do not know what kind of economics he is involved in. Perhaps he will intervene again, as I would like to know what the interest rate will be. How much extra will the Government pay for that £180 billion? Does he have that detail? Can he tell me that?

Keith Brown: First, I do not think that anybody can anticipate what the interest rate will be, given that the Governor of the Bank of England has been talking about possible negative interest rates. From what the member has just said, does he continue to support austerity, even given the wipe-out that the Lib Dems are about to experience at the election? Is poverty of ambition—the ambition for austerity—the only counsel that the Lib Dems have?

Willie Rennie: The Liberal Democrats have been involved in ensuring that we have a stronger economy, with 170,000 new jobs—any member on the Scottish National Party benches will probably

be too embarrassed to mention that. We have 170,000 extra jobs in Scotland as a result of our economic plan—a plan that the SNP said would not be effective.

The reality is that the minister does not want to tell us how much extra it would cost to borrow that amount of money because that would have a direct impact on schools, hospitals and road and rail projects right across Scotland. It is not free money. The reality is that it would cost us, and it would cost us dear. The irony is that the SNP proposes to use UK growth—the growth that I and Gavin Brown have just talked about—to fund the extra borrowing. That is the price. That is the irony of what the minister has outlined today.

The UK Government has taken a responsible approach to balance the long-term costs of borrowing against the entirely natural desire of ministers such as Keith Brown to spend as much as possible. That is the balance that the SNP is going to break. If the SNP could give us any kind of detail about the future and how much this would cost, I would have greater confidence in the minister’s handling of these matters. However, the balanced approach of the UK Government will be undermined if the SNP gets its own way. Members who have read the Fiscal Commission recommendation—I am sure that that includes every member on the SNP back benches—know that that is a bad idea. The recommendation was that the Scottish Government should follow the UK downward trajectory on dealing with the deficit, but it is about to be ignored and consigned to the dustbin. All of that, simply for a slogan.

To add to Gavin Brown’s points about the Scottish Futures Trust, my party has been concerned about how the Scottish Government and the SFT have handled capital spending. Remember that the trust could not get 80 per cent of its capital out of the door in the first year. Now we find out from a written answer—not from an oral statement in this chamber but from a written answer from John Swinney—that eight hub projects that were due for financial closure are being delayed. Can the minister say whether that includes projects such as Muirhouse centre in Edinburgh, as part of the Lothian health bundle; Kelso high school; Anderson high school in Lerwick; Newbattle high school; Baldragon academy in Dundee; and many other projects right across Scotland? Such projects will potentially be directly impacted by the Government’s mishandling of the matter.

My party has been committed to high-speed rail and to bringing it to Scotland. We do not need a motion to tell us to do that; Gavin Brown is right about that. I am interested, however, in what has happened to the Scottish Government plan for a high-speed rail route between Edinburgh and

Glasgow, which was announced back in 2012. An SNP press release said at the time:

“the SNP has refused to wait for Westminster to put Scotland in the fast lane and has committed to high speed rail between Glasgow and Edinburgh.”

The press release went on to say,

“this announcement from the SNP Government means we will have high speed rail even before the completion of the London-Birmingham HS2 line”.

I repeat,

“even before the completion of the London-Birmingham ... line”.

However, according to reports from the newspapers, the high-speed rail line needs to be brought to Scotland before anything happens here. It gets worse. An official from the Scottish Government has said that nobody has actually announced high-speed rail—nobody from the Scottish Government has announced high-speed rail.

We need some clarity from the minister. What has happened to the promise that high-speed rail would get to Scotland before it even got to Birmingham? Where are the details and the plans? Where is the route? We need to know that kind of detail. Is it just another one of the Government’s promises that comes to nothing?

I move amendment S4M-12382.2, to leave out from “welcomes” to end and insert:

“welcomes the increasing amounts of capital funds made available to the Scottish Government by the UK Government and the additional borrowing powers agreed; notes that the recently published SNP fiscal plans increase debt and divert money from infrastructure to debt interest for a generation, and further notes with concern the review of the financing model underpinning the Scottish Futures Trust and the implications for Scottish infrastructure.”

16:00

Mike MacKenzie (Highlands and Islands) (SNP): One of the defining features of this Government’s budgets in recent years has been the transfer of budget from resource to capital in an effort to offset—at least partially—the damaging cuts from Westminster, which have disproportionately targeted capital spending. It is difficult to follow the logic of the London Government in cutting the Scottish Government’s capital budget by a full 26 per cent, because it is the exact opposite of the economic wisdom on recession economics.

The logic of capital investment in infrastructure is not just about the economic multipliers that accompany such investment, or the increased number of jobs that are supported and created, but about our long-term competitiveness.

Capital investment is an investment not just in the present, but in our future. Without that investment, our competitiveness declines; our productivity declines; our national wealth and wellbeing decreases; and all our problems and challenges increase.

The policy is not just about throwing money at public projects as Labour did, or throwing money at the private sector through private finance initiative contracts, as both Labour and the Tories would like us to continue doing. It is about steering a prudent middle course and seeking genuine value from public investment. It is about ensuring that there is added value from public investment and showing that there is a virtuous course to be steered between, on the one hand, the public inefficiency that we used to hear about and, on the other hand, private sector greed.

Perhaps no project exemplifies those virtues better than the Queensferry crossing. I would have settled for the crossing being on time and on budget, but at this stage in construction it is a remarkable achievement for the project to be on course to be on time and below budget. We should celebrate and learn from that achievement, and we should set the same standard for all public contracts. When we set those high standards for public sector project delivery, we can also set a sustainable model for comprehensive and continual capital infrastructure investment and improvement. We can then bring into being the long-term certainty that is provided by the infrastructure investment plan.

It is a great pity that the Labour Party has forgotten the lessons that it learned from Keynes following the last great recession, and that the party has been unable to learn from the enlightened view of debt that Keynes demonstrated in negotiating the war debt over a suitably long period. It is a great pity that Labour members have forgotten the lessons of their political forefathers, who built their way out of the looming post-war recession, for they understood that we cannot cut our way out of recession if our goals are long-term competitiveness, long-term increases in productivity and long-term prosperity.

We can, however, build our way towards prosperity by investing in infrastructure and high-quality jobs—

Gavin Brown: Would it be the member’s preference to collect the £180 billion using taxation, to borrow it, or a mixture of the two?

Mike MacKenzie: That is an interesting intervention, because Gavin Brown knows full well that the scenario is more complex than that. He knows that, by stimulating growth, taxation will increase. It is not a matter of having higher or punitive tax rates; it is a matter of stimulating the

economy and thereby increasing taxation. I am pretty sure that Gavin Brown also knows that had Mr Osborne followed that kind of wisdom, we would be in a far better place than we are now. Unlike what Gordon Brown said, nobody can stop the boom and slump cycle. It just so happens that we are approaching the boom phase of the cycle now.

As I was saying, we can build our way towards prosperity by investing in infrastructure and high-quality jobs—by investing in our future. That is why the SNP Government is calling on the chancellor to use his budget to scrap the austerity project and to bring forward a 0.5 per cent year-on-year increase in budgets—only 0.5 per cent. The argument is not about whether to cut the debt; it is about how we cut it and about the speed of debt reduction. It can be done in a way that leaves a harmful legacy, such as if we keep on Mr Osborne's course, or it can be done in the Scottish Government's preferred way, in which we continue to invest more in infrastructure. That would build our competitiveness and productivity, and it would build a better future for everyone in Scotland.

16:06

Johann Lamont (Glasgow Pollok) (Lab): This is an important debate and I am happy to contribute to it. Those of us who have been here since 1999—I think that I am the first member to speak who has been here for as long as that, although I do not look it—will know that the debates on infrastructure projects have not always been happy ones. Whether about the Parliament building, the trams, the Glasgow airport rail link, the western peripheral route or the Haudagain roundabout, about which I probably knew far more than was healthy for me when I was leader of the Labour Party, it feels as though we have been talking about these things since Methuselah was a boy.

The reason why the debates have been contentious is that we understand precisely why investment in infrastructure and construction is so important. I welcome the fact that we have an inquiry into the trams project, but I still regret the decision to sell off the land round the GARL project when the idea remains alive, because that makes it more difficult to resuscitate the project at a later stage.

Infrastructure projects are particularly important in tough times. In my constituency, the construction of the M77 extension was not just about increasing transport measures; it opened up economic opportunity that would not otherwise have been there in parts of my constituency. That is also the case with the M74 project. We know that we will not get those benefits from infrastructure projects by accident. I am interested

in the cabinet secretary's view on who precisely takes the lead in the Government agencies on links with the creation of economic opportunity and ensuring the delivery of community and local regeneration.

In tough times, we apply a different set of rules to infrastructure plans than when resources are perhaps easier to come by. Through infrastructure, there is a huge opportunity to create jobs, support local businesses and sustain communities, but that is not inevitable. I am on record as regretting the way in which the Queensferry crossing contract was let, which meant that there were fewer ways in which to create economic opportunities for local businesses. Contracts are different at different times. Simply saving on a budget is not necessarily a saving if we deny ourselves the chance to create economic opportunities at a later stage.

It is essential that there is rigorous reporting on and analysis of the economic, social and environmental impact of infrastructure projects that have already happened in order to inform us about how projects should be taken forward in future. The cabinet secretary will know as well as I do the importance of infrastructure in creating and directing the role of our cities. We have heard a lot about city deals and so on, and we know that cities' ability to generate opportunities at that level can be supported by decisions made at the Scottish level. I reflect on the importance of crossrail, which I know that others will talk about, particularly in the west of Scotland and Glasgow.

I hope that the cabinet secretary will forgive me if I concentrate on one particular infrastructure project: the new South Glasgow hospital, which the motion refers to. We know that it is an important development. It is exciting and massive and we commend all those who have brought it to this stage so successfully for the amount of work that it has created and the opportunities that it will create in the future. We recognise that it is a facility for Glasgow and Scotland and a centre of excellence for Scotland and beyond. It is not just a health project but a very significant opportunity economically, both at construction stage and later. We know that the project has been delivered through cross-party support and we welcome—I certainly do—the health outcomes that come from that development and the opportunities for local jobs and economic regeneration as a consequence of so many people being in the locality.

However, I cannot overstate the degree of vocal unease—if not anger—about the impact of the project on the community. We have a cross-party responsibility to respond to and respect the concerns about the impact of a significantly higher workforce, the number of patients who are coming

in and the way in which the hospital is drawing in businesses related to medicine and academic research work. The workforce simply accessing its work, as a consequence of the project, will have a huge impact on the local community, particularly on parking and transport, and inevitably measures will have to be put in place to protect local streets. There will have to be parking measures, but local people resent in the strongest terms the need for them to pay for that as a consequence of decisions that were outwith their control.

It is essential to understand, take responsibility for and seek to mitigate the impact of such an infrastructure project on local people, who are saying, "Yes, we have a Scotland-wide facility, but we did not ask for it and we're going to have to pay for the consequences of it." Collectively we need to look at what transport support is there and what resources could be provided to ease the impact on local people. The project is worth £800 million and I believe that it would take only a tiny proportion of that to ensure that the hospital is a good neighbour to the local community rather than a concern for it.

It is a national project—the motion argues, if not boasts, that it is a national project—and I believe that it is necessary to address the consequences of that national project. The Scottish Government is, I believe, part of the solution, and I have already spoken to the health secretary about this. It is a matter not for the health budget, but for the infrastructure budget, and I urge the cabinet secretary to meet me and, if possible, constituents and groups to respond to their concerns, understand the significant impact that the project is having on them and identify, with all those who want to celebrate this great project, solutions that will address those concerns.

I repeat that I welcome the hospital and I celebrate the difference that it could make to people's lives. I hope that the cabinet secretary or indeed the transport minister will, in their summing-up, confirm their willingness to meet me and others and to identify the resources that are a logical conclusion of the £800 million that have already been invested. That will address the very strong sense of injustice at local level, where people are facing the consequences of something that we all want to celebrate. If we want the hospital to open in the best of circumstances, it is incumbent on us all to find a way to respond to those concerns, not by taking money out of the health budget or the council budget, but by taking money directly out of the very budget that, as we have celebrated, creates jobs and opportunities at both the local and the Scottish levels.

16:14

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): Although I speak in this debate in a personal capacity, I draw members' attention to my honorary vice-presidency of Railfuture UK and to my being the honorary president elect of the Scottish Association for Public Transport. In the current climate, I should say that I receive no pay whatsoever for either of those appointments. I should perhaps also say that I am a regular user of the one Scotland card that gives me access to scheduled bus services throughout Scotland at no cost to myself.

This is a timely debate that will allow me to celebrate what has been achieved in public transport and to highlight some of the remaining challenges. We have had interesting contributions so far. Given his remarks, I take it that Gavin Brown is responsible for the fact that flying from central London to central Paris is slower than it was in 1931, when the Imperial Airways service, which operated from Croydon to Le Touquet, cost 4 guineas—which is a lot cheaper than today, although, of course, the value of money is different.

Likewise, I take it that—*reductio ad absurdum*—when Willie Rennie criticises proposals to spend more on capital expenditure and improving the economy, he would abolish the entire capital programme, because that would be of enormous benefit to the economy. Perhaps I am carrying that a little further than he would seriously take it.

Scotland's railway network makes a great deal more geographic sense than many. Less than 10 per cent of rail journeys starting in Scotland end outwith our country. That is a smaller proportion than is the case for any other area of the Great Britain rail network. However, that underplays two important things about cross-border rail.

First, only 10 per cent or so of public transport journeys from Scotland to London are by rail. Most are by air. That is a ferocious and unnecessary burden on our environment. Currently, travel times are slightly better by air, perhaps by about an hour. However, the reliability of rail travel is substantially greater, and the nature of rail travel from city centre to city centre, using transport that gives one access to wi-fi, hot and cold running drinks and so on, without mode change, means that passengers are more relaxed and ready for work at journey's end.

We can look at what is happening with the climate. The east coast of the United States of America is having the worst of all winters, demonstrating the effect of climate change, and there are significant difficulties in getting access to water in the west, a situation that is extending into the midwest in the summer. That shows that, if the

environment is overexploited, it will bite back. The issue of high-speed rail concerns economic issues but also climate issues. We have to get out of the air and on to rail.

In the shorter term, if we can speed up the journey, that will be helpful. It has to happen soon. It will take some time to get HS2 into place, but there are huge economic benefits as well as huge benefits in terms of the climate. It is one of the most important projects for everyone who lives on this island, and addressing climate issues is important for people around the world.

I want to say a few targeted remarks, chosen more or less at random, about some of the things that we might be thinking of doing but which have not yet been mentioned.

First, we need to find ways of ensuring that the rail infrastructure can better support freight. We have seen huge success with Tesco putting its dry goods on the railway network up to Inverness.

David Stewart: I believe that the freight facilities grant was in the member's remit when he was a minister. I strongly support the freight facilities grant, but does he share my view that it is crucially important, particularly for lines in the north, that we have more dualling of track, because the basic problem that we have is a constraint and a lack of capacity on those lines?

Stewart Stevenson: Where freight is concerned, I would suggest that the problem is slightly different. I do not underplay the value of dualling, but not in relation to freight. For freight, if we are to get the fresh goods on to the network, the important thing is that we have a resilient network with alternate routing, so that the delivery of fresh goods is not compromised by technical problems that will occur even in the best managed of networks.

We need to freight-enable more of the network and the alternate route around Aberdeen. A lot has been done by the previous Government and this Government in that regard. To that extent, I hope that signalling between Aberdeen and Inverness will become a priority.

It is quaint and fascinating to see the token working between Elgin and Forres, but, really, a 160-year-old system might be capable of being updated. By the same token, north of Inverness it is perhaps time that we saw a little about the plans to replace the obsolete—no longer just obsolescent—radio token system.

Looking to roads, the success of the average speed cameras on the A9—saving lives, reducing accidents and improving journey times overall for the mix of traffic that we have—indicates that we should have more of that on our road network across Scotland. I hope that Willie Rennie will

speaking to his colleague Danny Alexander, who should be prepared to change his mind, as others have done on other subjects.

I travelled on the Stirling-Alloa-Kincardine line on the day it opened, travelling on the footplate of the Great Marquess—a steam train. I have it diaried to travel on the first day of the Borders railway. I travelled across the Forth road bridge in 1964 on the day that it opened. My great uncle was chair of the campaign committee for it in the 1930s. I very much look forward to crossing at the earliest possible opportunity on the new road bridge across the Forth.

We are making huge progress. There will never be a day when each and every one of us does not have more things that we want to do, so we have to prioritise. I think that broadly we are making good choices. I look forward to much more being spent on rail than perhaps has been spent in the past as a share of the budget, but good progress is being made. I give my congratulations to the Government.

16:21

Nigel Don (Angus North and Mearns) (SNP): I have to say that this is one debate that I could look forward to, as an opportunity to talk for half an hour about capital investment and infrastructure in my constituency would require no notes whatever. However, I do not have that long, which is why I do need some notes in order to make sure that I stick somewhere near a script.

I will start by addressing the issue raised by Gavin Brown and Willie Rennie. We need to bear in mind that, as those gentlemen know, capital goods are not just money spent; we actually get quite a lot of things for capital expenditure.

We get the capital goods themselves, which might have enormous value for a very long period if they are properly constructed. Daily, we cross bridges that were constructed goodness knows how long ago.

We get the benefit of the capital in the short term because the project had some justification. There was some benefit to be derived on an annual basis for that capital expenditure—otherwise, it would never have been chosen.

We also get the opportunity that Stewart Stevenson pointed out, because just improving the railway network gives us an alternative way of getting somewhere. It is the kind of redundancy that we need in any system. That is why electricity systems have multiple loops in them, so that the sky does not fall in if something breaks down. That is the kind of benefit that we get from just improving infrastructure systems.

We also get work, jobs—productive and skilled jobs—and opportunities for apprenticeships and training, which means that we are able to develop the skills of those who are coming along. We also retain the skills of those who are working on the job. If anybody was to talk to the construction industry at the moment, they would recognise that one of the real problems is that the downturn has sent skilled people away and the industry is struggling to get them back, because they have gone to do something else and, to some extent, they have lost their skills.

Those are some of the benefits, and I would gently point out that the economic multiplier is greater than 1. Capital expenditure is the thing to do. Yes, we have to find a way of paying for it in the short term, but it is well known that we get that money back in time. Mike MacKenzie, who is no longer with us in the chamber, is absolutely right. The discussion about whether we are going to pay for capital expenditure by borrowing or tax becomes redundant because in time the tax will replace the borrowings.

Gavin Brown: Given all that the member has just said, why did the Scottish Government switch only a tiny fraction of funding from revenue to capital?

Nigel Don: I am not going to answer for every pound or penny or even million, but let us be clear that that is always the choice, because we have other things to do with that revenue, particularly when the budget is dropping. There are always choices. We know that; no one has ever denied it.

I will not get through this afternoon without mentioning some of the issues in my constituency, because my constituents would probably not let me, but first I want to pick up on a thought from what Johann Lamont said. I have to agree with her: I think that we should have an assessment of projects. I do not know quite how long it would take to get there, but I suspect—and I suggest that the Scottish Government does this—that we should have a serious look at the numbers and the benefits. We need to learn from things that were done in the past, and it does not matter whether we did them, Labour did them or the people before Labour did them. Unless we learn the benefits and try to get to the economics of that, we are not going to learn the lessons—and we really should be doing that.

I sympathise with the point that was made about parking around a hospital. I was elected as the councillor for the Ninewells ward in Dundee about three weeks—I think—before the parking scheme was brought in to accommodate the fact that the car parks had been privatised, and I sympathise at a personal level with the problem of having to deal with that. However, it is not insoluble. The issue is to ensure that it is seen by everybody involved to

be handled sensibly and sensitively, but I understand that there is a problem.

I have two minutes left to consider the issues. My constituents would be extremely upset if I did not start with roads. There is absolutely no need to talk to the cabinet secretary about the Laurencekirk junction, so I am not going to do that, but I have at least mentioned it.

The trains are an important issue and one about which we could wax eloquent for quite some time. We need to do what we can to improve the network. Our great grandchildren will wonder why we spent so much money on roads. There is an answer and we know it—that that is the current way of doing things—but we also know, and they will recognise, that the better way to move stuff around is on the railways. It is a great pity that Dr Beeching got his axe out when he did, because we are living with the consequences.

I merely mention that the best way in terms of routing to improve the position from the central belt to Aberdeen is to come up from Dundee via, essentially, the route of the A90, which would put railways back into Forfar and Brechin and all the way on to Laurencekirk and eliminate the problems around Montrose. I am sure that the minister will either be aware of that or reflect on it in due course.

I also reflect that the Government has spent quite a lot of money on flood protection. Significant money is visibly being spent in Brechin at present, and another scheme is to come in Stonehaven in due course. These things are important, albeit that they perhaps get forgotten rather a lot. We also have three new secondary schools being built—or finished, in the case of Mearns academy. I am grateful for those, as of course are my constituents.

I will finish by looking at the position on broadband. It is entirely clear to me that we are moving to a situation in which Government resources need to be focused on broadband. The Government knows that, so I am not telling anybody anything that they do not know. However, we will be able to deliver on the NHS in remoter areas, of which I have many in my constituency, only if we have the ability to Skype or the equivalent. We need broadband up the glens if folk are not to be seriously disenfranchised. It is plain that BT is not going to go there; I have talked to it about that.

The cabinet secretary mentioned 85 per cent coverage. The trouble is that I—and he—have some of the other 15 per cent, and people there will be seriously disenfranchised if we do not grasp the thistle somehow or other. Please—we need to find a way of addressing that. I also recognise that it should be UK money, but that is for another day.

16:28

Paul Martin (Glasgow Provan) (Lab): Every speaker so far has mentioned the importance of investing in Scotland's future infrastructure. We are at one on that. There are several strands to the debate. One is the local interests that we have, but at the same time we need to consider the national interests.

I start with a local interest regarding the Robroyston area in my constituency. The minister is aware of the background. The development of Robroyston was conceived in and came from Glasgow City Council's local plan and it has always been intended that a railway station be built there. More than 2,000 houses have been built in Robroyston since the 1990s and development continues there. I and other elected representatives have welcomed the interaction with the minister on the subject and it is welcome that we have moved forward, but he is aware that we are now at the stage of taking forward the appraisal of the Robroyston railway station. We are at the crucial stage at which our application has to be submitted for final approval from the station fund.

I would welcome clarity from the minister in his closing speech on the stage that the station fund is at—the expenditure that is available to it and whether it is still accepting applications. Like us all, the minister has recognised the importance of Robroyston railway station to the future of not only Robroyston but the rail network.

We also recognise at a national level that Glasgow's future depends on the necessary funds being put in place to develop a transport infrastructure that deals with many of the challenges that the city faces. It is not only the population of the city of Glasgow—more than 600,000 people—that we need to support but those who depend on the city's infrastructure to travel to and from work every day.

On a less positive note, a number of Glasgow residents have raised concerns in respect of the cancellation of the GARL project. When it was revealed in October 2013 that nearly £30 million of public money had been spent on the butchered Glasgow airport rail link proposal, it was interesting to note that a spokesperson—not the Government directly—said that

“£176 million of capital investment has been saved as a result of cancelling this project.”

The minister has to answer for the fact that the project was agreed in the Parliament by the vast majority of those who are in the chamber. Government ministers who are here also supported the GARL proposal.

John Mason: Will Paul Martin give way?

Paul Martin: If John Mason wants to apologise to Glaswegians for the cancellation of the GARL project, I would be more than happy to give way.

John Mason: Does Paul Martin accept that the argument for GARL is difficult because the airport is so close to the city centre and the bus link is so good that rail does not really add a lot?

Paul Martin: I challenge John Mason to meet those who commute to and from Glasgow airport and tell them that they have a good bus link. In all the feedback that I have heard from constituents and, indeed, the business community that supported the GARL proposal, I have never heard the comment, “Yes, we are very happy with the airport link.” Look at some of the challenges that Glasgow faces, in particular the build-up of traffic to and from the airport on the M8 motorway. For John Mason to be an apologist for the SNP and say that there is a substantial bus link in place is wrong and shows how out of touch he and the SNP are on the issue.

Also, if we look at the benefit to the economy of investment in the Glasgow airport rail link we see that for every £1.20 spent on it, the Scottish economy would have benefited by £1.25. There would have been substantial economic benefit.

I will conclude on a more positive note about one other project that I would like to take forward with the Scottish Government. In doing so, I pay tribute to the campaigning skills of Ken Sutherland, who has advanced the argument for Glasgow's crossrail project. The campaigners have made some powerful arguments in favour of that project and I ask the Government to take into consideration the additional borrowing powers that will be available to it to implement the project. I ask the minister to comment, in his closing speech, on the Glasgow crossrail project and how we could work together on it. It would be important for Glasgow and might allow the Government to redeem itself in some way for cancelling the GARL project.

We all welcome the debate. There are some positive aspects to the Government's proposals and we welcome them, but I hope that we can work together with it to take forward some other elements. However, we have to expose some of the cancelled projects that are an unacceptable part of the Government's history.

16:34

Jim Eadie (Edinburgh Southern) (SNP): As we have heard, the Scottish Government has maintained investment in infrastructure in key areas, such as transport, health, schools and housing. It has done so against a backdrop of austerity and a cut of a quarter in its capital budget that has been imposed by Westminster, however

unpalatable that fact may be to Liberal Democrat and Conservative members.

The infrastructure investment plan that was published in 2011 sets out the ambition to invest billions of pounds in more than 80 major capital projects between now and 2030. As the Scottish Government's economic strategy aims to grow our economy, it is vital that we plan for the future.

My constituency, Edinburgh Southern, is seeing excellent development in its schools and hospitals. The £1.25 billion Scotland's schools for the future programme is delivering for our communities. Both Boroughmuir high school and James Gillespie's high school cater to the young people of my constituency, and both schools are finally seeing much-needed new facilities being built.

Last year, work began on a new Boroughmuir high school building in Fountainbridge, on a brownfield site at the former Fountain brewery. The estimated cost is between £20 million and £30 million, and around 1,165 pupils will benefit from fantastic new facilities that will provide an impressive learning environment.

James Gillespie's high school is also seeing investment. In May last year, I was delighted to attend the ceremony to mark the construction progress of the rebuild project alongside the headmaster, Donald J Macdonald, and pupils from the school. That £34 million project will result in brand new facilities being built that will cater for 1,150 pupils. The Scottish Government has pledged to support more than £20 million of the cost of that project. Both projects are expected to be completed by the summer of 2016.

Those school developments are not just about planning for the future; they are contributing to Scotland's economy now. That is a key part of the Government's infrastructure investment plan. Increased spending in such infrastructure programmes not only equips our young people with a first-class education in new, modern facilities; it has a direct impact on Scotland's economy in supporting jobs and apprenticeships locally.

The Scottish Government is not just investing in new schools. Following the tragic death of Keane Wallis-Bennett at Liberton high school last year, the existing gym hall has been demolished and work is under way to replace it with new facilities. The City of Edinburgh Council estimates that the cost of that will be up to £2.5 million. The Scottish Government's offer to contribute two thirds of that expenditure is to be welcomed.

Edinburgh has also seen much-needed investment in its hospitals, including in the Royal Edinburgh hospital and the Royal hospital for sick children. The new Royal hospital for sick children will be located at the site of the existing Edinburgh

royal infirmary at Little France, and the department of clinical neurosciences will also be based there. That will create a world-class centre of excellence on a single site. Work is due to start in summer 2017 to deliver that £227 million investment.

We are also due to see the redevelopment of the Royal Edinburgh hospital campus at Morningside in four phases over the next 10 years. Many local people were disappointed that the Tipperlinn bowling club could not be accommodated within the new plans, despite its having been part of the initial agreement document and the revised proposals. A serious question remains over whether the health board has followed through on the historical commitments that it made in 1978 to provide equivalent facilities if the site was ever required for future building. However, that is not a matter for today.

The £48 million phase 1 development started in January 2015 and is expected to be completed by autumn 2016. It includes new accommodation for an adult mental health in-patient service, older people's mental health assessment, an intensive psychiatric care service, and the new Robert Fergusson national brain injury unit. In November 2014, the Scottish Government committed a further £120 million for future phases of campus redevelopment. That investment will allow the Royal Edinburgh hospital to become the premier mental health facility in Scotland, with better public access through the site, including paths and cycle ways.

That final point allows me to return to a favourite subject of mine: investment in cycling infrastructure. I was delighted that the Deputy First Minister, John Swinney, heeded my call and provided some £3.9 million of the money that is coming to Scotland through the Barnett formula for investment in cycling. This year, there will be the largest-ever Scottish Government investment—almost £40 million—in cycling and walking.

It is encouraging to see the difference that such investment is making, whether it be the £750,000 to plug the gap on the national cycle network at Strathyre to Kingshouse in partnership with the Loch Lomond and the Trossachs National Park Authority, or the investment closer to home in Edinburgh, where additional funding of up to £3.6 million has been earmarked for Leith Walk, for the creation of an exemplar urban corridor to prioritise walking and cycling. Much of the investment is matched by partners. For example, through the community links programme of £19 million, Sustrans generated £25 million in match funding in 2014-15.

I will end with a reference to skills. In order to successfully build and maintain first-rate infrastructure, such as our schools and hospitals,

we must ensure that the workforce in the construction and engineering sectors is fully equipped with the relevant skills and training.

We need to ensure that colleges across Scotland do not discontinue important courses linked to our construction and engineering related industries. The continuation of the national certificate and higher national certificate building services engineering courses, which are under threat at Edinburgh College, are designed to prepare young people to work directly in the engineering and construction industry. The qualifications offer a clear and proven vocational path to many exciting job opportunities—jobs that are significant in maintaining and developing Scotland's infrastructure.

Despite the budgetary constraints within which it is compelled to operate, the Scottish Government remains determined to deliver vital infrastructure projects, jobs and economic growth for the benefit of the people of Scotland.

16:41

Linda Fabiani (East Kilbride) (SNP): I am tempted to say that I agree with Jim Eadie and to sit back down—[*Interruption.*] Thank you very much, Gavin Brown.

It was interesting to read the Scottish Government's motion. It is almost a piece of literature, which is testament to the amount of work that has been done and on which things must be said. It also refreshed my memory on the 2013 update of the infrastructure investment plan.

A lot of the projects have been on-going since the update and even since the time of the first infrastructure plan's publication. I was pleased to hear Mary Fee say that Labour very much supports Scotland's being included in HS2. I hope that the other parties will also be able to confirm in their closing speeches their support, so that we have the strength of the Parliament behind the Government when it makes the case for that. As far as I am concerned, the case for bringing high-speed rail to Scotland has to be made.

There are causes for concern in the amendments. I note that Paul Martin said that, generally, there is agreement that we should go forward with the infrastructure projects, with some justifiable concerns about different matters. On seeing the reference to crossrail in the Labour amendment, I was struck by the fact that we have not heard a lot of the unionist parties talking about the London crossrail project and Scotland's contribution to that. That led me to think about what Scotland could do with fiscal autonomy and the £400 million share of that project's cost.

The Liberal amendment expresses concerns that the SNP's fiscal plans will

"increase debt and divert money from infrastructure to debt interest for a generation".

I absolutely believe that we have made and, indeed, shown the case that we can manage down a deficit without attacking society's social fabric, as the Westminster coalition Government is quite clearly doing.

I was interested to hear Willie Rennie mention the price of borrowing. To go down that route is to argue against any borrowing whatsoever. The price of austerity is more important. Ask people out there about the price of the austerity measures that are wrecking the fabric of our society and making things difficult for single people, families, and working people right across our country. That is the true price, and it is one that is not worth paying, as far as I am concerned.

I also note the concern in the Liberal amendment about the Scottish Futures Trust. I am more concerned about the on-going cost of private finance initiatives, which were entered into with great gusto by the Labour-Liberal coalition over this Parliament's first eight years. I am concerned not just about their on-going capital costs, but about their on-going management costs. NHS Lanarkshire is still suffering from that: it is paying the price of PFI for ancillary services. The Scottish Futures Trust is looking into the possibility of bringing some of those initiatives back into the public sector, which is an admirable thing to do. If we are talking about whether to have private finance initiatives or the Scottish Futures Trust and a non-profit-distributing method of financing public projects, I know what I would pick every single time.

The Government is to be commended on its husbandry of resources in terms of infrastructure, and on the way in which projects have been managed. Over the years, I have become convinced that, far too often with the big public sector megaprojects—not just in this country but in many countries—there is deliberate underestimating of costs because everybody knows that once a project gets so far down the road it must be completed. One thing about the Scottish Government is that it has been honest, up front and transparent about costs and how projects are monitored and managed, which is showing in some of the results that we are getting.

I am really pleased that there has been quite a bit of investment going on in my constituency. The M74 motorway will be a great improvement, and the links around the Raith interchange will be a great improvement for the East Kilbride expressway, allowing better access to the rest of

Lanarkshire and to our cities of Glasgow and Edinburgh.

Just yesterday, I was looking at the Hunter health centre, which has had £20 million of investment from the Government. It is not just straight from Government through the Scottish Futures Trust that investment in infrastructure comes; the Dollan aqua centre in East Kilbride, for example, has had funding from sportscotland. There are many different ways in which the Government invests in our infrastructure.

One of the most important things, which is unique in the UK at the moment, is that the Scottish Government's approach to infrastructure and investment is not just about big, small or medium-sized projects, but about social investment. Investment in people should always count when we are designing projects, and SNP policies such as free childcare, free tuition fees and free prescriptions absolutely highlight our commitment to improving people's lives and to increasing opportunity. Nicola Sturgeon, as First Minister, has made that clear in a lot of the presentations that she has made lately. One of the biggest infrastructure projects that we should all be thinking about in this session of Parliament, and for the next, is investment in the infrastructure of our people, because that is how we will really be successful.

16:47

Margaret McDougall (West Scotland) (Lab): I welcome the opportunity to speak in the debate on building Scotland's infrastructure for the future. I am going to focus on Prestwick airport, because it is an important link not just to the rest of the UK but to Europe and beyond. As such, it is vital to the economy of Ayrshire, and of course it provides thousands of jobs.

By way of background, Prestwick airport is of great strategic importance because it adds about £47.6 million to the Ayrshire economy, and in the wider Scottish context the figure is £61.6 million. The airport directly supports 300 jobs and about 1,350 jobs indirectly, and the wider aerospace industry around Prestwick is estimated to support around 3,200 jobs.

Despite about £10 million in investment from the Scottish Government, the airport looks tired and still needs further support to see it through a difficult period before it can start to make profits so that it can pay back the Government loans and be sold on. The recent Audit Scotland report estimates that the total funding that is needed before a return to profitability in 2021-22 would be about £40 million.

Unfortunately, the cabinet secretary has left the chamber, but I would like to ask whether he thinks

that that is a reasonable estimate and when we can expect a business plan so that everyone is kept informed of progress.

In the past year, there has been a drop in passenger numbers of about 15 per cent, mainly due to Ryanair, which is the only airline that operates from Prestwick at the moment, transferring flights to Glasgow airport. However, there has been an increase in freight business over the past year and there has been an encouraging increase in the amount of military use due to the length and the density of the composition of the runway. The second runway acts as one of the UK's two principal designated hijack sites. The airport also offers other benefits to the aviation industry in Scotland. For example, it is used for flight diversions in bad weather, during aircraft emergencies and in air-sea rescues.

The availability of land, services and skills means that Prestwick offers the best potential in Scotland for aircraft conversion, dismantling and recycling operations. It is also the only airport in Scotland that has a direct rail connection on its doorstep. If the Glasgow crossrail project was developed, the airport would be connected by rail to the rest of Scotland. None of the other Scottish airports has such a connection.

What can be done to get Prestwick airport back on track? First, as a result of the work of the Smith commission, Scotland will have control of air passenger duty rates, so it will be possible to reduce or to remove APD. As is the case for all the Scottish airports, it is anticipated that that will hugely increase passenger numbers. When he returns to the chamber, perhaps the cabinet secretary can say what the Government plans to do with APD when it gains that power?

Secondly, we should be looking to develop growth through new routes and carriers because, as I mentioned earlier, Ryanair is the only passenger airline that is operating from Prestwick. Perhaps the cabinet secretary or Derek Mackay could update Parliament on whether any progress has been made on securing additional routes or carriers.

Derek Mackay: The team Scotland approach will encourage new routes from any of Scotland's airports, including Prestwick. We should bear in mind the fact that there are commercial sensitivities.

Our position on APD is clear. What is the Labour Party's position on APD? It appears that the Westminster election will come before the transfer of powers to the Scottish Parliament.

Margaret McDougall: The Labour Party supports control of APD coming to Scotland. It is in the Smith commission report.

The biggest game changer for Prestwick would be acceptance of it on 26 February—this Thursday—as one of the preferred bidders for the UK spaceport and its subsequent success in that process as the only spaceport in the UK. To be clear, that would not mean Prestwick becoming a centre for space tourism for the super-rich; rather, it would allow Ayrshire to capitalise on its status and to play a key role in satellite launching and manufacturing in the space-science sector, which currently earns £11.3 billion in revenues. That figure grew by 7.2 per cent between 2011 and 2013, despite the recession.

Currently, the UK has no satellite launch facilities of its own, so if Prestwick were to become a spaceport, it would be the first facility of its kind, which would open it up to an untapped wealth of future potential and make it ideal for taking Scotland's infrastructure to a new dimension. That would have a huge impact on the Scottish economy through the promotion of skilled jobs, through training facilities and through opportunities for hi-tech supplies and services. It would also boost tourism.

The Presiding Officer (Tricia Marwick): You need to bring your remarks to a close.

Margaret McDougall: I hope that I have highlighted why reinvigorating Prestwick airport is key to not only the Ayrshire economy but to the Scottish economy. It has a huge amount of potential to be an integral part of the infrastructure of Scotland in terms of road, rail, sea and airspace. The reality is that, if we properly support Prestwick, it can take Scotland to the moon.

Paul Martin (Glasgow Provan) (Lab): On a point of order, Presiding Officer. I do not say this with any great satisfaction, but we need to know why one of the ministers has been missing from the chamber. I do not know how the cabinet secretary can be expected to sum up when both ministers have not been here for the whole debate.

The Presiding Officer: Would you like to respond to that, cabinet secretary?

Keith Brown: I would, Presiding Officer. I was out of the chamber for the last speech only, to go to the toilet. I think that that is acceptable. I have otherwise been here for the entire debate.

The Presiding Officer: You have made your position clear.

16:54

John Mason (Glasgow Shettleston) (SNP): If there is one thing that we should never lose sight of, it is the importance of investing for the future. Of course there is a need for day-to-day expenditure on doctors, teachers and medicines

right now, but we also owe it to our children and to future generations to invest in infrastructure.

It does no harm to look back at some of the things that have been achieved. For example, local projects that have benefited my constituency in the east end of Glasgow are the M74 completion; the Airdrie to Bathgate rail link, which gives us a direct link to Edinburgh; the Commonwealth games infrastructure, including the sports facilities, Dalmarnock station and, especially, the athletes village, which is now seeing residents moving in; and, very locally, Garrowhill primary school, which has just come into operation.

Right now, we see more projects happening in my area, including the M8, M73 and M74 improvements that are mentioned in the motion; the electrification of the Whifflet rail line; and the Clyde Gateway urban regeneration company, which has achieved major improvements in Dalmarnock in Glasgow and across in Rutherglen in South Lanarkshire. Some of those improvements are easy to see—for example, a new police building—while others are less visible but equally important, such as restoration of contaminated land, which can cost millions but opens the door to future development.

We probably all have lists of projects that we would like to see happening. We have heard of some already, but I will concentrate on two areas, the first of which is housing. There has been a surprising lack of mentions of housing thus far in the debate, but I remain convinced that housing is one of the best areas for investment. Clearly, housing investment will help people at the bottom end of the scale who are currently in old houses that are difficult to heat and where they might face overcrowding, which has a knock-on effect on kids' education. Other folk are stuck upstairs in closes when they can no longer manage the stairs. Investment in housing has huge benefits in reducing energy costs, ensuring families have enough space, improving mental health and many other things.

Not surprisingly, the second area that I want to mention is rail, not least because I am co-convenor of the cross-party group in the Scottish Parliament on rail. I am glad to see that rail has had serious attention in the debate. Of course, when members come to the cross-party group—as I hope the new Minister for Transport and Islands will—it does not take them long to hear of the wide range of projects that folk would like to see. As has been mentioned, the Airdrie to Bathgate line has been opened very successfully, and it should be able to handle many extra passengers when Queen Street station high level and the tunnel are closed for refurbishment and the EGIP improvements.

I am delighted that EGIP is now going forward below the original budget. The idea of longer trains between Glasgow and Edinburgh was a real breakthrough and saves so much having to be spent on signalling in order to increase frequency, which was the original plan. Electrification around Glasgow has been moving steadily forward after many years of little action. Most recently, as I said, there is the Whifflet line, which runs through Carmyle, Mount Vernon and Baillieston in my constituency and which means that trains are able to use the Argyle line and many more destinations for passengers on that route. Clearly, the Borders line is also shaping up well, and I very much look forward to trying it out in the autumn—albeit maybe not on the first day.

Looking forward, the challenge is in choosing which projects should be priorities. Glasgow airport is often mentioned as needing a rail or tram link, as has been said in the debate. In an ideal world, I would welcome that. I guess that I am somewhat torn as to how high a priority that should be. In the February recess, I flew from Edinburgh to Berlin and then from Berlin to Glasgow, so I used three airports and two had a rail or tram link that was fine. However, the easiest and quickest trip to or from all three airports was that for Glasgow. The bus into the city centre is absolutely great, although I accept that there are problems in the rush hour. However, I doubt that the train could really compete with the bus on journey time. So, whether a Glasgow rail link should be a priority is a tricky decision, especially when there are many other transport and non-transport priorities asking for money.

Crossrail is another major rail project that has been mentioned. Again, ideally, I would love to see that as it would link Ayrshire and Renfrewshire to the rail network north and east of Glasgow. Just as the Helensburgh to Edinburgh line takes passengers into and out of Glasgow as well as through the city, so crossrail could take passengers from Kilmarnock, Ayr and Paisley to Edinburgh as well as to Glasgow. Clearly, however, crossrail will work only if there is a station at Glasgow Cross that links with the Argyle line underneath, with connections to Motherwell, Hamilton and elsewhere. That would not come cheap; it would improve transport connections and boost a struggling area, but it would be a serious expense.

Against the Glasgow-focused projects, albeit that they also benefit much of the rest of Scotland, there is a need to address other projects around the country—for example, double tracking the line to Aberdeen from the south at the current bottleneck at Montrose. I am, of course, a Glasgow MSP, but we all have to think nationally as well. Aberdeen and the north-east surely deserve a proper rail line all the way.

The Presiding Officer: You need to bring your remarks to a close.

John Mason: Of course, the Perth to Inverness line also seriously needs to be dualled.

As I said, I was recently in Berlin, which is investing in a superb city-centre station as well as a new U-Bahn line. I think that we are all saying in the debate that building Scotland's infrastructure is important and a good thing. However, the question is whether we are willing to walk the walk as well as we talk the talk. Are we willing to sacrifice current day-to-day revenue expenditure in order to invest more for the future? I suggest that the Opposition parties would have more credibility if they suggested areas that need to be cut back in order that we could invest more.

17:00

Willie Rennie: It would be remiss of me to sum up without mentioning my sister, who is a nurse at the Southern general hospital in Glasgow. Johann Lamont talked about the new hospital, which she recognises is a great facility, and the substantial issues around creating it. As my sister has observed, the impacts on the local community are substantial. A lot more work will be required to manage the transition smoothly. I am now off the hook with my sister.

Jim Eadie spoke with great pride about the projects in his constituency. I was pleased that he mentioned cycle routes, which I am keen on advancing. John Mason was right to pick us all up for not mentioning housing infrastructure. I was delighted that he mentioned the dualling of the line to Aberdeen. The fact that Europe's oil capital does not have a dualled railway line is to our shame and needs to be put right pretty promptly. I know that there might be technical difficulties, but it should be a top priority.

Nigel Don's comments about broadband were absolutely right: we need to advance much more significantly than we are advancing now. The UK Government and the Scottish Government are working in partnership to advance that agenda, but it needs a far greater focus than it currently has.

Stewart Stevenson: Is the member aware that the Federal Communications Commission in the United States is changing the definition of broadband so that nothing under 20 Mbps qualifies? Is it time for ambition in the UK to be raised?

Willie Rennie: I admit that I am not a student of the Federal Communications Commission in the United States. I would always encourage us to be aspirational and, I hope, to meet Stewart Stevenson's aspirations—if that is a valid interpretation of his intervention.

From listening to quite a lot of SNP members, and particularly the minister, people would think that all the investment in these worthy projects is a result of the Scottish Government's work and that all the things that we cannot do are the UK Government's fault. The reality is that we can afford all the projects, because we have the stability and security of a strong UK economy. In fact, we have been able to increase expenditure on capital since 2010 quite significantly. I know that expenditure is not as much as some members would like, but we have been able to increase it because of the solid management of the economy, which has created 170,000 jobs. In relation to the G8, GDP is up and we are performing incredibly well.

Mike MacKenzie: Will the member take an intervention?

Willie Rennie: Not just now.

As a result, our bond yields are relatively low, which allows us to borrow even more. When members talk with great pride of all the projects in Scotland that we are investing in, it is worth reflecting on the fact that that is possible because of the UK economic strength in which we have invested over the past few years. We should not forget that.

I was disappointed with Linda Fabiani.

Linda Fabiani: Aw.

Willie Rennie: I know—it is difficult for me to accept, but sometimes I am disappointed in Linda Fabiani. I was disappointed when she said that she is not interested in questions about the Scottish Futures Trust; she would rather look back to a previous Government's failings than question her own Government. That is all too often a trademark of SNP back benchers, who are unwilling to question their own ministers about significant issues.

HS2 provides an example. I would still like to know from the minister—perhaps he will include this in his summing-up—whether the Scottish Government is absolutely committed to building the Edinburgh to Glasgow high-speed rail link before the UK Government gets its link to Birmingham. Is that still the commitment, or has that changed? I would like to know. Perhaps Linda Fabiani could have asked that question.

On the Scottish Futures Trust, I would like to know how the eight hub projects will be impacted by the potential reclassification of the NPD programme. We were given a cursory dismissal and told that it would all be fine. The Scottish Government has said before that it will all be fine, but sometimes there are difficulties.

What does the £180 billion commitment to additional capital spend throughout the United

Kingdom mean for the Scottish Government's fiscal commission, which said that, to meet the aims of the oil fund, the Scottish Government should match the downward trajectory on deficit reduction of the United Kingdom? What does that mean for that grand, bold commitment?

Those are three big questions that I had hoped that Linda Fabiani would ask, but unfortunately she did not. Perhaps she will ask those questions in a future debate, because we need scrutiny not just from Opposition members but from SNP members.

There was a bit of an interchange between various members—Stewart Stevenson, Nigel Don, Mike MacKenzie and John Mason—about the value of capital investment. We recognise the value of capital investment. What many members finally admitted was that it is about a balance—about what we can afford—so that we can have the confidence of the international markets, which lend us the money to keep the bond yields down in order to ensure that we can continue to undertake capital investment. We recognise that that has a price, which has to be paid; SNP members should recognise that, too.

17:06

Gavin Brown: We have had an interesting debate. Among the highlights was Mike MacKenzie celebrating the Queensferry crossing being built on time a year or two before it is complete. Another was Mr Stevenson, in responding to the point that train journey times now are slower than those a century ago, suggesting that we really should not worry, because London to Paris air travel was apparently faster in 1931 than it is today. I am sure that he says that to his constituents when they ask for the train times to be sped up slightly.

For three minutes, Mr Don told us how important capital spending is. When he was asked why very little spending was switched from revenue, he suggested that things are a bit more complicated than that.

Unlike Willie Rennie, I was not disappointed with Linda Fabiani. My favourite line of the debate was when she described Keith Brown's motion as "a piece of literature". That will be hard to beat. She obviously prefers the motion to any of the amendments.

The Scottish Government has done some good work in relation to infrastructure, transport, housing and so on, and it would be churlish to suggest otherwise. However, it is the Opposition's job to ask the key questions when things are not going well or are clearly going wrong.

One of the questions that I put to the cabinet secretary early in the debate was about NPD projects. Given the questions that are being asked and the investigation that is going on, my question was simply about what assumptions will be made about NPD when the infrastructure investment plan is published. The answer was that the assumption is that everything will basically be fine and that we do not need to worry at all. The cabinet secretary can correct me in his speech, although I am happy to give way now.

Keith Brown: I think that I said that our assumption is that NPD is a viable method of procurement and that we intend to continue with it. We have to meet the challenge that Eurostat has set out and work with the ONS on that. However, our assumption is that NPD is a viable process and we intend to continue with it.

Gavin Brown: I suppose that my point is that, if the ruling goes the way that the cabinet secretary does not want it to go—I have to say that none of us wants it to go that way—there will have to be some contingency and a plan B. If the infrastructure investment plan rests entirely on the assumption that everything will be fine, we will all be disappointed and there is bound to be some impact on projects. That was the reason for asking the question.

Rail has featured heavily, as it should. I read out a quote from Transform Scotland not to embarrass the Government but because it is important. If a respected organisation that makes a lot of really good points says as bluntly as Transform Scotland has that

“Scotland’s rail network ... is in dire need of investment”,

it is incumbent on all of us to note that and look carefully at the suggestions that Transform Scotland makes about how we might move things forward.

Transform Scotland directly quotes former First Minister Alex Salmond, who said in 2008 that

“railways must at least compete with roads”.

If the train times between Edinburgh and Perth and between Dundee and Edinburgh are slower now than in 1895, that compares miserably with road times. Rail is nowhere near competing with road if train times compare poorly with those of well over 100 years ago. It is incumbent on the Government to do something about that and to suggest how it will make sure that, when we have a similar debate in five or ten years, the position is somewhat different.

Given that the cabinet secretary is here with the transport minister, I will ask about a point in the spring budget revision, which was published just last week. On page 65, it appears that £74 million is coming out of the rail budget for the financial

year 2014-15. I can lodge a written question to ask why that is the case but, if the ministers have an answer today, it would be interesting to know why £74 million is coming out of the rail budget this year via the spring revision.

With that thought in mind, under the heading “Motorways and trunk roads” in the spring budget revision, there appears to be a change of £201.8 million, which is a sizeable sum. It is described as a

“Technical budget adjustment in respect of Transport revenue financed infrastructure projects”.

There may well be a good explanation for that, so I put the same question to the Scottish Government—why is that the case and what does that £201 million represent? It is important that the Parliament knows what the situation is.

To return to rail, it is not just the Perth to Edinburgh journey or the Edinburgh to Dundee journey where we have had criticisms. The Edinburgh to Glasgow project has been scaled back in some parts. Some of that was to do with cost savings and I accept that entirely, but some of it was not—some of it was a genuine scaling back. Some of that involved reducing the journey time by six to eight minutes instead of the 13 minutes that were promised, although the Government described the change as just being about reprofiling. It was considerably more than that, and the Government rightly received lots of criticism about that.

Let us hear the answers from the Government. There are areas where I think that it has done well, but there are areas where legitimate criticism is needed. Instead of the Government hiding from that criticism, let us hear the Government answer it, give an explanation and tell us what it will do about that criticism.

17:12

David Stewart (Highlands and Islands) (Lab):

This has been an excellent debate, with strong, passionate speeches from across the political divide, but of course there has not been complete consensus. My sense of the debate is that there is a strong theme that infrastructure investment has an essential role in delivering sustainable economic growth. Of course, the key question is which projects, where in Scotland, can deliver the biggest bang for the buck.

We have heard about John Maynard Keynes once already. He is of course the renowned economist who played a key role, along with Beveridge, in designing the post-war welfare state. He once argued that, during a recession, it was worth paying workers to dig holes in the ground and then fill them in again, as that stimulated the economy through the multiplier effect. Of course,

that is not feasible today, but the principle behind it remains. How do we identify projects? How do we appraise them? How do we finance and control them once they are approved?

The Queensferry crossing, for example, which was mentioned by the cabinet secretary as well as by Mary Fee and other speakers, is the largest public sector contract since devolution. I should perhaps declare an interest in the project as a former member of the Forth Crossing Bill Committee. I spent what seemed like months and months of my life in the previous parliamentary session taking evidence from grandees such as Stewart Stevenson—in his former role as transport minister—about the real, micro detail of how it would operate in practice.

Things have come almost full circle, as I have now joined the Infrastructure and Capital Investment Committee, which took evidence from the project director last week. It is interesting that within the project's financial plan there is an item for optimism bias, which is the psychological trend towards assuming that everything will be all right on the night in relation to cost and getting the project done on time.

Stewart Stevenson: I wonder whether David Stewart is aware that, when officials first came to me when I was Minister for Transport, Infrastructure and Climate Change, the putative budget for a project that was not fully developed was £3.4 billion to £4.3 billion. Will he join me in congratulating all the engineers and officials—and indeed the Government—who got the price down to approximately one third of the top value that it was originally thought the project might cost?

David Stewart: I am sure that members across the political divide want good value for money. I was going to make the point that optimism bias was a part of the original contract, and it is quite an interesting concept.

The other spin-off in public procurement that I am sure members all agree is positive is good employment practice. Last week at committee, we received an assurance from the Forth crossing project director that there is now no blacklisting operated by the contractors, which I am sure all members will appreciate, and that more than 100 apprentices and trainees are employed on the project.

I echo Nigel Don's plea that we should view infrastructure not solely through the prism of large-scale capital funding projects. Digital infrastructure as well as communications infrastructure and mobile, broadband and wi-fi connectivity are vital pieces of the jigsaw. I will give members an example: if someone opens a new hotel in the Western Isles and wants to operate online

booking, it would affect their business if broadband was non-existent.

I got some figures just this morning that showed a breakdown of broadband speeds for every Westminster constituency in the UK. Surprise, surprise—the Western Isles had the worst rate and the lowest speed. Notwithstanding that statistic, I welcome the broadband delivery UK funding, which is enabling broadband to be rolled out throughout the Highlands and Islands.

Mike MacKenzie: The Scottish Government is currently spending £127 million, which is being topped up with £19 million from BT, to roll out the fibre optic broadband backbone. That will, it is hoped, ensure that the situation that David Stewart has described improves significantly. I am sure that he will agree with me that the Scottish Government deserves at least some credit for that.

David Stewart: I would give all credit where credit is due. There has been a good positive union dividend through BDUK, of course, as the work involves UK funding.

Gavin Brown mentioned the reasonable point that Transform Scotland made in its briefing, which was—echoing Alex Salmond's comment as First Minister in 2008—that rail must compete with roads. The third national planning framework, published in 2014, contained an aspiration to complete the electrification of rail between all our cities. Perhaps the cabinet secretary or the minister could, in winding up the debate, provide an update of where we are on the issue. When will Glasgow and Edinburgh to Inverness be electrified north of Perth?

In my remaining minutes, I will mention a couple of other contributions from members. Mary Fee made some excellent points about community engagement and low carbon infrastructure. I enjoyed Gavin Brown's amusing and insightful analysis; he is always very professional and well informed, particularly on financial issues and on the serious issue of high-speed rail.

I agreed with Willie Rennie's points about the breakdown of the budget. Mike MacKenzie stole my line about Keynes, but I will forgive him—it is a broad church.

Johann Lamont made some excellent points about the positive nature of the South Glasgow hospital link. We must all recognise the impact that the link has had on local communities, particularly in parking and transport. I am sure that the cabinet secretary will pick that up.

Stewart Stevenson is always interesting and amusing—I am not quite sure whether he is the father of the house yet, but I certainly enjoyed his contribution. I was not sure from listening to his comments whether he had invented penicillin and

rail, but perhaps I misunderstood him. I particularly liked his point about drivers passing over tokens on some of the rail journeys north of Edinburgh.

I agree very much with Nigel Don's comments, particularly on broadband, and Paul Martin made some excellent points about GARL. Margaret McDougall made an excellent point about Prestwick, and I will remember for the future her line that Scotland could have a route to the moon through the application for the spaceport.

I am running out of time. In conclusion, we believe that delivery of strategic investment in infrastructure is essential to achieve sustainable economic growth. I believe that members on all sides of the chamber can support the Labour amendment, which calls for new projects to be developed in a more strategic way—for example, by speeding up rail electrification and developing crossrail.

Finally, we need a future commitment to a not-for-profit rail operator so that customers, rather than groups of shareholders or foreign Governments, get the profit.

17:19

Keith Brown: As Dave Stewart said, the debate has generally been quite good. Unsurprisingly, I suppose, members have wanted to highlight issues and projects that are particularly important to them, which is natural enough. The parties also have different priorities, although I cannot recall off the top of my head any proposal coming from another party that has changed a budget for an infrastructure project, apart from back in 2007, when the other parties all voted for the trams project against the Scottish Government. Aside from that, by implication, the parties must share many of the priorities on infrastructure projects that we have persisted with.

I will pick up on two points that Dave Stewart made latterly. First, on rail, Nigel Don and Stewart Stevenson made a plea for more rail expenditure vis-à-vis road expenditure. It might surprise them to know that, in some periods over the past few years, rail expenditure has exceeded the expenditure on roads. It is worth bearing that in mind. There has been a £5 billion programme over the current control period, which is a huge amount of money, although I recognise that given the nature of the rail network throughout Scotland and the lack of investment right through the time of British Rail—which had to have an 8 per cent rate of return—there is a big project to undertake. We have made substantial progress through the Airdrie to Bathgate line, the Stirling-Alloa-Kincardine line, the Borders railway and many other projects. I of course accept that we want to

do more on that, but we have to be guided by resources.

I am grateful that Johann Lamont mentioned the M74 project, which I do not think that I mentioned. She is right to say that that has produced tremendous benefits in the west of Scotland, particularly by freeing up roads from congestion and providing ease of access, not least to Glasgow airport. Many people have told me that access to the airport has been transformed by the completion of the road.

Johann Lamont also made a number of points about the new hospital in Glasgow. In fact, when I went for my reprehensible comfort break, that was one of the issues that I ended up talking about with Johann Lamont at some length. She makes a fair point, which she has already raised with the Cabinet Secretary for Health, Wellbeing and Sport. When I spoke with her subsequently, I committed to raise the issue again with the health secretary. I do not know whether she is aware that a meeting is taking place on 2 March, which will involve the health and transport elements of the Scottish Government, NHS Greater Glasgow and Clyde, Glasgow City Council and SPT. That is the kind of corporate or joint approach that I think Johann Lamont is asking for, and I undertake to ensure that she is kept up to date on the outcome of that meeting.

As far as I recall, Jim Eadie was the only member who mentioned at length cycling and walking. He rightly mentioned the record expenditure that is being put into that. He mentioned two particular projects: the £3.6 million exemplar project on Leith Walk and the project at Strathyre, which will help to complete that part of the national cycle network. Those are important projects, not just for cycling but, crucially, for walking. That is important, as walking can be as beneficial for health as if not even more beneficial than cycling. We are delighted to have put in that kind of money this year, which builds on efforts in previous years.

I come on to the second point that Dave Stewart made, which is an important one, because there is genuine confusion on the Labour benches in relation to this matter. The current legislation has always allowed us to have a not-for-profit bid for the railways. That will not change as a result of the Smith commission, as has been suggested will happen in some press releases. However, what is changing with Smith—because we made representations to this effect—is that, if and when the changes go through, we will be able to make a public sector bid. In fact, we could go beyond that and ask whether we can make a direct award, although that is not currently provided for in the Smith recommendations.

We proposed that approach, and we would have liked to have seen a not-for-profit bid. However, to be honest, on the idea that has been mentioned by some Labour members that that equates to renationalisation of the railways, I must say that cannot happen if we are committed to franchising. We cannot have the two things: franchising and nationalisation. We certainly cannot guarantee that. There is some confusion about that, so it is as well that we try to clarify things at this stage.

Paul Martin made a point about Robroyston, and he and I have discussed the issue in the past. I have tried to encourage him and others to come forward with a proposal. I should say that none of the moneys in the station investment fund, which equates to £30 million, have yet been disbursed. A large number of projects have come forward, and at least two of them are further advanced than the Robroyston proposals. In fact, not many proposals are that far advanced, because of the issues that Mr Martin mentioned about trying to work up a case. As I have said, there is obviously a good case to be made, but a case has to be brought to the station investment fund. It will be for Derek Mackay to look at that when it comes forward, but we cannot do anything until we get the application.

Mention was made of high-speed rail. Gavin Brown spoke in lurid terms about what he read in *The Scotsman* regarding what I was going to do to the Opposition parties. I checked the statement that I put out, and it said that I would challenge the other parties. [*Interruption.*] Well, that is what it said, and I did challenge the other parties.

The Press Association is running with the story that I have successfully got a commitment from each of the three parties to bring high-speed rail to Scotland. Gavin Brown and, I think, Willie Rennie said that that should be no surprise to anybody, but I can tell them that it is. If, like me, they talked to UK ministers or even Opposition spokespeople and tried to get a commitment to bring high-speed rail to Scotland, they would know that there has never been such a commitment.

We must move to the next stage. I am delighted that each of the Opposition parties has said that it is committed to high-speed rail. The point is that those parties have to convince those who take decisions down in Westminster that they should bring high-speed rail to Scotland. There is no proposal from the Liberal Democrats or the Conservatives to bring high-speed rail to Scotland.

I will give members an idea of the significance of high-speed rail. We are talking about a massive benefit to not just Scotland but the whole of the UK, because it is not a one-way thing. Obviously there would be massive benefits both ways if we joined the second most economically active part of the UK—the central belt of Scotland—with England, and there would also be benefits further

north from that improved connection. However, despite the fact that the UK Government has been prompted endless times to bring high-speed rail to Scotland, it has made no proposal to do that.

Willie Rennie: Will the cabinet secretary give way?

Keith Brown: I thought that Gavin Brown wanted to intervene there and restate the commitment. If Willie Rennie will, for the first time, ask Susan Kramer and others to support high-speed rail coming to Scotland, I will be delighted to let him intervene.

Willie Rennie: The minister seems to be pleading with other members rather than taking an intervention from me.

Can the minister answer the question that I posed earlier, which he has failed to answer so far? His Government said that it would build the Edinburgh to Glasgow high-speed rail link before the UK Government invested in the line to Birmingham. Is it still the case that that is the commitment?

Keith Brown: I made it very clear, as we have made it very clear in the past, that we have undertaken a study on that. If he thinks that it makes sense to have a high-speed rail link between Edinburgh and Glasgow without knowing whether we are to have a high-speed rail link coming from the south, he basically does not understand transport projects. He should think about it for a short time.

I will come back to two points that Willie Rennie made. First, he was utterly disingenuous when he implied that classification or reclassification of NPD projects was a problem or failure on the part of the Scottish Government. [*Interruption.*] He is nodding now. Surely he must know that the finance secretary has discussions with his counterparts in Westminster, who have the same challenge in terms of classification. The finance secretary works very closely with them to ensure that we have budget cover for the projects that we intend to take forward. Despite that, Willie Rennie tries to portray it as a problem or failure on the part of the Scottish Government, which is disingenuous.

Mr Rennie's other point was about the First Minister's statement regarding £180 billion of borrowing. He challenged me to provide the figures, which I gave to him, but he still complained. The vital point, which Linda Fabiani made, is that there is an ideological difference. We are committed to an alternative to austerity, whereas the Liberal Democrats are committed to austerity and have been for the past five years. They have failed to get the budget deficit down as they said they would do: instead of a £5 billion surplus, they have a £50 billion deficit. The Liberal

Democrats have failed to do the things that they said they would do.

It is not like Franklin D Roosevelt with his new deal—with the coalition we get a bum deal. We have had nothing from it but austerity, and we propose a different course of action.

Small Business, Enterprise and Employment Bill

17:28

The Presiding Officer (Tricia Marwick): The next item of business is consideration of motion S4M-12384, in the name of Fergus Ewing, on the Small Business, Enterprise and Employment Bill, which is United Kingdom legislation.

Motion moved,

That the Parliament agrees that the relevant provisions of the Small Business, Enterprise and Employment Bill, introduced in the House of Commons on 25 June 2014 and subject to amendments tabled in the House of Lords on 7 January 2015, relating to the recovery of public sector exit payments, so far as these matters fall within the legislative competence of the Scottish Parliament, should be considered by the UK Parliament.—[*Fergus Ewing.*]

The Presiding Officer: The question on the motion will be put at decision time.

I undertook to come back to the chamber on a question raised by the minister, Fergus Ewing, during the stage 3 debate on the Legal Writings (Counterparts and Delivery) (Scotland) Bill. The minister queried whether the bill was the first to have completed its passage through the Parliament unamended. I thought not, but I promised to come back to the chamber.

We have checked this afternoon and, as I suspected, there are a number of other examples. An early one is the Census Amendment (Scotland) Bill, which completed its passage in March 2000. At least 10 such similar bills completed their passage unamended. I have in my hand a little list. I could read it to members, but I think that you would probably prefer that I give it to the minister at the end of business. I think that he would enjoy that.

Decision Time

17:30

The Presiding Officer (Tricia Marwick): There are six questions to be put as a result of today's business. The first question is, that motion S4M-12381, in the name of Fergus Ewing, on the Legal Writings (Counterparts and Delivery) (Scotland) Bill, be agreed to.

Motion agreed to,

That the Parliament agrees that the Legal Writings (Counterparts and Delivery) (Scotland) Bill be passed.

The Presiding Officer: The bill, which is the Parliament's first Law Commission bill, is passed. [*Applause.*]

Before I move on to the next question, I remind members that, in relation to the debate on building Scotland's infrastructure for the future, if the amendment in the name of Mary Fee is agreed, the amendments in the name of Gavin Brown and Willie Rennie fall.

The question is, that amendment S4M-12382.3, in the name of Mary Fee, which seeks to amend motion S4M-12382, in the name of Keith Brown, on Scotland's infrastructure, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hilton, Cara (Dunfermline) (Lab)
 Kelly, James (Rutherglen) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Malik, Hanzala (Glasgow) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDougall, Margaret (West Scotland) (Lab)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)

Rowley, Alex (Cowdenbeath) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Stewart, David (Highlands and Islands) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Gavin (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Buchanan, Cameron (Lothian) (Con)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Goldie, Annabel (West Scotland) (Con)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Keir, Colin (Edinburgh Western) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMillan, Stuart (West Scotland) (SNP)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Smith, Liz (Mid Scotland and Fife) (Con)

Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (Ind)
 Yousaf, Humza (Glasgow) (SNP)

Abstentions

Hume, Jim (South Scotland) (LD)
 McArthur, Liam (Orkney Islands) (LD)
 McInnes, Alison (North East Scotland) (LD)
 Rennie, Willie (Mid Scotland and Fife) (LD)

The Presiding Officer: The result of the division is: For 34, Against 76, Abstentions 4.

Amendment disagreed to.

The Presiding Officer: I now remind members that, if the amendment in the name of Gavin Brown is agreed, the amendment in the name of Willie Rennie falls.

The question is, that amendment S4M-12382.1, in the name of Gavin Brown, which seeks to amend motion S4M-12382, in the name of Keith Brown, on Scotland's infrastructure, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 Goldie, Annabel (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hilton, Cara (Dunfermline) (Lab)
 Kelly, James (Rutherglen) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Malik, Hanzala (Glasgow) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDougall, Margaret (West Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McMahon, Michael (Uddingston and Bellshill) (Lab)

McMahon, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rowley, Alex (Cowdenbeath) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinrossshire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Keir, Colin (Edinburgh Western) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMillan, Stuart (West Scotland) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)

Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (Ind)
 Yousaf, Humza (Glasgow) (SNP)

Abstentions

Hume, Jim (South Scotland) (LD)
 McArthur, Liam (Orkney Islands) (LD)
 McInnes, Alison (North East Scotland) (LD)
 Rennie, Willie (Mid Scotland and Fife) (LD)

The Presiding Officer: The result of the division is: For 43, Against 67, Abstentions 4.

Amendment disagreed to.

The Presiding Officer: The next question is, that amendment S4M-12382.2, in the name of Willie Rennie, which seeks to amend motion S4M-12382, in the name of Keith Brown, on Scotland's infrastructure, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Hume, Jim (South Scotland) (LD)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 McArthur, Liam (Orkney Islands) (LD)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Smith, Liz (Mid Scotland and Fife) (Con)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Boyack, Sarah (Lothian) (Lab)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)

Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dugdale, Kezia (Lothian) (Lab)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hilton, Cara (Dunfermline) (Lab)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Keir, Colin (Edinburgh Western) (SNP)
 Kelly, James (Rutherglen) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Malik, Hanzala (Glasgow) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McDougall, Margaret (West Scotland) (Lab)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMahan, Michael (Uddingston and Bellshill) (Lab)
 McMahan, Siobhan (Central Scotland) (Lab)
 McMillan, Stuart (West Scotland) (SNP)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Murray, Elaine (Dumfriesshire) (Lab)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Rowley, Alex (Cowdenbeath) (Lab)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)

Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (Ind)
 Yousaf, Humza (Glasgow) (SNP)

The Presiding Officer: The result of the division is: For 13, Against 100, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The next question is, that motion S4M-12382, in the name of Keith Brown, on Scotland's infrastructure, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Keir, Colin (Edinburgh Western) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)

McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMillan, Stuart (West Scotland) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 Yousaf, Humza (Glasgow) (SNP)

Against

Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Finnie, John (Highlands and Islands) (Ind)
 Goldie, Annabel (West Scotland) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alison (Lothian) (Green)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 McArthur, Liam (Orkney Islands) (LD)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Wilson, John (Central Scotland) (Ind)

Abstentions

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hilton, Cara (Dunfermline) (Lab)
 Kelly, James (Rutherglen) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Malik, Hanzala (Glasgow) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDougall, Margaret (West Scotland) (Lab)
 McMahan, Michael (Uddingston and Bellshill) (Lab)
 McMahan, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)

Rowley, Alex (Cowdenbeath) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Stewart, David (Highlands and Islands) (Lab)

The Presiding Officer: The result of the division is: For 62, Against 17, Abstentions 34.

Motion agreed to,

That the Parliament recognises that infrastructure investment has an essential role in delivering sustainable economic growth by supporting jobs and enhancing Scotland's asset base; welcomes Scottish Government action to maintain levels of investment in transport, health, schools and housing and other projects and programmes through a range of funding mechanisms; supports the strategic, long-term approach set out in the Infrastructure Investment Plan; acknowledges the value being delivered through major projects including the Queensferry Crossing, the M8, M73, M74 improvements, the Aberdeen Western Peripheral Route, A9 and A96 dualling programmes, the Borders rail link, the New South Glasgow Hospitals project and the Schools for the Future programme; recognises the further benefit that projects such as high speed rail would bring and calls for all parties in the Parliament to make clear their support for Scotland being included in HS2; notes that the UK Government has cut the Scottish capital budget by around a quarter in real terms over the current spending review period; calls on the Chancellor to use the 2015 budget to boost capital investment; notes that real-terms increases in spending, limited to half a per cent each year, would see debt reduce as a share of GDP over four years, but would result in a further £180 billion investment in UK infrastructure, skills and education to further boost the economy compared with the UK Government's current spending plans, and believes that such an approach offers an alternative to the UK Government's failed austerity agenda.

The Presiding Officer: The next question is, that motion S4M-12384, in the name of Fergus Ewing, on the Small Business, Enterprise and Employment Bill, which is United Kingdom legislation, be agreed to.

Motion agreed to,

That the Parliament agrees that the relevant provisions of the Small Business, Enterprise and Employment Bill, introduced in the House of Commons on 25 June 2014 and subject to amendments tabled in the House of Lords on 7 January 2015, relating to the recovery of public sector exit payments, so far as these matters fall within the legislative competence of the Scottish Parliament, should be considered by the UK Parliament.

Eating Disorders Awareness Week 2015

The Deputy Presiding Officer (Elaine Smith): The final item of business is a members' business debate on motion S4M-12192, in the name of Dennis Robertson, on eating disorders awareness week 2015. The debate will be concluded without any question being put.

Motion debated,

That the Parliament observes that 23 to 27 February marks Eating Disorders Awareness Week 2015; notes that the most recent figures from NHS Information Services Division estimate that, in Scotland, around 2,000 patients in a single year sought treatment for an eating disorder; believes that the real figure is impossible to know due to the great number of people who do not seeking help from a GP; understands that eating disorders are recognised as mental health conditions; acknowledges what it considers the serious conditions that can be associated with such disorders, including other mental health conditions, osteoporosis, type 1 diabetes, anaemia, low blood pressure and organ failure; notes with sadness that people are still dying from these disorders; believes that there can still be imperfections in the communication between clinicians and families; commends the organisations in Aberdeenshire West and throughout the country that are playing a part in raising awareness and providing support to people with eating disorders, and welcomes what it considers the continued engagement and support from the Scottish Government.

17:34

Dennis Robertson (Aberdeenshire West) (SNP): I thank all the members who supported the motion in order for me to secure the debate. I welcome to the gallery members of Diabetics with Eating Disorders who will participate in an event in committee room 4 after the debate.

Prior to the debate, I asked myself why—why am I doing this? The answer is really quite simple. We need to continue raising awareness within the medical profession of people with eating disorders. It was once said to me that things only change death by death. I am hoping to take a much more positive view of this. I am hoping that things will change by raising awareness—awareness by awareness.

This is the third time that I have come to the chamber to raise awareness. I believe that, as I have done so, we have made significant changes. For instance, last year we had the first ever eating disorders conference held in the Parliament. It was well attended. We brought together clinicians, families and patients, people from the media, colleges, universities and the fashion industry. They all had one aim in mind, which was to look at how best we serve those with eating disorders—how best we can make changes in their lives and how best we can resolve some of the problems that those with eating disorders face.

In the past, I have focused on anorexia, for very personal reasons. Perhaps I can come back to that later. However, I want to look at the whole spectrum—well, maybe not the whole spectrum, but there is a wide spectrum of eating disorders. Those with bulimia nervosa have huge problems in coming to terms with their eating disorder. Quite often, it goes undetected and people cope secretly with their condition. Thankfully, many more seek medical attention, but often much harm has been done to their bodies before they do that. The condition affects their fertility system, it can weaken their heart, it can damage their kidneys and it erodes the enamel from their teeth. It is a dreadful eating disorder.

There are also non-specific eating disorders, one of which is perhaps that related to those with diabetes. I had no idea when I first came into the Parliament, or when I first became aware of eating disorders, that mortality is five times more prevalent among those with diabetes and eating disorders than it is among those with anorexia nervosa. That is a shocking statistic to me.

It would appear that those with diabetes and eating disorders still do not have a recognised diagnosis. There is no medical name attached to this condition, as far as I am aware. I hope that, in raising awareness by bringing the subject to the chamber for debate, having an event here, listening to the clinicians and having the minister attend, we will make some strides forward in listening to those people's stories.

The Parliament is well aware of my story, and it is with sadness that I recall the fact that Caroline died four years ago—four years ago tomorrow, in fact. When this anniversary comes around, I ask myself why, and I think I know the answer. It happened because it happened. It is as simple as that. It was not because there was no intervention. It was because there was perhaps the wrong intervention. It happened because, maybe, we were ill informed as parents, as Caroline's main carers. This is still too often the problem—communication between the clinicians and the parents and carers is still not at a level at which we can have confidence that young people and others with eating disorders are getting the care and treatment that they need.

NHS Grampian has had bad press recently, but let me give the Parliament a good story from NHS Grampian. It has, probably, an exemplary service for eating disorders at the moment—exemplary, but with a condition. It has a fantastic transition from the young person's eating disorder unit to adult services. Why? Because it learned a lesson. It learned a difficult and tragic lesson, but in saying that, I note that it did learn a lesson. That lesson needs to be replicated in other health boards throughout Scotland.

There is good practice. The management of really sick patients with anorexia nervosa—MARSIPAN—code of practice should be picked up and implemented throughout all eating disorder services. Young people who are going to medical services are not being appropriately cared for. They are not getting the appropriate treatment when they go to hospital. Why? Because the people who give that treatment are not aware of the full implications of the eating disorder. Help is available. That just needs to be recognised.

We have got better. The general practitioner referral rate is better and I believe that psychiatric services are coming to terms with eating disorders, although resources are few. Let us look, however, at the economic implication of eating disorders. It is estimated that, in the United Kingdom, somewhere between £7 billion and £8 billion is lost due to eating disorders. That is the cost to the NHS, the cost of people who lack employment or those who require care. I do not think that those with eating disorders are asking for too much.

I said that the NHS Grampian service would be an exemplar. It would, if it had the community services to support the hospital service. I say to the minister that, with the integration of health and social care, let us look at the intensive therapy treatments that people with eating disorders require in the community. Let us take that step. Let us resource that necessary requirement not just for patients or carers, but for clinicians to provide the treatment that those with eating disorders deserve and need.

17:46

Malcolm Chisholm (Edinburgh Northern and Leith) (Lab): I welcome the opportunity to highlight for the third time in this parliamentary session the incredibly serious issue of eating disorders. I congratulate Dennis Robertson on his dedication and on lodging the motion. Many in the chamber will concur that he has been a brave voice in making the argument, and we must all thank him for his resolute campaigning.

Last year's eating disorder conference, to which Dennis Robertson referred, was a significant event that I was pleased to attend. It was significant not only for the academic community and experts, but for the many individuals and families who attended and added their personal stories. We were moved by their bravery in coming to this place and sharing what is still a much misunderstood and stigmatised mental health issue.

At a clinical level, there have been steps forward in ensuring that GPs have the necessary information to deal with a presentation. As I pointed out in a previous debate, a managed

clinical network for eating disorders that covers Grampian, Tayside, Highland, Orkney, Shetland and the Western Isles has been operational since 2005. However, as Dennis Robertson pointed out in the motion, there can still be complications in the clinical pathway that can be very discouraging for people who are suffering. We must continually reinforce the message that the problem is a serious mental health problem and that, when people present, they do so during one of the most difficult periods of their life. They cannot be turned away and be left to retreat back into themselves. Instead, the process of presentation must be made as unthreatening as possible, and that starts with an understanding GP who can make a quick and accurate assessment and communicate with families. Dennis Robertson emphasised the importance of that.

As is the case every year, a number of charities have put their best foot forward to raise awareness of eating disorders across Scotland and the United Kingdom—none more so than Beat, which, in its 25th year, is hosting its sock it to eating disorders event. That yearly event encourages supporters

“to get silly with their socks, and wear colourful, wacky socks for the day and donate £1 to Beat.”

The campaign is light-hearted and highly visual and helps to bring public attention to awareness week. However, as Beat’s website highlights, the inspiration for the campaign is a very sad story. I do not have time to recount it, but members can read it on the website.

ISD Scotland publishes up-to-date statistics on the number of presentations and referrals for eating disorders in Scotland. The figures for 2013 show that those with an eating disorder who presented to either a GP or a practice-employed nurse are mainly 15 to 24-year-old females. That trend has continued for many years although, as I stated in a previous debate, the number of presentations by young men has gone up recently. United Kingdom figures that the National Institute for Health and Care Excellence has provided suggest that 1.6 million people in the UK are affected by an eating disorder, of whom around 11 per cent are male.

What is most striking is that this mental health problem is consistently associated with a younger demographic. Policy makers must acknowledge that when they target their interventions. A study by Beat, whose awareness campaign I have mentioned, was published on Monday this week. It made the case for a more preventative approach. The in-depth report, “The Costs of Eating Disorders—Social, Health and Economic Impacts”, received 517 survey responses from individuals and carers affected by eating disorders. It identified a need to dramatically increase resources for earlier intervention and indicated

how inconsistent access to treatment can be for individuals, which leads to a cost of tens of billions of pounds to the economy. Again, Dennis Robertson emphasised that. Successfully identifying eating problems as soon as behaviour changes are noticed will help to prevent damaging behaviours from worsening over time and becoming more costly to treat.

Respondents to the survey indicated that eating disorder symptoms are first recognised under the age of 16 in 62 per cent of cases. That is an important statistic, as it means that the cycle of treatment, recovery and relapse can cause severe disruption to sufferers’ education, impacting on their employment, professional development and lifetime earnings.

The effects can last a lifetime and can come at a high cost not only to immediate family, but to wider society. However, early detection can help. Those respondents who sought support at an earlier stage cited a relapse rate of only 33 per cent compared with an average rate of 63 per cent for all those who presented later in their illness.

The report highlights and the motion before us points out that we could be doing better, with more targeted early interventions and clear pathways of support for general practitioners, individuals and carers. The picture before us is one of fractured and inconsistent provision. When the cost to the individual and to society is so incredibly high, the area must be prioritised.

In this awareness week, let us join together to recognise the bravery of those who make their voices heard and the hard-working charities that give them support. Let us also look to make the improvements necessary to ensure that fewer people suffer each year that we debate this most important issue in the chamber.

I again thank Dennis Robertson for the debate and for all his work over the parliamentary session on the issue.

17:51

Christian Allard (North East Scotland) (SNP):

As a good friend of Dennis Robertson, I will do something that he is not very good at: blowing his own trumpet. I will use part of my speech to do exactly that, just like Malcolm Chisholm did at the end of his speech.

It is important to realise what Dennis Robertson has done in the past four years. As the man behind the man behind the dog for many years, I was in a privileged position to witness how much he has done and achieved as a father and as the member for Aberdeenshire West.

I vividly remember when Caroline Robertson died four years ago. We talked about that in last

year's debate. I mentioned the little steps that Dennis Robertson took, starting with going to my own Westhill academy, where he spoke to parents and teachers. He opened up the issue and the importance of awareness in schools. That was followed up with a conference on eating disorders in Aberdeenshire, which was held in Portlethen academy. The meeting was for teachers, although the aim was to raise awareness among not only teachers but students. After that, the first NUS in-patient eating disorder unit opened at NHS Grampian.

I had the privilege of meeting some of the NHS staff there. They are fantastic and inspiring. They recognise Dennis Robertson as a leading figure in the fight against eating disorders. I must say that NHS Grampian and the Eden unit staff are quite good at understanding the problems that patients of different ages face. I was pleased to notice that they have a video therapy unit—I would like to go and visit it; I have not had that pleasure yet and I promised that I would go—which is interesting, because having direct access to care and to clinics will help. We know that we must tackle the disorder at the right time and we must ensure that the services are ready to act.

I was delighted to see that the video therapy clinic works all across the region, from Banff, Elgin, Fraserburgh, Stonehaven, Peterhead and Turriff to Shetland.

Kevin Stewart (Aberdeen Central) (SNP): One of the things about this job and every other is that if one does not learn something new every day, one is probably failing in one's duty. Does Mr Allard agree that the education that Mr Robertson has helped to provide to members has been immense in moving forward on tackling eating disorders?

Christian Allard: That is true. We have to direct our praise to Dennis Robertson. When he said that he had no idea, what we realised was that we had no idea. Most of us had absolutely no idea before Dennis Robertson brought the issue to the chamber. He was honest enough to say that he had no idea, and I would like to finish by saying that families have no idea. Dennis Robertson, as a father, and I, as a friend of the family, could have no idea what patients are going through.

We have to accept that people who are not suffering from this illness have no idea. We must ensure that help and support are available to families, friends and relatives, and that support must be tailored to make them understand from day 1 that we have no idea and that we need to let the clinicians guide the process and advise on the best thing to do.

I say again how much admiration Dennis Robertson has in this field. I spoke to Jacqueline

Allan and Sarah Caltieri, both of whom we are going to hear from tonight, and they told me about the great admiration that they have for Dennis Robertson.

17:56

Nanette Milne (North East Scotland) (Con): I apologise to members, as I shall have to leave before the end of the debate because of other commitments. For the same reason, I will be unable to attend the eating disorders seminar this evening.

I, too, add my congratulations to Dennis Robertson on once again bringing this serious issue to the chamber. The debate, which focuses on the prevalence of eating disorders and the serious long-term health conditions that can be associated with them, is the latest in a line of what has become an annual event. I would like to think that, as we go forward, awareness of the condition will continue to improve, as it has done in recent years. Many people do not associate eating disorders with conditions such as osteoporosis, type 1 diabetes, organ failure and other mental health conditions, and I commend Dennis Robertson for highlighting that in his motion.

The motion rightly emphasises the worrying figures from the NHS Information Services Division on the number of people in Scotland who ask for medical help or treatment each year. It is a significant number, but one that almost certainly masks a so-far unidentified group of people who have one of the disorders but who, for a variety of reasons, do not seek help.

I was aware through previous eating disorder awareness weeks that the campaign has been successful right across the United Kingdom and involves universities, charities, schools, health professionals, local authorities, those affected by eating disorders and individual carers. What I was not fully aware of was the extent to which eating disorders awareness week stretches around the globe, with many states in America participating, and also groups in Canada, Australia and Europe. Perhaps our work as politicians, and our participation in debates such as this, will assist in extending involvement in other areas of the world, thereby spreading the awareness of eating disorders to populations that are not yet aware of them.

In previous debates, I have focused on students who move away from home to an unfamiliar environment, one of the consequences of which can be depression that leads to conditions such as anorexia. In another debate, we looked at the influence that supermodels can have on girls, particularly teenagers, who feel the need to aspire to such levels of so-called beauty. Again, that can

develop into complex emotions of inferiority, manifesting themselves in eating disorders such as bulimia and anorexia nervosa.

In the time available to me, I would like to look at another aspect of eating disorders that perhaps does not receive the coverage that it deserves, and that is the number of men who are affected. Between 10 and 25 per cent of people in the UK experiencing eating disorders are male, and the majority of men who have eating disorders struggle to get access to appropriate support and treatment. It is therefore particularly difficult to know how many men are actually affected by the conditions.

Often, as with similarly affected females, they want to achieve the body perfect, as displayed by footballers and athletes. Persistent use of gyms, not for fun or sport but to obtain that perfection, and slimming to dangerous lengths can eventually lead to life-threatening conditions. Only this week, statistics from Ireland showed a 30 per cent rise in the number of calls to eating disorder helplines, and the callers included boys and young men.

Thankfully, support is provided for males who are affected by eating disorders through organisations such as the Men and Boys Eating and Exercise Disorders Service. It does tremendous support work across Scotland and has bases in the cities in my region—Dundee and Aberdeen. One of the organisation's key messages aims to make people understand that an eating disorder is a mental health condition. It also aims to remove the stigma that only women and girls are affected by it. I know that there are many people, particularly parents, who through ignorance or denial believe that it is a female-centric condition.

I would like to end by making a brief comment about eating disorders in men who are middle-aged or older. Although we are miles apart in our political persuasions, I thought that it was extremely brave of John Prescott to announce that he had suffered from bulimia for more than 10 years. It must have taken a great deal of courage for a bluff bruiser like him to come forward to help to end the stigma of eating disorders and I admire him for it. As he said at the time:

"I want to say to the millions of people, do take advice, it can help and it can help you out of a lot of misery that you suffer in silence."

The Deputy Presiding Officer: Before we move on, I advise members that given the number who still wish to speak in the debate I am minded to accept from Dennis Robertson a motion without notice, under rule 8.14.3, that the debate be extended by up to 30 minutes.

Motion moved,

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

Motion agreed to.

18:01

Jim Hume (South Scotland) (LD): I congratulate Dennis Robertson on bringing the debate to the chamber and recognise his strength in doing so, which we all admire.

Eating disorders, which are recognised by the medical community as a mental health issue, are just as important for the physical health of the individuals who are affected as they are for their mental and psychological health. Numbers show that eating disorders are more prevalent among young people, especially girls of up to 24 years of age, with 15 to 24-year-olds being most exposed to the pressures that lead to eating disorders.

We face a twofold crisis among our youth population. On one hand, what are often seen as societal pressures that affect young people's thinking result in dissatisfaction with their physical appearance, which leads to extreme measures, unhealthy lifestyles and mounting health problems. As we know, as well as affecting young people's physical appearance, eating disorders cause an obsession with their image of themselves and a slow deterioration from their healthy state of mind.

Approximately 2,000 people a year seek treatment for eating disorders but that figure counts only the people who seek help and treatment. An unknown number more—the majority of whom are members of the youth population—have not reported their condition to someone close to them or to a health practitioner.

Their issues affect us all. As a society, we are always seeking to improve, so we cannot leave our youth to succumb to the pressure to have an unrealistic body shape—young people who, when faced with a lack of adequate mental health support, seek to take issues into their own hands by harming their physical wellbeing.

What is our role and the role of the Government in providing support for young girls and boys who hold such perceptions of body shape? How can we expect to have healthy, motivated and engaged individuals if we do not do enough to provide support? I am not talking about our realising that someone is suffering from anorexia; I am talking about preventing anorexia from ever happening. We need to take a firm stand to make children, teenagers and young adults understand that shape does not matter and that what matters is a healthy body and a healthy mind.

We must show that, as a country, we are ready and we are capable of guiding anyone who might be suffering to take the right steps to avoid falling

into the spiral of eating disorders. Unfortunately, like so many other conditions, eating disorders can spiral into a host of other conditions and diseases.

Dennis Robertson: I heard it said recently that describing anorexia nervosa as an eating disorder is like describing lung cancer as a cough. Does Jim Hume agree that we should move away from using the term “eating disorder” and state what it is—mental illness?

Jim Hume: Yes. I could not agree more with Dennis Robertson. I am happy to take that on board.

We have to recognise that people with eating disorders can also have other pressures on their mental health and their psychological wellbeing, and that osteoporosis, anaemia and organ failure can and do occur. We must be able to stand by the people who need our support and we must enable the availability and flexibility of the most appropriate and necessary resources of our healthcare system to reach those who are most in need. Both children and adolescent mental health officers, on the mental health support side, and nutritionists, nurses and general practitioners, on the physical health support side, should be empowered to address eating disorder issues so that they do not have to address additional or more serious issues as a result of their not having done so.

As members know, it has been a personal priority for me to increase the focus on mental health services for children and adolescents. I will seek to work with the relevant bodies and the Government on that as a further commitment in order to prevent and to protect young people from resorting to eating disorders. I am sure that there will be cross-party support for such action that will cement our commitment to improving the mental and physical health of all those about whom we have been talking during the debate.

Again, I thank Dennis Robertson for bringing the debate to the chamber and for keeping awareness of eating disorders at the top of the agenda.

18:06

Rhoda Grant (Highlands and Islands) (Lab): I, too, congratulate Dennis Robertson on securing this debate. Like others, I pay tribute to his courage in pursuing the issue.

Conditions that make a person damage themselves are probably the hardest for us to comprehend. What would make someone fight every instinct, and damage or even kill themselves in doing so? It is clear that it takes a great deal of self-control for someone to cut what they eat to an extreme, so it is often associated with people who feel that they have lost control of their lives and it

is also prevalent in young people whose lives change quickly and uncontrollably during puberty and when growing up. Surely that signals that young people are naturally more at risk. We can see how loss of control would contribute to the development of type 1 diabetes.

That extreme eating disorders are difficult to understand shows that they will be difficult to treat, because the sufferers have already overcome their natural instinct to protect and nourish themselves. There needs to be more understanding of the causes as well as better research into treatments. There are very few specialist centres, which means that people do not receive the treatment that they require. There also appears to be ignorance in the health service about how sufferers should be treated in the first place. In extreme situations, force-feeding might be seen as life-saving, and we can see that that would be instinctive. However, unless we deal with the causes, we are at risk of creating an even greater aversion to eating by forcing somebody to eat against their will.

We need more dedicated mental health services for young people with eating disorders and those who self-harm, which is something that we are missing. We need to understand the conditions and to provide early intervention to help sufferers. It is sad that young people tend to have to leave home and loved ones, and to travel very great distances to access high-quality care. That situation needs to change. At a time in their lives when young people are vulnerable, they need to be close to their family and friends.

We also need to look at the care pathway. I recently spoke to a young people’s group called “speak”, who talked to me about how they access help for mental illness and disorders. They told me that their first line of support is often their guidance teacher at school but that sometimes it is very hit or miss, depending on the person who provides the support. They also told me that there is often no private space for them to make their first approach to get help. Guidance teachers are often in charge of detention and have to deal with young people for bad behaviour, which makes the setting very difficult and the system very difficult to access for those who need support.

There is often a long waiting time for professional help. The target is 18 weeks, but that is an eternity for a young person at a time when their brains are still forming and their life chances are being built. Those four months or so can change the direction of their whole lives.

In order to help them to receive help early, we also need to speak about the conditions and deal with stigma. Mental health conditions continue to be stigmatised, which appears to be stubbornly

hard to deal with. Unless we have open discussions, we will not deal with that stigma.

As other members have said, we need to deal with the pressure to attain unrealistically thin bodies. Digitally altering images of extremely thin models in the first place to make them even taller and thinner portrays body shapes that are impossible to attain. Such bodies are then portrayed as perfection and something to which we should all aspire. We need to stop that and be realistic about what is normal. Indeed, we need to celebrate the spectrum of what is normal.

18:10

Mark McDonald (Aberdeen Donside) (SNP): I congratulate my colleague Dennis Robertson on securing the debate. Dennis has secured a number of debates on this important issue, which, as he has highlighted on every occasion, has affected him quite profoundly. It is a great testament to Dennis that a huge amount of awareness now exists in the chamber and in wider society about issues relating to eating disorders and the mental health aspects of those disorders.

I will focus my comments on the issues of diabetes and eating disorders. I spoke earlier to the individuals at the Diabetics with Eating Disorders stall. One of the issues that was raised during my discussion was that it is not enough just to focus on the issue of educating individuals on the use of insulin, because we are dealing with people who know exactly how to use their insulin—and not just how to use it but how to manipulate it to affect their weight.

I want to talk about a constituent of mine, Emma, who I first met during my by-election campaign in 2013. Emma identified as a diabulimic. Diabulimia is a term created to represent diabetic bulimia. The condition occurs when insulin-dependent diabetics skip injection in order to lose weight. This type of disorder usually affects type 1 diabetics. Young diabetics who already have numerous issues to deal with can realise potential weight loss by skipping insulin. However, they often do not understand how they are damaging their bodies as a result.

Emma has been admitted to hospital on multiple occasions for diabetic ketoacidosis, or DKA. Her feeling was that, at the time, that perhaps should have sounded alarm bells and led to a deeper understanding of the condition that affected her.

After meeting Emma, and returning to Parliament following the by-election, I lodged a parliamentary question on the issue of diabulimia. I asked the Scottish Government what guidance it had issued to NHS boards in respect of the diagnosis and treatment of diabulimia. The reply

from the Minister for Public Health, Michael Matheson, said:

“In 2006, guidance was issued to NHS boards on the management and treatment of eating disorders in Scotland. While diabulimia is not specifically included, we expect the principles and good practice around care and treatment of individuals will be applicable to this cohort of people.”—
[Written Answers, 17 July 2013; S4W-16066.]

I would say to the minister that that may merit some examination.

I am aware, from the conversation that I had at the Diabetics with Eating Disorders stall, that there is now some progress on inclusion in the list of identified mental health conditions in DSM-V, the “Diagnostic and Statistical Manual of Mental Disorders”, but that chronic insulin deprivation, or failure to take insulin, has not yet been readily identified in its own right.

An issue was raised with me about the cohesion between physical and mental health. We often talk about the parity between physical and mental health, which is vital, but there must be an element of cohesion when it comes to diabetics with eating disorders. When the physical health of the individual is looked at but not necessarily the mental health, and vice versa, it means that, potentially, those dealing with diabetics with eating disorders are not treating the individual in a cohesive and holistic fashion.

I ask the minister to look at that issue and see whether there needs to be some update to the guidance or some further guidance in relation specifically to eating disorders as they affect diabetics. That would be very welcome, certainly for my constituent Emma and, I suspect, for other diabetics who are affected by eating disorders.

18:15

The Minister for Sport, Health Improvement and Mental Health (Jamie Hepburn): I join other members in congratulating Dennis Robertson on securing the debate. Members all know of his personal interest in these matters and I thank him for his personal testimony. I know that it must be very difficult for him to come to the chamber and provide us with that testimony.

Malcolm Chisholm described Dennis Robertson as “a brave voice” and I certainly concur. Dennis has campaigned assiduously on behalf of people with an eating disorder and, as Mark McDonald said, he has raised the issue in Parliament on a number of occasions. It is important that, as a legislature, we are seen to be debating the issue regularly, not least to raise our own awareness of the issue. Mark McDonald and Christian Allard pointed out how much better informed they and all of us have become because of the work that Dennis Robertson has done.

As we mark this year's eating disorder awareness week, it is right that we recognise the efforts of all the people and organisations across the country that are working to raise awareness of eating disorders. I pay tribute to the dedication and continuing work of all the professionals, staff and volunteers across all sectors, and particularly to people who are living with an eating disorder and their carers and families in their efforts to tackle this serious and potentially life-threatening illness.

I have listened carefully to the range of comments and issues that have been raised and I will pick up a number of them. I can certainly reassure members of the Government's commitment to ensuring that we are improving care, services and support for those who have an eating disorder.

Dennis Robertson raised the importance of treatment in the community. It is important to recognise that the vast majority of people with eating disorders are treated in the community, with support being provided by primary care or community mental health teams. All NHS boards keep arrangements and services under review and are working towards improved access and outcomes for service users and their families, based on prevention, appropriate intervention and sustained recovery.

Nanette Milne, who has left the chamber—she could not stay for the entire debate—raised a concern about people not accessing services. The national guidance on recommendations for the management and treatment of eating disorders was published in 2006. Mr McDonald referred to that guidance. It covers general principles, the role of the GP and primary care teams, specialist services, dietitian training and awareness raising for staff. We expect NHS boards and their partners to take account of that guidance and other relevant guidance in the management and organisation of eating disorder services across Scotland.

We are driving our improvement agenda forward through delivery of the national mental health and suicide prevention strategies. Those strategies combine to deliver a range of commitments that will impact positively on improving care, services and support for those with an eating disorder and their families. Malcolm Chisholm rightly emphasised that this is an important mental health issue, and the Scottish Government views it as such. As the first nation in the UK to introduce a target to ensure faster access to psychological therapies for all ages, we recognise the positive contribution that such therapies can make to treating mental illness and in particular eating disorders.

The target for NHS boards is that patients get a referral to treatment—to psychological therapies—

within 18 weeks. The latest data shows that the average adjusted waiting time is eight weeks and that 81.4 per cent of people were seen within 18 weeks. Of course, we are working to ensure that that percentage is higher. That target complements our priority attention to improving the mental health of children and young people and the 18-week target for referral to specialist child and adolescent mental health services. The latest data shows that 78.9 per cent of people are seen within 18 weeks, which is not a high enough percentage, but we are moving in the right direction and we have an average waiting time of seven weeks.

Dennis Robertson: I appreciate what the minister has said. With reference to the figures, can he advise us whether those who are presenting with eating disorders are being seen, and seen appropriately?

The minister referred to the 2006 guidance. Several young people have died, and I suggest that the implementation of that guidance is not universal.

Jamie Hepburn: We certainly expect any guidance that we issue to be taken seriously by all health boards throughout the country. We have prioritised the need to improve access to CAMHS, which I recognise is important for those with eating disorders. We have invested nearly £17 million in those services since 2009, and the workforce has increased by 24 per cent. The number of children and young people who have been seen by CAMHS has increased by 60 per cent in the past few years; I do not have the exact figures in front of me for those who were seen and who have an eating disorder.

Kevin Stewart: I recognise that things are improving, but there are still difficulties in certain areas, including the area that NHS Grampian covers. I wrote to the chief executive of NHS Grampian today—I copied my correspondence to the minister—because I have some concerns that the board is failing to deal with matters appropriately. What does the minister intend to do in the areas that are not meeting the targets that have been set?

Jamie Hepburn: I received the correspondence, and I will respond to Mr Stewart in due course. I recognise that some areas are not performing as well as others and, before Mr Stewart wrote to me, I instructed my office today that I want to speak to all the chief executives of the boards that are presenting particular issues with access to CAMHS. I will discuss the issues with those chief executives as soon as possible.

There has been a dramatic increase in the numbers who are being seen by CAMHS, which is

a good thing, as it is a sign that stigma is reducing and that more people are willing to come forward.

I see that I am running low on time, Presiding Officer, so I will comment on just a few other areas. I am pleased to see the recent formation of the Scottish child and adolescent mental health services eating disorder group to promote service development and training and to share innovative practice for children and young people with eating disorders throughout Scotland. We will seek to learn from that work and, where further improvements are found to be necessary, we will seek to act.

On the prevalence of diabetes diagnosis among those with an eating disorder, I hope to learn more about that when I attend the parliamentary reception after the debate. In November last year, the Government published a diabetes improvement plan that sets out a range of actions for people who are living with diabetes. It includes a focus on preventing complications, improving glycaemic control and—crucially—reducing disengagement from services and improving outcomes for disadvantaged and minority groups.

To pick up on Mark McDonald's important point, I note that we funded the psychology and diabetes pilot project through the Scottish diabetes group. The project has now concluded, and we expect the lessons that have been learned from it to be shared appropriately among health boards. Work is on-going to consider how best to disseminate the learning outcomes from the pilot and, if it is appropriate to update our guidance accordingly, we will seek to do so.

I could say much more, but I am way over time, so I will not do so. Dennis Robertson made the point that things have got better, but we can always get better still and ensure that we do all that we can to support those with an eating disorder. I make the commitment to take forward that work through my ministerial office, and I thank Dennis Robertson again for bringing the debate to the chamber.

Meeting closed at 18:24.

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