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Tuesday 23 June 2020

Session 5



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Scottish Parliament

Tuesday 23 June 2020

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

Time for Reflection

The Presiding Officer (Ken Macintosh): Good afternoon, colleagues. We begin our week's business, as always, with time for reflection. Our time for reflection leader today is Miss Miriam Hussain, young women lead committee member. Miss Hussain is delivering her time for reflection remotely.

Miss Miriam Hussain (Young Women Lead Committee): Thank you, Presiding Officer, and thank you to Linda Fabiani MSP for nominating me to represent this year's young women lead cohort. Members of Parliament, welcome to my home in Fife at my parents'—Fateh and Fatima—shop, Leslie Mini Market.

Young women lead is a leadership programme that aims to give young women between the ages of 16 and 30 in Scotland the opportunity to form a committee and lead an inquiry on a topic of our choice in partnership with YWCA Scotland and the Scottish Parliament.

There is a lack of Scotland-specific data regarding black, Asian and minority ethnic women's experiences in education and employment, which is why this year's cohort has chosen to help fill that gap. Our chosen topic, the transition from education to employment for young BAME women, holds particular significance as all 24 committee members are women from minority ethnic communities living in Scotland.

The power that a community of peers like ours can hold is what led me to young women lead. From primary school to university, I had never shared a classroom with a fellow south Asian. Instead of questioning that, I distanced myself from my Pakistani heritage, unknowingly harming myself to fit in. I latched on to the idea of being unique, finding a shameful comfort in hearing my classmates say, "You're nothing like your family".

Lack of role models and peer support played havoc with my self-confidence and mental health as a Scottish Pakistani Muslim. I could not articulate my aspirations or commit to career goals; I couldn't envision who I wanted to be. Longing to belong, I began a south-Asian society during my final year at Edinburgh Napier University and from that pivotal moment everything changed. I found home within myself through peer support. Reflecting on shared

experiences allowed me to see the magic in my normal.

Now, young women lead is teaching us how to use our political voice. It is empowering to hold an inquiry for young BAME women, by young BAME women. In light of Covid-19, and with the Black Lives Matter movement gaining momentum into mainstream consciousness, the support from young women lead continues to be monumental. Currently in our research stages, we ask that everyone listening shares our surveys to help to inspire positive changes for young BAME women in Scotland.

From our communal garden here at my parents' shop, we thank you for your leadership at this poignant time and wish you all a safe summer.

The Presiding Officer: Thank you, Miss Hussain, for joining us from Fife.

Business Motion

14:04

The Presiding Officer (Ken Macintosh): Our next item of business is consideration of business motion S5M-22125, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, setting out revisions to this week's business.

Motion moved,

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

(a) Tuesday 23 June 2020—

after

followed by Topical Questions

insert

followed by Ministerial Statement: Update on Education Recovery

delete

5.30 pm Decision Time

and insert

6.00 pm Decision Time

(b) Wednesday 24 June 2020—

delete

2.30 pm Parliamentary Bureau Motions

2.30 pm Stage 1 Debate: Social Security Administration and Tribunal Membership (Scotland) Bill

followed by Financial Resolution: Social Security Administration and Tribunal Membership (Scotland) Bill

followed by Business Motions

followed by Parliamentary Bureau Motions

followed by Approval of SSIs (if required)

5.00 pm Decision Time

and insert

2.45 pm Parliamentary Bureau Motions

2.45 pm Ministerial Statement: Providing Financial Stability for Farmers and Crofters

followed by Stage 1 Debate: Social Security Administration and Tribunal Membership (Scotland) Bill

followed by Financial Resolution: Social Security Administration and Tribunal Membership (Scotland) Bill

followed by Business Motions

followed by Parliamentary Bureau Motions

followed by Approval of SSIs (if required)

4.45 pm Decision Time—[*Graeme Dey*].

Motion agreed to.

Topical Question Time

14:04

National Health Service (Covid-19 Transmission)

1. **David Torrance (Kirkcaldy) (SNP):** To ask the Scottish Government what steps it is taking to reduce the transmission of Covid-19 as NHS services resume. (S5T-02293)

The Cabinet Secretary for Health and Sport (Jeane Freeman): As we remobilise our NHS, the chief nursing officer's expert group on nosocomial transmission has made three important sets of recommendations. First, in addition to testing all staff connected to a suspected nosocomial outbreak, we will now test on a weekly basis staff working in specialist cancer units, in long-term care of the elderly and in long-stay mental health wards. Boards will be asked to start that additional testing from 8 July.

Secondly, in hospitals and care homes for adults, face masks will now be worn by staff who have contact with patients or residents—that is, all staff who have contact with patients or residents—and out-patients, day-case attendances and visitors will be asked to wear a face covering. That new measure is designed to reduce the risk of transmission from the person who is wearing the mask or face covering. Guidance on that for health boards and employers will issue this week and will be effective from 29 June.

Thirdly, enhanced cleaning and maintenance regimes will be implemented in areas of high patient volume and in areas in which surfaces are frequently touched. Again, that will be implemented from this week, and across our health boards from 29 June.

David Torrance: In the interest of the safety of patients and staff, understandably, not all health services can be resumed at this stage. Will the cabinet secretary outline the best way for members of the public to access reliable health information?

Jeane Freeman: We have published on the Scottish Government website a list containing "Coronavirus (COVID-19): framework for decision making" and "Re-mobilise, Recover, Re-design: the framework for NHS Scotland", which gives an indication of the phases of that exercise. The first meeting of the recovery group, which I will chair, will take place this coming Monday.

In addition to that, there is information across all our health boards about all the initial phase 1—that is, until the end of July—services that are being restarted or increased until the end of July,

and boards will be commissioned to produce additional remobilisation plans that will run from the beginning of August right through to the end of March next year. The recovery group will consider that, and those board plans will also be published as they are agreed.

David Torrance: Will the cabinet secretary confirm that the face coverings that visitors to health and care settings will be expected to wear are simply coverings and not medical-grade masks?

Jeane Freeman: Mr Torrance is absolutely right. Staff in health and social care will wear medical-grade masks, and out-patients attending for day-case procedures and visitors will wear face coverings along the lines that have been recommended most recently for those using transport and entering other areas where physical distancing is difficult.

Alison Johnstone (Lothian) (Green): I thank the cabinet secretary for her response to Mr Torrance. Given that we know that those carrying Covid-19 can be asymptomatic while contagious, at what point does the Scottish Government intend to widen testing to all staff working in our NHS facilities such as hospitals?

Jeane Freeman: I am grateful to Ms Johnstone for that additional question. The nosocomial group, which is chaired by Professor Jacqui Reilly, is a group of experts including Professor Tom Evans—who is part of our chief medical officer's Covid-19 advisory group—and other experts in antimicrobial resistance and infection prevention and control. At this point, their recommendation is not to widen testing to other areas of our NHS but to introduce it in the areas that I have described—that is, in areas in which they believe that the risk of nosocomial infection is higher and in areas in which there are particularly vulnerable groups or cohorts of patients, such as specialist cancer units. However, the group also recommends that we continuously review that; so it may be that, in time, its advice will change and it will recommend widening the testing to other cohorts of our NHS staff. At this point, however, the group's expert and clinical advice is to focus it in the way that I have described.

Monica Lennon (Central Scotland) (Lab): What measures will be used to screen patients for Covid-19 prior to and on admission?

Jeane Freeman: The polymerase chain reaction test will be used. Health boards are working out how far in advance of the admission date for, for example, elective surgery people will be asked to self-isolate, as well as the detail of how to get the test to the individual, and at what point, in advance of their planned elective procedure. Once the boards have agreed the

national position across our health service, I will make sure that Monica Lennon, other party spokespeople and, of course, the Health and Sport Committee know.

Test and Protect

2. Alex Cole-Hamilton (Edinburgh Western) (LD): To ask the Scottish Government whether it will provide an update on the number of people tracked through its test and trace system, and the availability of its digital tool to the public. (S5T-02299)

The Cabinet Secretary for Health and Sport (Jeane Freeman): Test and protect was successfully rolled out across health boards in Scotland on 28 May this year. Between 28 May and 14 June, that being the latest date for which data has been published, 992 cases were recorded, from which 1,239 contacts have been traced. Data is published on Public Health Scotland's website and is updated every Wednesday. The data to 21 June will be published tomorrow.

We are on track to provide an initial public-facing digital tool by the end of June, as we intended. We will then take a decision on how quickly we will roll it out across the system, taking into account how our test and protect service has developed, international evidence that might be available and the volume of cases that are being experienced.

Alex Cole-Hamilton: The *Sunday Post* reported that between the start of test and protect on 28 May and 14 June, Scottish Government tracers identified an average of 1.2 contacts for each positive Covid test result, whereas in England, tracers identified 8.5 contacts for every positive test over the same period. Why is the gap so striking? If the tracing in Scotland does not include special outbreak tracing in health and social care settings, why not?

Jeane Freeman: That is a good question, and I am grateful to Mr Cole-Hamilton for it.

There are two main reasons for the difference. To a degree, the first reason is that some aspects of lockdown measures have been eased in England a little ahead of their being eased here in Scotland. Given that people in England are less locked down—I cannot think of another way of describing it—we expect them to have been in contact with more people.

The other reason, as Mr Cole-Hamilton indicated, is how we in Scotland deal with complex cases compared with how it is done in England. In England, all cases are handled by the centralised national contact tracing centre; in Scotland, complex cases are handled by expert local health protection teams. The data from those complex

cases is gathered and reported separately from the data from test and protect. However, we are now looking at how we can bring the data together such that the test and protect data that is published includes data from the complex cases. The position of Scotland and England would then be more comparable.

A complex case is defined as a case in a complex or high-risk setting for which the expertise of the local health protection team is needed, such as an educational establishment, a homeless hostel or shelter, or a prison. We will continue to deal with complex cases separately, but will work to bring the data together, so that it can be migrated into a single system.

Alex Cole-Hamilton: If the cabinet secretary is confident that the tracing process is rigorous, but it is still turning up just one contact for each new case, is she equally confident that the current definition of "contact" is catching everybody that it needs to catch?

We know how important test and protect is to beating the virus, because we know how infectious the virus is. We also know the multitude of ways in which the virus can be passed on, including via hard surfaces. Has there been an update to the science that suggests that 15 minutes at 2m is the right threshold for contact tracing?

If a patient identifies that they have visited a public space before testing positive, what deep cleaning protocols are then followed?

Jeane Freeman: There has been no update to the science that would change the definition of "contact". However, the chief medical officer's expert advisory group and our advisers elsewhere, not least those in Health Protection Scotland, continually monitor whether there should be an update at any point. Based on their expert advice, I am confident at this stage that the process is proceeding and that test and protect is a system that is operating well across the whole of Scotland.

The concern that might exist about the difference between the number of contacts reported in England and the number reported in Scotland is explicable in the way that I have set out. As we see our data merge, we will get proper comparison of what is happening in Scotland and England.

I apologise, because I should have said earlier that it is important for me to be clear that although we deal with complex cases in a different way, contacts are traced through those complex cases. The number of contacts is therefore followed through in complex cases and in those in the test and protect programme.

Miles Briggs (Lothian) (Con): As of last night, over 452,000 tests that had been made available

through the combined United Kingdom and Scottish Government facilities had not been utilised. The cabinet secretary made a pledge to test every member of staff in care homes across Scotland. Is it now the case that all staff working in care homes where there has been no Covid-19 cases are being routinely tested?

Jeane Freeman: Yes, that is the case, and it should be clear when we publish the data tomorrow. As Mr Briggs will know, I issued what can only be described as an instruction to all health boards that the national policy is not open to local interpretation. We therefore now receive weekly their plans for that testing.

The care home portal, through which the bulk of the testing is accessed, has increased the numbers available to us, which is a significant help. The last figure that I had, which might have increased since, is that 700 of our 1,083 care homes had registered for the portal and would be receiving test kits and returning them as appropriate. The testing of care home workers not only in care homes in which there are no active cases, but across the care home sector, is therefore well under way, and the figures in that regard will be published tomorrow.

Clare Adamson (Motherwell and Wishaw) (SNP): The UK Government failed to include devolved Administrations in consideration of the tracing app that was being developed but has been abandoned. Now that the UK Government has stated that it will switch to an app-based system using the Google and Apple application programming interfaces, can the cabinet secretary tell us whether the devolved Administrations have been given an opportunity this time to be involved meaningfully in development of the replacement app?

Jeane Freeman: My understanding is that my officials in that area have had some initial information, but I would not describe that as active involvement. I have had no information yet from my counterpart, Mr Hancock, but I am sure that that will be coming. It is not clear to me exactly where the Secretary of State for Health and Social Care and NHS England are with that Google and Apple app, but we will raise the matter and discuss it again with Mr Hancock in the weekly four-nations call this week, to see where they are and to find out whether there will be a proximity app from NHS England.

Meanwhile, our test and protect programme is not reliant at all on a proximity app, and never has been. I am pleased that we took that decision, given what has happened with the proximity app south of the border, but we will always look at the option of a proximity app as an enhancement to our test and protect programme.

The Presiding Officer (Ken Macintosh):
Thank you. That concludes topical questions.

Point of Order

14:19

Neil Findlay (Lothian) (Lab): On a point of order, Presiding Officer.

You might have seen reports in the press at the weekend that US surgeon Dr Veronikis, who was supposed to be coming to Scotland, through an arrangement with the Scottish Government, to operate on mesh-injured women, is apparently no longer coming. We are in the last week before the Parliament goes into recess, so can you advise whether you have had a request from the Scottish Government to make a statement on that matter, so that all the women out there whose last hope is Dr Veronikis coming here will know exactly what is going on?

The Presiding Officer (Ken Macintosh): Thank you, Mr Findlay.

I confirm that we have not had such a request—not from the Government, from any of the party business managers or from any individual member.

However, a question on the matter has been lodged by Mr Findlay, and there will be opportunities tomorrow, at First Minister's Question Time, if Mr Findlay or any other member wishes to ask a question on the subject.

Education Recovery

14:20

The Presiding Officer (Ken Macintosh): The next item of business is a statement by the Cabinet Secretary for Education and Skills, John Swinney, on education recovery.

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): When I addressed the Parliament on 19 March, I said that the decision to close schools was one of the very toughest that we had needed to take during this crisis. My engagement with teachers, children and parents since then has only served to reinforce that view. For that reason, while it has been critical to suppress the virus, we have been clear that the closures cannot go on for a minute longer than necessary.

We want Scotland's children to be back in school full time as soon as possible and as soon as it is safe. That ambition is shared in the education recovery group, which is our partnership with local government, unions that represent teachers and other school staff, and parent representatives. I want to set out the Government's ambitions for when that full-time return to school might be.

When I published the report on the strategic framework from the education recovery group on 21 May, we had a clear expectation that the outlook on coronavirus was bleak. At that point, there were around 20,000 people in Scotland who could transmit the infection. On 21 May, 1,318 people were in hospital with confirmed or suspected Covid-19, including 51 in intensive care. Tragically, over the course of that week, 230 people passed away from the virus.

Not only was that position bleak, at that time the majority view of our scientific advisers was that physical distancing would be necessary if schools were to reopen. Blended learning was developed, therefore, to restore some form of face-to-face education against that outlook.

Working through the education recovery group, we built a plan, which was based on making the best of the very difficult circumstances that we expected to face. It was a contingency plan, which was—and is—necessary, and, for the past month, councils and teachers have been working hard to enact that contingency. Even while we took that work forward, we continued to make the point that we did not want to see blended learning implemented for a moment longer than necessary.

Now, thankfully, the picture looks more positive. Since May, because of the efforts of our fellow citizens to stay at home, we have seen Scotland

make significant progress. There are now only 2,000 infectious people in Scotland—a reduction of around 90 per cent since May. There has been a sustained downward trend in Covid-19 deaths. Intensive care cases now stand at a fraction of what they were.

If we stay on that trajectory, which cannot be taken for granted, the position will be even better by August. That is good news. It means that we are able to update our planning assumptions. If we stay on track, if we all continue to do what is right and if we can further suppress this terrible virus, the Government believes that we should prepare for children to be able to return to school full time in August.

I must stress that the Government is working towards that aim. However, because it has to be achieved safely, it inevitably remains conditional and dependent on on-going scientific and health advice. It will be part of a wider approach. If we continue to make progress at the rate that we envisage, it is possible—though, of course, by no means certain—that, by August, we may have successfully achieved, or be well on the way to, phase 4 of the Scottish Government route map.

I have to be honest with Parliament and admit frankly that, when we prepared our plans back in May, I could not have imagined that we would have made as much progress in virus suppression as we have. It is that more positive outlook that allows the Scottish Government to make this change of planning assumption for schools, but it is a change that is born out of the hard work and sacrifice of people in every part of the country in sticking to the guidance, staying at home and suppressing the virus. In particular, we should highlight the many parents who have supported their children while continuing to hold down jobs and caring commitments.

It is a change that is born of the actions of our citizens; they delivered it. Now it falls to the Scottish Government, our local government colleagues, teachers and school staff to build on it. I commend local authorities, school and early learning and childcare staff and, in particular, headteachers across Scotland for the way in which they have responded to this emergency. They have worked tirelessly to protect the interests of our children and young people, through our childcare hubs and by ensuring on-going provision of free school meals, delivering remote learning and planning for the next term. I know that they will continue to rise to the challenge as we get ready for the next school year.

That is the good news, but I must emphasise the importance of Scotland staying on track if we are to make this a reality. We must be clear that blended learning is a contingency that we might

still need to enact. Although the outlook is more positive now, there are no certainties with this virus. If there is an increase in infection rates and if there are outbreaks that require to be controlled through action, the contingency plan could still be required.

Equally, we still need to protect those in our society who might not be able to attend school for health reasons. All the work that has gone into preparing blended learning models for every locality across the country has been essential preparation. It is vital that we have those models ready, because we might need to turn to them.

We must continue to ensure the safety of pupils, teachers and staff by engaging in such contingency planning. That is why Her Majesty's Inspectorate of Education will continue with its scrutiny of the plans when local authorities submit the latest versions on Wednesday.

Similarly, we can move away from blended learning only if we stay on track and can command the confidence of parents, teachers and children on safety.

There are important benefits of such a move. A return to full-time schooling would enhance the life chances of our children and young people and start to reverse any damaging impacts of recent months. We know from the lockdown lowdown survey, for example, that young people are concerned about school closures and about their mental wellbeing.

If we are in a position to ease public health measures in early learning and childcare, particularly for small-group working, more children and families will be able to benefit from an expanded offer in the year ahead. In parallel, we continue to work in partnership with local authorities to agree a new timetable for delivery of the 1,140 hours entitlement to all eligible children.

We are seeing some countries begin to relax their physical distancing restrictions in schools for younger children in particular; others are starting to plan for a more normal return after the summer break.

The First Minister confirmed on 15 June that we will now review the scientific assumptions that underpin education recovery as part of our statutory three-weekly review process. That will include, for example, reviewing our approach to physical distancing in schools and equivalent measures in early learning and childcare. As part of the review process, I have established a new sub-group of the Scottish Government Covid-19 advisory group to specialise on education and children's issues. We will get the first review of that material later this week.

I would not want to pre-empt that advice, but I expect that, for us to realise our aim to resume full-time schooling, various conditions will need to be in place. First, infection rates must be at a level that is sufficiently low to provide assurance that we can continue to control the virus. Secondly, we must ensure that we make use of our full public health infrastructure, locally and nationally, to get early warning of issues and rapid local action, including test and protect. Thirdly, the right protective measures and risk assessments must be in place in schools to keep everyone with higher risk factors, including teachers and staff, safe at all times.

In addition to those measures, the Covid-19 advisory group and the new sub-group have been asked for further advice on tests or indicators that would show whether we are on track.

In all that, I will work closely with the education recovery group. Given the change in our central planning assumption to work towards a full-time return to schools in August, we will continue to work together over the summer. In due course, local authorities will communicate arrangements for the return to school with families.

Over the next year, we will need all possible education resources at our disposal, in order to compensate for the loss of learning that pupils have faced, as well as to help us, should we need to switch to a blended model at any stage. Even with a return to full-time education, it is imperative that we increase levels of digital inclusion, which is why we have already committed to a huge digital boost through the investment of £30 million to provide laptops for disadvantaged children and young people. That will include £25 million of funding for a roll-out of digital devices to school pupils to enable them to study online. Although the figures are the subject of on-going work, initial estimates from local authorities are that that funding will be required to provide digital devices to around 70,000 pupils, with up to 40,000 connectivity solutions also needed. We will also provide a further £100 million over the next two years to support the return to school and help children recover any lost ground. With that new funding, we will invest to tackle the impact of coronavirus in our schools and ensure that children get the support that they need.

We will start with teacher recruitment. Many of this year's probationer teachers have already secured teaching posts with local authorities. We will now work with local authorities with the objective of ensuring that every probationer teacher who has reached the standard for full registration is able to secure a teaching post for the next school year. Of course, we will still look to encourage retired teachers and those who are not

currently teaching back into the profession wherever that proves necessary.

I have asked Education Scotland to expand its partnership offer with the e-Sgoil digital learning platform to develop a strong national e-learning provision. That represents an opportunity to enable all pupils to access high-quality lessons—by qualified teachers who are trained in offering online learning—across as broad a range of subjects and qualification levels as possible.

Finally, although we want to support the wellbeing of all our children and young people, lockdown has been particularly difficult for pupils from disadvantaged backgrounds. Reducing the poverty-related attainment gap is a defining mission for this Government. Therefore, we will work alongside partners to increase support to those families and communities who need it most. We will also seek the involvement of the youth work sector to assist us in that challenge.

Coronavirus has had a massive impact on our education system. It will take a collective endeavour to overcome that, but we have a duty to our children and young people to come together to do just that. They have played their part in protecting this country from the worst of the pandemic, and we must repay them that faith by serving their needs at this critical time.

Jamie Greene (West Scotland) (Con): I thank the cabinet secretary for advance sight of his comments. First, I agree that none of this has been easy. Parents and teachers have been trying their best to deliver education throughout a difficult few months; we thank them and we thank young people. The cabinet secretary has finally heard those many thousands of voices—even those from his own back benches. Parents have been scunnered by all this. Why, up until today, were councils still working on plans to deliver just one or two days of schooling a week? Why did it take such an outburst of anger from parents and demands for statements from the Conservative benches and others to get clarity from this Government? The sad truth is that, until now, recent events have exposed nothing but a vacuum of leadership in the handling of this issue. The reality is that today's U-turn has been forced on the Government after relentless campaigning from all quarters—political, academic, charitable and, most important, from parents themselves, to whom we owe the most credit in all of this.

This is our chance to be clear to the parents watching about what we are saying to them and to the councils who will have to deliver. Is the cabinet secretary confirming now that all pupils will return to school full time on 11 August, in all classrooms, in all schools? What are the specific health and scientific triggers that will enable the cabinet secretary to give the green light for that to

happen? Can the cabinet secretary confirm that, to achieve 100 per cent capacity—*[Interruption.]*

When members have stopped heckling me, maybe I can ask the cabinet secretary some questions that parents want to know the answers to.

The Presiding Officer: Let us have some order. Please listen to the question.

Jamie Greene: Can the cabinet secretary confirm that to achieve 100 per cent capacity in schools there will be no physical social distancing? *[Interruption.]*

Presiding officer, how can I ask questions when SNP members are shouting at me? Parents out there are listening, they need clarity and that is exactly what—*[Interruption.]*

The Presiding Officer: Order. We heard Mr Swinney deliver his statement. Let us hear Mr Greene deliver his questions.

Jamie Greene: Thank you, Presiding Officer. Can the cabinet secretary confirm that to achieve the 100 per cent capacity that he wants, there will be no physical, social distancing in schools? Under what circumstances will we revert to the blended model as the plan A, rather than the contingency plan? Words are one thing and actions are another. Most important, will the cabinet secretary ensure that councils across Scotland will now be given whatever they need and whatever it takes to get all our children back into school full time—no ifs, no buts?

John Swinney: I frequently appear in front of Parliament, either physically or remotely—given my domestic circumstances—to answer members' questions. The idea that this is somehow a surprise appearance in Parliament by me is a fallacy. I was here in person on 18 June to answer portfolio questions. I answered topical questions from my son's bedroom on 16 June. I appeared in committee, again from my son's bedroom, on 12 June. I answered portfolio questions on 28 May, and on 26 May—again from my son's bedroom—I made a statement to Parliament. I have appeared before Parliament on all those occasions since the publication of the education recovery group report. Do not dare suggest that I do not appear before the Scottish Parliament to fulfil my duties. That suggestion by the Conservatives is a disgraceful slur.

Mr Greene's comments included several questions that I dealt with in my statement. I said that our planning assumption is to get all pupils back to school in August. I said that scientific advice will have to be taken to enable that to be the case. I said that we will revert to blended learning should the circumstances of a proliferation of the virus require us to do so,

because not to do so would endanger the health and wellbeing of children and staff and I will not do that under any circumstances whatsoever.

I announced in my statement that the Government is going to make available £100 million of new money to support the delivery of our ambitions on education, and to support children and young people, because they have supported us. That is what the Scottish Government does, while the Conservatives complain all they want from the sidelines.

Iain Gray (East Lothian) (Lab): I thank Mr Swinney for early sight of his statement. I once accused him of making the mother of ministerial climbdowns—well, he has outdone himself today, because this is the mother and father of ministerial climbdowns. On all those occasions that he has just described when he spoke to Parliament about the plan, it was clear that blended learning was the only possibility for August. Ten days ago, Mr Swinney thought that blended learning might last a year. On Friday, his co-chair of the education recovery group confirmed that blended learning was the only plan. Now, at the last possible moment, we have a completely new plan. We asked for a route map back to schools and it turns out that we have been on a mystery tour.

If we can deliver the plan safely, that is very welcome news, but what a fine mess this is. There are still more questions than answers. What, if any, social distancing will be required in the classroom and on school transport? That question was not answered. What protective measures on personal protective equipment, deep cleaning and testing will be required to keep teachers and staff safe? Finally, will the education secretary publish, today, the new evidence on which he has based his new plan?

John Swinney: Let me address the points that Iain Gray has made. A resumption of full-time education for young people assumes that there is no physical distancing among young people. We believe that that is possible, having looked at the models that are being delivered in other countries that have successfully restored education. The Netherlands provides an example of exactly that. Stringent measures will require to be taken to ensure that we have in place the appropriate arrangements for safety, protection and testing, all of which I covered in my statement. Those are fundamental arrangements that have to be put in place.

We have been able to come to the decisions that we have come to today, and to commence the work on the assumption of full-time learning in August, because of the significant change in the progress that has been made. I covered that in my statement. We did not believe that it would be possible to get the levels of coronavirus infection

in our society as low as they are today. That has been possible because the public have more than done their bit to comply with the approaches.

It is not all over yet, so we have to sustain that commitment. If the public sustain that commitment and compliance, we can be in a position to go ahead with our plan. It is conditional on having the correct regime in place and on the compliance measures being followed by members of the public. Given their past performance, I am confident that members of the public will support us in that endeavour and will work collaboratively and collectively to enable the return of pupils to full-time education in schools in August.

Ross Greer (West Scotland) (Green): Like colleagues, I thank the cabinet secretary for advance sight of his statement.

A great number of people will be breathing a sigh of relief today, but for others—school staff and their families—their anxiety has now increased significantly. Will the Scottish Government immediately publish the evidence and expert advice that it has received that has led it to the conclusion that its plan is a safe option to pursue? Will school staff be offered regular testing, which Professor Devi Sridhar advised would be necessary in order to achieve the safe return of full-time education?

John Swinney: As Mr Greer knows, we have published the scientific advice on which our plans have been based, and I give him a commitment that we will continue to do so. As I said in my answer to Mr Gray, the Government has arrived at its conclusions because of the significant reduction in the prevalence of coronavirus and the level of infectiousness within our society. However, I must be explicit with Parliament that the commitment is conditional. It is conditional on our being able to sustain that position and on the further scientific assessments, tests and challenges that will be put in front of us by the advisory group. All that information will continue to be published. Mr Greer has my commitment that we will remain open in that respect.

Mr Greer asked about the regular testing of teachers, of which I am very supportive. I recognise the importance of building confidence in the teaching profession in relation to teachers' safety and circumstances, because I accept that they are in a different position, with a different degree of exposure, from that of most young people in a school setting. It is important that the issue that Mr Greer has raised is addressed. That will, of course, be part of the detailed work that the education recovery group will undertake.

Willie Rennie (North East Fife) (LD): I welcome the decision, as will thousands of concerned parents across the country. However,

the Deputy First Minister cannot seriously claim that there was a sudden change in the control of the virus. The trend has been clear for some time, and he should just admit that.

I want the Deputy First Minister to address another problem, which I have raised repeatedly but which has not been addressed adequately: the issue of childcare right now and over the summer. Normal childcare arrangements for parents have disappeared, and they do not have childminders or their normal family arrangements available, but they are expected to go back to work. What is the Deputy First Minister going to do for them today?

John Swinney: On Mr Rennie's first point, he is correct to say that there has been a declining trend, but I encourage him to look at the sharpness of the decline that has taken place. As I admitted in my statement, it has—to be frank—surprised us by moving at such a pace. That is a product of the compliance of and co-operation by members of the public, and I am profoundly grateful to them—as are all ministers—for their contribution. That point relates to the comments that the First Minister will make tomorrow in Parliament, when she will give further information on the implementation of the route map. The map itself, and the pace at which we can be confident of taking steps through it, will reflect exactly the same point that I have made to Mr Rennie.

On Mr Rennie's questions about childcare, there is of course childcare provision available over the summer. The hubs will be maintained, and childminders are able to operate. It is also important that we look at the possibilities that will be opened up by the statement that the First Minister makes tomorrow. As Mr Rennie will understand, I am not in a position to discuss those details today, but he will have an opportunity tomorrow to question the First Minister on those issues.

Clare Adamson (Motherwell and Wishaw) (SNP): The safety and wellbeing of our staff, our pupils and the wider community remains the absolute priority. I thank all the councils, parent groups, professional associations and trade unions that have worked with the Government in the education recovery group. What access will the recovery group have to scientific advisers to ensure that its deliberations over the summer are informed by timely evidence that is the best available?

John Swinney: The education recovery group will have all the access that it wishes to enable it to interact with scientific advisers. The group heard from, and had access to, both Professor Andrew Morris, who chairs the Scottish Government's Covid-19 advisory group, and Professor Sheila Rowan, who is the Government's chief scientific adviser.

I will be happy to facilitate access for the education recovery group to any of the scientific experts who provide us with advice during the summer. It is vital that teachers and their professional associations and representatives, and the representatives of school support staff—we have a representative from Unison on the recovery group—are confident in the arrangements that we put in place, because everyone's interests have to be respected.

Jamie Halcro Johnston (Highlands and Islands) (Con): Many parents are currently forced to juggle home working with supporting home learning, often while having to provide childcare for younger children as well. Many of them are exhausted, and for some it is causing real mental health issues. Does the education secretary recognise that parents need to know as soon as possible when nurseries will be able to reopen fully?

Many nurseries are facing financial issues, and some are at real risk of having to close. Does the education secretary recognise that they do not have time to wait for the Scottish Government and the Convention of Scottish Local Authorities to agree a new timetable? Will he ensure that councils recommit to delivering 1,140 hours of childcare, and that the funding is put in place to enable them to do so?

John Swinney: I acknowledge the significance of the issues that Mr Halcro Johnston raises, and I entirely accept his comments on the burden that parents are carrying. This has been a tough time all round, in particular for parents who have been juggling work with childcare and providing support for learning, and I pay tribute to them. Many people will also have financial worries, not to mention the specific circumstances of their own family life. I totally accept that it has been a tough time.

We want to move to open up all those services as early as possible. We must work our way through that. The First Minister will say more about that in her comments to Parliament tomorrow. The Minister for Children and Young People and I have tried, in our work with COSLA, to provide as much financial stability as we can for private providers in the early learning and childcare sector, because we will need them to contribute to our wider efforts.

We will pursue those issues urgently. It is essential to the infrastructure of our society that early learning and childcare providers should be able to function in a way that is acceptable to families around the country.

Daniel Johnson (Edinburgh Southern) (Lab): Breakfast and after-school provision is vital for many working parents. The lack of consideration

of those elements within the so-called blended learning contingency plan was forcing many parents to contemplate choosing between work and their children's education. Will before and after-school provision form a key assumption for the return to 100 per cent schooling, and what resources will be made available to ensure the return of that provision?

John Swinney: I acknowledge the importance of those issues. We will certainly consider those points as we look to the resumption of full-time schooling.

The blended learning model was designed to improve on our current situation and to make some formal schooling available for children and young people. At no stage would I have called it a panacea. The model was there—it remains there, because we may have to rely on it in due course—to enable the resumption of formal schooling. The issues that Mr Johnson raises about some of the critical support that enables families to operate effectively will be part of our planning for the resumption of full-time schooling.

Emma Harper (South Scotland) (SNP): Have any local authorities, such as Dumfries and Galloway council, held conversations with the Scottish Government regarding the process for utilising additional council or third sector buildings for educational purposes, in order to allow an increased number of young people to receive face-to-face learning where appropriate?

John Swinney: The education recovery group report included a requirement on local authorities to maximise the amount of face-to-face learning available for children and young people. Local authorities were encouraged to be innovative and creative about the use of buildings either within their own estate but not currently being used for educational purposes or other buildings that might be available in their localities, such as town and village halls and other ancillary facilities.

That work will all be contained in the plans that are brought forward by individual local authorities. I have asked Her Majesty's Inspectorate of Education to consider and assess that in order to give me assurance that all possible options have been explored and examined in order to ensure that the educational opportunities for children and young people are maximised as a consequence of that work.

Richard Lyle (Uddingston and Bellshill) (SNP): At the start of the pandemic, every member received many emails imploring us to close schools. Now we are receiving emails asking us to fully reopen schools. As a grandfather of four, with two young grandchildren at school, I want to ensure that they, and others, are safe.

I am happy with the cabinet secretary's proposals. There are seven weeks before schools have to reopen and seven weeks for us to review any proposals. The cabinet secretary has needed to plan. Will he constantly review the science to ensure that we fully reopen schools on 11 August and make sure that our kids and the staff are safe?

John Swinney: My Lyle's point about the safety of children and staff is uppermost in my mind. I hope that I have demonstrated that to Parliament in the answers that I have given. If the Government is to be criticised for anything, it is for erring on the side of caution in the protection of individuals' health.

My Lyle also makes the important point that the arrangements that we are talking about do not have to come into effect tomorrow; they have to come into effect in seven weeks' time. We have an opportunity as a country. I appeal to the country, because the country has done this before. If we observe the guidance, the regulations and the rules that we have put in place, with seven more weeks under our belt we will make even more progress. I encourage the public to do that, because, if we all do it, we will be able to have a safe return to schooling in August.

Liz Smith (Mid Scotland and Fife) (Con): Let us assume that there is no further Covid-19 outbreak and that schools return full time in August as the cabinet secretary has announced. Will he confirm whether it is his intention that the Scottish Qualifications Authority's 2021 exam diet will happen on schedule in April? If he cannot confirm that today, will he confirm to schools what the intention will be as soon as possible?

John Swinney: Today, the best that I can say to Liz Smith is that the planning intention is that the 2021 exam diet will take place. The planning is being put in place for that, and my expectation is that it will take place.

Liz Smith asked me whether I can confirm that the exam diet will take place next April. I am not sure that I can go quite that far, because there will be an argument for slightly delaying the exam diet to provide more learning and teaching opportunities for senior phase candidates. That would not prejudice the ability to declare the results in August 2021 and then enabling access to higher and further education.

I am talking about a delay of perhaps a matter of weeks. The exam diet is scheduled to start somewhere around the third week of April 2021. There may be a slight delay to the timetable, if there is an opportunity for that, because young people have lost a period of learning. They would normally have started classes in early June at the latest; national 5 candidates would have started in

May. However, the planning assumption is that the 2021 exam diet will go ahead.

Annabelle Ewing (Cowdenbeath) (SNP): The Deputy First Minister will be aware that children and young people with additional support needs will be facing particular challenges at this time. Can he provide reassurance that local authorities, including Fife Council, will be putting in place sufficient support to ensure that the transition back to school of those children and young people will be effected with minimal disruption to their learning?

John Swinney: Annabelle Ewing raises an important issue that must be handled sensitively and on a case-by-case basis. The circumstances for young people with additional support needs must be assessed individually to determine the most suitable transition mechanisms to enable their return to full-time learning. For some, that might be a swift return; for others, it might be a slower return. Crucially, the assessment must be made child by child.

Sarah Boyack (Lothian) (Lab): What costings has the Scottish Government done on the additional investment that the cabinet secretary has announced, given the additional protective measures—such as cleaning—and the additional capacity that will be needed to ensure safe measures for teachers, young people and support staff? Will school buses be subject to the requirements on social distancing?

John Swinney: On Sarah Boyack's first question, we have dialogue with our local authority partners about costs, and that is something to which we committed in the education recovery group.

If Sarah Boyack will forgive me, her question about school transport would be best answered once we receive more detail on the scientific requirements. As I mentioned in my answer to Iain Gray, there are a number of approaches internationally where schools have resumed without physical distancing that are of relevance to the approach taken in classrooms and buses. We need to reflect on the advice and determine whether that is appropriate.

I give Sarah Boyack the assurances that I gave to Ross Greer earlier: all that information will be shared openly to enable scrutiny by members of the Scottish Parliament and the public.

Alex Neil (Airdrie and Shotts) (SNP): I very much welcome the cabinet secretary's statement. Will he make sure that all newly qualified teachers are timeously offered contracts of employment to ensure that there will be no staff shortages to hinder in any way the plans to try to get back to full-time education by 11 August? Will he—

virtually, if necessary—update the Parliament on progress during the summer recess?

John Swinney: I will be happy to update the Parliament on all aspects of this topic on any occasion requested by the Parliament, and I will come forward with updates in due course.

The First Minister provides updates every three weeks on the scientific advice. On those occasions, we will be able to provide general updates on the phasing approach and look specifically at the scientific advice.

On Monday I had a helpful conversation with a group of newly qualified teachers who shared with me the challenges that they currently face in securing employment. I hope that what I have set out today will give local authorities confidence about the support that is available to enhance their recruitment of such teachers. At a time when we will really benefit from doing so, we now have an opportunity to supplement our teaching workforce and to support catch-up learning. I look forward to our having the appropriate dialogue with local authorities to enable that to happen.

Brian Whittle (South Scotland) (Con): My question follows on from Alex Neil's earlier point. Scottish Conservatives have heard from newly qualified teachers who, 14 weeks into the crisis, have not yet been contacted. We have also heard from retired teachers who are willing to return to help but who have not yet had a response from the Scottish Government. In my area there are also teachers who have been asked to go back to work and who have young children of their own who will have to go to school or nursery. However, teachers who are also parents have yet to find out how those arrangements will work. In addition, some teachers will have to continue to shield.

If the blended learning model is still required, can the cabinet secretary give parents a guarantee that enough teachers will be in place to allow delivery of the education to which their children are entitled?

John Swinney: I want to give parents such a guarantee—that is at the heart of everything that I do as Cabinet Secretary for Education and Skills.

I remind Mr Whittle that local authorities are still working through the recruitment of newly qualified teachers. I suspect that that process will not be complete until slightly later in the year, for the understandable reason that authorities have a lot on their plates just now while they are having to deal with multiple issues. I will give the example of North Lanarkshire Council. On Thursday, a lot of NQTs there did not know what their future might be; on Friday, they did, when the council confirmed that it planned to retain all 195 such teachers, which was very welcome. We want to ensure that other local authorities make similar

commitments. What I am putting on the table are additional resources to ensure that more newly qualified teachers can be recruited.

If Mr Whittle has particular examples of retired teachers who have volunteered through the General Teaching Council, I ask him to advise me of those and I will ensure that they are contacted. In the forthcoming year, there will be a need to supplement the available teaching staff, because some teachers will not be able to come to work because of Covid-related health issues. It will be important for us to have the maximum available teaching workforce in place to address that situation. If Mr Whittle could furnish me with those details, I will happily pursue that point.

Sandra White (Glasgow Kelvin) (SNP): I thank the cabinet secretary for his statement. He made it clear that individual local authorities will be preparing their own models for reopening schools in August, depending on their local needs. Will the education recovery group be exploring best practice across all local authorities, and will it share such information to ensure a level of consistency of approach to the delivery of education for all children and young people?

John Swinney: I will happily give Sandra White assurance on that point. The education recovery group includes representatives of Education Scotland, which has been hosting discussions among local authorities to enable the sharing of practice and to support the work that is under way through the regional improvement collaboratives that I established. Therefore, the answer to Ms White's question is yes. It is important that good practice is shared across the education system.

Claire Baker (Mid Scotland and Fife) (Lab): There is evidence that there are significant differences in children and young people's levels of engagement with virtual approaches to learning. Will the cabinet secretary support the carrying out of an equalities audit when children return to school, to ensure that their learning is then at the appropriate level?

John Swinney: I am very happy to commit to that.

The Presiding Officer: I am conscious that a further 10 members wish to ask questions in light of the cabinet secretary's statement, but I am afraid that too much business remains for me to allow extra time for those this afternoon. There will be opportunities to ask such questions tomorrow, at First Minister's question time.

Local Government Finance (Coronavirus) (Scotland) Amendment Order 2020 [Draft]

The Deputy Presiding Officer (Lewis Macdonald): The next item of business is a debate on motion S5M-22114, in the name of Ben Macpherson, on the Local Government Finance (Coronavirus) (Scotland) Amendment Order 2020.

15:05

The Minister for Public Finance and Migration (Ben Macpherson): The purpose of today's debate on the local government finance amendment order is to seek Parliament's approval to update the 2020-21 general revenue grant allocations to individual local authorities as a result of the additional funding to respond to the Covid-19 pandemic.

First, I emphasise the Scottish Government's gratitude to local authority key workers who have continued to carry out their work during such challenging times, and I thank all local authorities for the continued support that is being provided. I appreciate and recognise the fast pace of change that we all face in this critical and challenging operating environment and the work across local authorities that has gone into dealing with that.

Today's order seeks Parliament's approval for the distribution and payment of an additional £257.6 million of Covid-19 funding. The additional funding includes £155 million of United Kingdom Government consequentials; £50 million in hardship funding; £22 million for a Scottish welfare fund top-up; £15 million for the food fund for free school meals; £15 million for the other aspects of the food fund; and £600,000 to enable death registration services to work over weekends and evenings.

It is worth noting that local government will also receive further support from the allocations of £23 million for the Scottish welfare fund top-up, £400,000 for community justice co-ordinators and an additional £27.6 million to extend free school meals over the summer holidays and to provide additional support to the end of September for those who are at risk. Local authorities will also be allocated a share of the £50 million that is available for a council tax reduction scheme and social security benefits top-up that is currently being discussed with the Convention of Scottish Local Authorities.

Moreover, as the Deputy First Minister has just announced, alongside the investment of £30 million to provide laptops for disadvantaged children and young people, the Scottish Government will provide a further £100 million

over the next two years to support the return to school and ensure that children get the support that they need. The Scottish Government will continue to work with local government over the summer on the details, through the education recovery group.

The amount of distributable non-domestic rates income remains unchanged from the order that was approved by Parliament on 24 March, and I can confirm that the Scottish Government continues to guarantee each local authority the combined general revenue grant plus non-domestic rates income. That means that any additional loss of non-domestic rates income resulting from the Covid-19 pandemic will be compensated for by the same increase to the general revenue grant, so there will be no detriment to local government.

With regard to today's order and to give further context, I stress that, although we are only now seeking parliamentary approval for this additional £257.6 million, the Scottish Government has been protecting local authorities' cash flow by front loading their weekly grant payments. To date, we have provided over £340 million extra, and, by the end of July, that figure will be £455 million. The Scottish Government has also relaxed current guidance on some of the education-specific grants, to allow additional resource to be diverted to the Covid-19 response.

I emphasise that the Scottish Government understands and appreciates the role that local authorities have played in the response to the pandemic and the pressures that it has created. Alongside the measures that I have outlined, the Scottish Government will continue, with local authorities, to press the UK Government for urgent additional funding for our partners in local government, to enable them to adequately deal with the scale of the crisis.

I move,

That the Parliament agrees that the Local Government Finance (Scotland) (Coronavirus) Amendment Order 2020 [draft] be approved.

15:10

Graham Simpson (Central Scotland) (Con):

This is one of those debates that is not really a debate and in which there is not a great deal to be said.

Jackie Baillie (Dumbarton) (Lab): Sit down, then.

Graham Simpson: I could sit down, but I will not.

We should all agree to the order. Councils clearly need the money, and that is very straightforward. However, if I sat down, as Jackie

Baillie wants me to, that would create a hole rather like the hole that has been left in council finances recently, which is getting bigger and bigger. As far as I can make out, the minister has confirmed that the extra money in the order amounts to just over £257 million, and he detailed what the money is for. Of course, it is very welcome.

However, councils have been doing much of the Government's work during the pandemic, and that comes at a cost. Council finance chiefs have said that there is still a £145 million gap to be filled, and it is probably more than that now. The Scottish Government will, at some point, have to tell us what it intends to do about that. Will the Scottish Government do as COSLA is doing and turn to the chancellor to bail it out? COSLA has given up on asking Kate Forbes. The only thing that it is asking her to do now is to help it with its appeal to Rishi Sunak, who was pictured in his constituency at the weekend in the reopened bustling high street in Northallerton. We know that, here, we are going to have to wait a little longer for such luxuries.

To be fair, the Treasury has been slow off the mark in passing on the consequentials—the £155 million that we have debated in the Parliament that has not yet come. If there are consequentials, they need to be paid quickly.

We cannot go on with the annual tussle in which the Cabinet Secretary for Finance offers councils nowhere near enough, forcing them to hammer residents in the pocket by increasing the council tax. Even before the coronavirus pandemic began, the Scottish National Party was slashing councils' capital budgets—it happens every year. Every single year, the block grant increases but councils' budgets are reduced.

As I said, the debate is fairly straightforward, as the order is simply the mechanism by which councils will receive the funding from Government. We are happy to support the order, but we need councils to be backed for the work that they do without having to fight for that.

John Mason (Glasgow Shettleston) (SNP): Will the member give way?

Graham Simpson: No—I have just finished.

15:13

Sarah Boyack (Lothian) (Lab): However disappointed we might be with today's proposals, we will not vote against them, because we do not want to do anything to jeopardise the additional funding that is going to local government. Local authorities have already experienced a decade of underfunding, cuts and austerity, and that has held them back in being able to deal with the pandemic.

We have a centralising SNP Government that has been micromanaging in a crisis rather than

trusting its local government colleagues to get on with protecting their communities. There could not be a more important issue to address during the pandemic. Our priority is to get funding to local authorities now, so we will support the motion.

Last week, COSLA alerted us to the fact that Scottish local authorities are already £145 million short because of coronavirus-related spend. They have had to transform their services, whether that is in keeping their waste pick-ups and recycling going, tackling homelessness, administering a massive amount of vital grants on behalf of the Scottish Government to local businesses, feeding low-income families or in working with local support agencies to keep our communities safe and well. Let us be under no illusion: they face a massive crisis. It is a cliff edge. My local authority is already making a £30 million cut for each of the next three years, and it is drawing down £20 million from reserves this year—an action that is viewed by the council as unsustainable—to meet the cost of the coronavirus, which has already been identified as around £85 million. That is my council alone.

Although we welcome the additional funding that the Scottish Government has allocated to date, there needs to be more. Last week, Scottish Labour called for the underspend to go towards funding local authorities, but that was dismissed by SNP ministers. Today, we have had the new announcement on school services that all is well and everything will be working fine by 11 August, and some extra money has been announced. Last week, I heard the announcement of £1 billion for additional investment in education by the UK Government.

The challenge is that the decade of underinvestment that we have had means that a lot of our schools are full. We have already seen staff numbers cut, and the community centres that, last week, John Swinney wanted to be used for blended education and the delivery of food support have already been hit by a loss of income due to the pandemic.

We have seen the health crisis that has been caused by the pandemic, which the country is working through, and the brutal impact of the historic underfunding of care services. Those issues sit there for councils to deal with as they move into the next phase of managing the pandemic. However, we have not yet seen the full impact of the economic recession that has already started—the impact on our town centres as well-known retailers close shops and our hospitality industry struggles to work out how to reopen, and as businesses cannot keep going.

Yesterday, the advisory group on economic recovery published its report "Towards a Robust, Resilient Wellbeing Economy for Scotland". It

highlighted a need for intense collaboration between enterprise bodies and urgent work by local government, Skills Development Scotland and the education sector to prepare now for an increasing demand in the coming months to deliver skills training and retraining opportunities to get people back into work. Again, that is new work for our local authority colleagues to deliver through the pandemic, but it is vital work to target investment in the local needs of our local communities. It all needs to be funded.

We are not celebrating the passing of this order. We acknowledge that more money is being added, but it is not enough. We ask the Scottish Government to fund our local communities; to acknowledge the massive contribution of local government staff that is vital to getting us through this pandemic and building back better; to act now to make sure that we have jobs and training opportunities available for our young people; and to invest in supporting the most vulnerable in our communities, to build a better, fairer and lower-carbon Scotland than the one that we currently have. The order will not do it today; we need more money in the future. I hope that the Scottish Government will listen to the pleas from our local authorities across the country.

15:17

Andy Wightman (Lothian) (Green): I start with a rather boring and pedantic technical question. The motion before us asks

“That the Parliament agrees that the Local Government Finance (Scotland) (Coronavirus) Amendment Order 2020 [draft] be approved.”

However, the order is called the Local Government Finance (Coronavirus) (Scotland) Amendment Order 2020. I do not know whether that matters or is pedantic, but the motion technically asks us to agree to an order that does not exist.

On a question of process, I was frustrated that I was in a committee all morning and there was no information for members about what lies behind the numbers. My researcher asked the Scottish Parliament information centre, but it did not have the information. I understand that normally a report on the order goes to the Delegated Powers and Law Reform Committee and the papers are then available for other committees to scrutinise. I presume that the Local Government and Communities Committee, too, would look at this order.

Graham Simpson: I agree with Andy Wightman. I got the figures that the minister announced by asking councillors in the Convention of Scottish Local Authorities. He is

absolutely right that the figures were not made available to MSPs.

Andy Wightman: I am not suggesting that that is a routine failure. It probably derives from the fact that we have brought the order straight to the chamber, but in a debate on whether we will support an order, I want to know what the numbers are and what they mean. I am pleased that SPICe eventually got me the local government finance report by ministers. I am just warning that, if we do this again, we will need the information in the hands of members a decent 24 or 48 hours beforehand.

Nevertheless, like other parties, the Greens will support the order. We welcome the fact that it has been made and the various funds that it provides for, so we will vote for it.

However, Greens are concerned about the longer term. I think that we will find that local government finances are shot to pieces. Councils face huge challenges—this year, a £250 million shortfall is projected. As I said in the most recent debate that we had on a local government settlement order, I am not comfortable about Parliament voting on how much money local government should receive. Local government should have much more fiscal autonomy in order to raise its own cash. We have centralised control of non-domestic rates and have refused to hand that money back, and we continue to vote to cap the council tax, so local authorities have no freedom—no fiscal autonomy—in those areas. If the UK Government were, in such a manner, to take away similar powers, as the Scottish Parliament and Scottish Government have, ministers here would be jumping up and down with rage. I certainly would be.

It is time to treat local government finance in the mature fashion that it deserves, and to end the culture of councils being dependent on decisions that Parliament takes. Nevertheless, as I said, we will vote for the order.

15:21

Willie Rennie (North East Fife) (LD): Liberal Democrats will also support the order. Andy Wightman is right to say that we have not been provided with the details, although we knew broadly the sums of money in question because they have been pre-announced at various stages. In fact, they have been repeatedly pre-announced on numerous occasions. We certainly knew about the figures.

I have genuinely been overwhelmingly impressed by the performance of council officials and staff, who have risen to the challenge during the pandemic. They have managed to get money out the door in a short time and in a very

impressive way. They have shown an amazing amount of discretion and have worked all hours of the day and night; it has not been uncommon to receive replies from council officials on a Saturday evening. Therefore, I think that they deserve our appreciation for rising to the challenge, for making a difference and for delivering new services.

We have heard about the efforts that have been made to deliver blended education over the past few weeks. That has not been easy, as I know from my 16-year-old son, who has been going through that process.

Council staff have also delivered grants and other services. Changes have had to be made to existing services, including refuse collection. It seems that an extra truck has had to be provided to follow refuse trucks. Many innovative ideas have been tried in order to ensure that workers are safe. Council staff deserve our appreciation for that work.

The relationship between local government and central Government has been knocked again. That was unnecessary. The £155 million of Barnett consequentials, which forms part of the order that we are debating, should have just been handed over to local government. I think that the questions about auditing and the further delay that was caused were unnecessary, especially when councils had risen to the challenge and had delivered when it really counted. It was a real confidence blow that the Government was not there when local authorities needed it to deliver that finance. In the future, it would be helpful if the Government were to stop the games and antics between it and local government, and instead to have a mature and grown-up relationship, in the way that Andy Wightman outlined. Local government needs to have much more autonomy and control over its own finances, in the way that the Parliament has.

There have been many changes in the way that local government services are delivered. Rough sleeping has largely gone. Delayed discharge has been reduced significantly, although there are many questions about how that was done.

In addition, there has been a dramatic increase in exercise, cycling and various other forms of activity. We need to embed that in the new ways of running local government. I hope that we can learn lessons from the current period, rather than just returning to the old ways, of high levels of delayed discharge and of rough sleeping, but we need the finance to make that happen.

The final challenge is to get local government finance back to a fit and decent state. The reduction in income from charging has been dramatic. The loss of income from leisure centres and theatres has been significant. The

Government must recognise that that will be a longer-term problem and so must work in partnership with local government to make sure that that is fixed so that the finances of local government are fit for the future.

We will support the order. I just hope that, in the future, the path to getting there will be an easier one.

The Deputy Presiding Officer: I call the minister, Ben Macpherson, to wind up the debate.

15:24

Ben Macpherson: I thank members for their contributions. I will come to their points in turn during my concluding remarks.

As I said in my opening remarks, the 2020 local government finance amendment order that is before us seeks parliamentary approval for the additional payment of £257.6 million in revenue support to Scotland's 32 local authorities. That sum will replace a significant proportion of the front-loaded weekly grant payments that we have provided, and will continue to provide, where necessary. It is important to note that to date we have front loaded over £340 million of general revenue grant payments, and by the end of July the figure will be £455 million.

It should also be noted that the order will confirm our increased financial commitment to local government—despite the UK Government's position that the current consequentials are estimates that might have to be revisited. That is because of the fact, which Graham Simpson alluded to, that the UK Government has indicated that it will seek savings from UK departments to offset some of the costs of the Covid-19 response, which could result in negative consequentials for the Scottish Government. We continue to seek to engage constructively with the UK Government on that.

For clarity, I note that we and COSLA are working together on our contact with Her Majesty's Treasury about that extra funding, in order to ensure that the payments for local government are received by the Scottish Government, given that we are paying out the £155 million before we have received that resource from the Treasury.

For further clarity, I note that the distribution formula was not agreed with COSLA until 15 May, so June was the earliest that we could make the payments from the £155 million of Barnett consequentials. For Parliament's information, I point out that the final instalment will be paid tomorrow, on 24 June.

The pandemic has disrupted lives like nothing before it, and has caused financial hardship and a negative impact on our wellbeing. However, as

members would expect, the absolute focus of the Scottish Government, in our partnership with local government, has been to ensure that our communities are supported and protected. I was glad to hear the cross-party support and appreciation for local government in today's debate, given the efforts that local government has made at this crucial time.

As we move into the recovery phase, we must also, while continuing to protect our communities, focus on how we can recover from the pandemic as quickly and efficiently, but also as safely, as possible.

Of course, the local government finance settlement that the Scottish Government provides to local authorities is only part of the overall funding that we provide to local government and the wider business community. I alluded to that in my opening remarks. As Parliament will be aware, the Scottish Government has also announced a £350 million fund to support our communities, alongside a £2.3 billion package of support for the business community.

Members made some important points during the debate. Sarah Boyack talked about building back better and how we can work with local government on our shared aspirations. For clarity in relation to Andy Wightman's points, I reassure him that the order and the report were provided to the Scottish Parliament on 3 June and have been through the Delegated Powers and Law Reform Committee.

Willie Rennie made the important point that, as we move forward, we want as much collaboration as possible between, and a shared determination by, local and central Government on our shared challenges. Certainly, from my perspective—I know that my ministerial colleagues share this view—we are determined to work in partnership and collaboration with local government as we, and every community that we serve throughout Scotland, face the current challenges together. It is important that we work together, and it is incumbent on us to do so.

I am delighted that Parliament has expressed its unanimous support during the debate, and I encourage members to unanimously support the Local Government Finance (Coronavirus) (Scotland) Amendment Order 2020. That will demonstrate to our constituents throughout Scotland that we in the Scottish Parliament are united in our efforts to ensure that our communities have the support and protection that they need and fully deserve.

Economic Recovery

The Deputy Presiding Officer (Lewis Macdonald): The next item of business is a debate on motion S5M-22119, in the name of Fiona Hyslop, on the advisory group on economic recovery's recommendations.

15:30

The Cabinet Secretary for Economy, Fair Work and Culture (Fiona Hyslop): On 21 April, I informed Parliament that we had adopted a four-step plan to respond to the economic impacts of Covid-19 using a respond, reset, restart and recover approach. The Scottish Government brought forward a £2.3 billion response package of measures in the form of grant payments, loans and rates relief and a £230 million restart economic stimulus with capital for shovel-ready and growth projects.

Tailored to the specific needs of the Scottish economy, those measures have provided a lifeline for businesses, workers and the self-employed as they negotiate the immediate crisis, providing specific support for hard-hit sectors such as tourism and hospitality as well the creative industries.

I have previously recognised the United Kingdom Government's role in supporting business, as suggested by the Conservative amendment. Our additional schemes are not available elsewhere and have been geared to addressing gaps in the UK Government's support.

As part of resetting workplace safety needs, we have produced sector-specific workplace guidance with business and unions in advance of restart to help businesses to reopen as soon as it is safe for them to do so. I recognise the Liberal Democrat amendment and I am sure that Willie Rennie heard the Deputy First Minister's comments in that regard.

Irrespective of the measures that have been put in place, Covid-19 has brought about irreversible changes to our society and we must be realistic about their longer-term implications for Scotland's economy. Covid-19 has caused death, grief, tragedy and disruption, but the economic shock and crisis created by the virus has accelerated thinking, instilled a desire for change and necessitated a radical rethink of priorities. It is a chance to shift the dial on business innovation and practices and an opportunity to accelerate the drive to create a greener, fairer and more inclusive wellbeing society.

I informed Parliament on 21 April of our intention to establish an independent advisory group on economic recovery led by Benny Higgins. I tasked

that group to provide expert advice on supporting the different regions and sectors of Scotland to recover in a way that would facilitate our transition towards a greener, net zero and wellbeing economy.

The advisory group's report, "Towards a robust, resilient wellbeing economy for Scotland", which was published on Monday, contains 25 recommendations for both the Scottish and UK Governments as well as other actors in the economy. I record my thanks to the expert members of the advisory group for their commitment over the past two months to producing a set of recommendations that provide such a strong foundation upon which to rebuild and reshape our economy.

By applying their energy and expertise to developing the recommendations in such a short time, members of the advisory group have given us the platform to act swiftly, purposefully and, I hope, in consensus as a country in shaping the course and direction of Scotland's economic recovery as we continue to emerge from lockdown.

Murdo Fraser (Mid Scotland and Fife) (Con): I do not know whether the cabinet secretary has read the Fraser of Allander institute's response to the Higgins report. It makes the point that although it is a

"welcome contribution to the ... debate ... there is little ... that is new, or different to what has gone before."

Will the cabinet secretary tell us what is new in the report?

Fiona Hyslop: One of the major differences is an acknowledgment of the debt issues that many companies will face—as a result of welcome UK Government loans, for example. The restructuring of business may require some type of intervention. I am not saying that that is blanket, but the Green amendment indicates that there are issues on that point that might need to be addressed. I have raised the issue of equity stakes, for example, with the chancellor and I know that across Governments, not just in Scotland but in the rest of the UK, we are thinking about what that means. That is one example.

I appreciate that the direction is similar to what we have proposed previously in relation to a green recovery and to digital action. However, the report provides the foundation for and the acceleration of what we need to do, and I hope that the chamber will come with us on that.

Throughout May and June, the group engaged directly with key stakeholders and it received more than 375 submissions from individuals and organisations. The breadth of the responses confirms the value of the advisory group process.

I thank all the businesses, trade unions and third sector organisations, as well as the wide range of individuals, who, despite the challenging circumstances, brought forward analysis and shared their knowledge and insights. Our enterprise agencies also played a crucial role in enabling the advisory group to undertake robust and extensive engagement with the business community, and so I express my gratitude to them as well. In particular, I thank the chair of Scottish Enterprise, Lord Smith of Kelvin, for convening a number of round tables, giving businesses the opportunity to feed their views into the group.

The 25 recommendations are wide ranging and challenging, reflecting both the breadth of the engagement that has been undertaken and the diversity of factors that make up a robust, resilient wellbeing economy. A theme that emerges strongly is the need to avoid repeating the mistakes of the past, when the impact of recessions has been exacerbated by retrenchments in public spending. I wholly support the group's clear view that, as we come out of the recession caused by the pandemic, we must not return to austerity.

Instead, the report identifies the need for targeted investment to support and stimulate the economy through an investment-led recovery. That requires either an increase in our budget or new mechanisms for raising capital. As the Cabinet Secretary for Finance noted in Parliament on 16 June, the fiscal framework was not designed to deal with the impact of a pandemic, and greater flexibility is needed to fully respond to the crisis.

In his foreword and at the daily press briefing yesterday, Benny Higgins outlined the implications of the pandemic, identifying that:

"The last few months have exposed and illuminated the scale of inequality across the world and here in Scotland"

and that

"The central importance of the role of education in the reconstruction of the economy is unarguable".

He also highlighted that:

"The prospect of an inevitable sharp rise in unemployment demands direct and urgent intervention."

I agree on all three counts. The report provides a series of recommendations to address those themes. On inequalities, the report highlights that advancing equality and eradicating discrimination must be at the heart of Scotland's recovery, embedded in the design, delivery and review of policy response at all levels of government. I support that view; not only is it the right thing to do, but equality is—as the report makes clear—fundamental to a robust and resilient economy. We cannot ignore the continued inequality that persists in our society, which has been exposed

so clearly by the pandemic. Advancing equality must pervade all aspects of our recovery plans.

The advisory group's report states that Scotland's recovery must be education led, prioritising the alignment of our skills base to the changes in the economy. The report identifies the need for co-ordinated action across education and skills provision to achieve that. Covid-19 has given rise to new economic trends and accelerated existing ones. Our education and skills system is the foundation of an inclusive, fair and prosperous society, and it must be adapted to the new realities. As I informed Parliament on 2 June, the Scottish Government's commitment to investing in and developing Scotland's skills base is only strengthened by the pandemic, and the report's recommendations will help us direct funding to where it will be most valuable.

The advisory group's report identifies that rising unemployment will be a key challenge for Scotland's economy. Increases in unemployment will disproportionately affect young people who are moving from education into the labour market, and previous recessions have shown that the repercussions of that will permanently impact on the career prospects of that group unless action is taken to address it.

We must therefore plan for the impact of increased unemployment, particularly on young people. That is why we have asked the Enterprise and Skills Strategic Board to look specifically at issues related to unemployment. I agree with the Labour and Green Party amendments in that regard.

I welcome the recommendation for a new collaborative partnership with business to deliver change and action on recovery. Covid-19 has taught us just how important the dynamic between business and Government truly is. We need to draw on all talents and expertise in a focused way with purpose, action and results. We all need to be part of building and creating the post-Covid world, and the report quite rightly places expectations on both Government and business.

As someone who, 22 years ago, was seconded into Government by the chief executive officer of the company that I worked for at the time—Standard Life—to provide marketing advice on launching the new Labour Government's new deal to help young people into employment, I know the value of those connections. This Government is committed to building a relationship with the business community to take matters forward.

What unifies the recommendations is the need for a renewed partnership across the public, private and third sectors, and with this Parliament, which is united around a shared purpose and vision for our economy. Covid-19 has been cruel,

but we cannot let it defeat us or rob our children of their future. We must establish the partnerships that are required to create a robust and resilient wellbeing economy for Scotland.

Together, we can use the strengths, ingenuity and common collective will of Scotland to recover well for all the people whom we are here to serve. I am committed to working with members across the chamber and with the UK Government in order to achieve that. I commend the report to Parliament.

I move,

That the Parliament notes the findings and recommendations of the independent Advisory Group on Economic Recovery in its report, *Towards a robust, resilient wellbeing economy for Scotland*, and thanks the membership of the group for their deliberations; further notes the considerable impact that COVID-19 has had on the different sectors and regions of the Scottish economy, and recognises the considerable and collective action that will be required from Government, private and third sectors, trade unions and the people of Scotland to support a green and sustainable economic recovery that enhances the wellbeing of all.

15:40

Maurice Golden (West Scotland) (Con): What started as a health crisis has become an economic crisis, too. Since March, Scotland's economy has shrunk by a quarter. Tens of thousands of people risk losing their jobs, and businesses face collapse. Today, we learned that the iconic Braehead facility in Renfrewshire has gone into administration. That is a hammer blow for workers and families in Renfrewshire and the whole of the west of Scotland, and we must do all that we can to save it.

Of course, the UK Government has provided a safety net for Scotland. Almost 800,000 Scottish jobs—a third of the entire workforce—have been saved by the UK Government's job retention scheme.

As the advisory group on economic recovery made clear, recovering from the crisis must include tackling inequality, combating climate change and ensuring the wellbeing of our citizens. The Scottish Conservatives welcome those aims and will work constructively to achieve them. As today's motion recognises, significant effort is needed from every sector of society. That must include the private sector, which accounts for 79 per cent of jobs, and the third sector, which will be increasingly important in supporting communities in the months ahead.

Education will be key to our long-term recovery, due to its power to create opportunity, lift people out of poverty and provide the skills that our economy needs; there are also the jobs that are directly and indirectly dependent on the sector.

However, the future of a generation of young people has been jeopardised by massive disruption to their education. Beyond the need to support pupils and students with face-to-face learning, even if it is partially delivered online, we need more help for those who have fallen furthest behind. I recognise the importance of the Liberal Democrats' concerns about the effect of school closures on childcare and women's employment. We will support the Liberal Democrat amendment today.

Those who are aged 16 to 24 will be hardest hit by job losses, no doubt as a consequence of the fact that many work in the worst-affected industries, such as hospitality. As such, the report's recommendation of a job guarantee scheme, as highlighted in Labour's amendment, is worth investigating, although we will need to review the details. We will also support Labour's amendment today.

Training will be vital both to help those who are affected to find new employment and to build the skills base that we need to create a green economy and take advantage of emerging industries. For example, after the experience of recent months, digital services will only become more important, having had positive impacts on flexible working, the environment and business services. We must embed those benefits in the recovery while attracting new digital services and jobs. Supporting higher education to offer needed skills is essential to that effort, as is improving our infrastructure. We lag behind Wales in data centre capacity, and ultrafast broadband has been rolled out too slowly.

However, a green recovery can start immediately. In the oil and gas sector, we have workers with transferable skills who can help us to secure decommissioning work and roll out renewables and other net zero projects as part of a just transition. That would keep such jobs in Scotland and secure the long-term future of communities throughout Scotland.

Fiona Hyslop: I very much agree with what the member has said. Some of the points that he highlighted are from the report, but some are not. However, in relation to the transferability of skills, does he welcome the £62 million energy transition fund, whose purpose is to support the industries that he has referred to in north-east Scotland?

Maurice Golden: Yes, I do, but we need more action from the Scottish Government in that area—for example, in ensuring that we have deep-port capacity for decommissioning in Scotland. Currently, the decommissioning of a single-lift platform from one of the 471 platforms in the North Sea has to be done in Tyneside or Teesside. Opportunities to build yard capacity here in Scotland would be most helpful.

If anyone doubts the proposed approach, research from Scottish Power shows that a net zero strategy could support up to 10,000 jobs and help preserve our natural capital, which underpins much of our economy. Agriculture, food and drink, and culture and tourism are all reliant on our natural heritage. A green recovery will also improve general wellbeing.

Recent adaptations to support active travel have seen increased exercise levels, improved mental health, reduced congestion and improved access to services for those without cars. However, without adequate attention and a renewed focus on behaviour change, those adaptations will be only temporary. That is also the case for efforts to install energy-efficiency improvements and low-carbon heating in our homes, both of which could tackle fuel poverty, reduce emissions and create jobs. Ideally, local firms would get that work, as every £1 spent with a local small and medium-sized enterprise generates an additional 63p of value for the local economy.

We must offer immediate help to businesses by, for example, reviewing social distancing regulations safely, easing planning rules on outdoor trading and urging people to buy local. That point serves to highlight something that is missing from yesterday's report. Although its overall objectives are to be welcomed, there is no detail on how to achieve them. I understand that ministers will be setting out a response in late July.

I do not wish to pre-empt that response, but it must provide the detail of when and how the economy can restart, and with what support. It must also explain how things will be done differently this time because—I say this with the utmost respect to ministers who were not in post at the time—many of the report's recommendations could have been achieved in the 13 years in which the Scottish National Party has been in power. Members should not misunderstand that point—it is not a political one. We are all working towards the same goal of recovery, but lessons must be learned so that we can do things differently and show the boldness and imagination now that are required for us to emerge from this crisis.

I move amendment S5M-22119.2, to insert at end:

“, and welcomes the contribution of the UK Government in protecting livelihoods, jobs and businesses in Scotland during the COVID-19 pandemic.”

15:47

Richard Leonard (Central Scotland) (Lab): I welcome many of the recommendations in the advisory group's report. The analysis that young people are more likely to be on insecure contracts,

in low-paid work and in locked-down sectors is important in understanding the scale of the challenge that they face and therefore the scale of the challenge that we face as a society. That is why the call for a jobs guarantee scheme—a Scottish guarantee—to counter the huge rise in youth unemployment is one that we have been making for some time and will continue to make. It is therefore welcome to see it as a central conclusion of the report. I hope that the Government will not just vote for our amendment but will do what it says and give our young people a guarantee of a quality job or a quality training place.

Gillian Martin (Aberdeenshire East) (SNP):

Richard Leonard often talks in the chamber about precarious contracts. Would he welcome power over employment law coming to the Scottish Parliament and Government so that we can ensure that there will be no more precarious contracts in Scotland?

Richard Leonard: I have said on a number of occasions that I am in favour of the devolution of employment law, not least in the context of Brexit, when we will see a transfer of powers from the European Union to the United Kingdom that, in my view, should come to this Parliament.

It is important that the report also identifies national leadership. Those of us who have lived through times of mass unemployment know what its unequal burden does to the fabric of society and to the fabric of families. It is important to note that the advisory group explicitly states that there can be no repeat of the mistakes of the 1980s and that, although the report talks variously of tight public finances, it is also clear in its view that

“another round of austerity is not the right answer.”

I hope that the Cabinet Secretary for Finance has got that message, too, and that she recognises the importance of “direct funding to families”, which the report also highlights as a way of getting the economy moving again. That is why the decision to delay the Scottish child payment, just when child poverty in Scotland is going up, needs to be reversed—fast.

We live in a time in which there is no shortage of useful, purposeful work to be done and in which a just and green recovery must be our goal. Older people are still shivering in the cold in our winters and suffering from hypothermia, while engineers and electricians are looking for work. Let us therefore have that green investment in domestic heating and energy efficiency to generate the jobs that we need.

We still have more than 150,000 households on housing waiting lists across Scotland, so, in the weeks ahead, while construction workers may have idle hands and apprentices could be trained,

we need to see action in that area and a major council house building programme.

Let us give local councils the resources that they need. Our schools are calling out for extra teachers and extra resources to build the capacity that they need, not least to meet the consequences of the Deputy First Minister’s U-turn this afternoon.

Transport investment is rightly identified in the report as a priority, so let us look urgently at bringing the railways back into public ownership, and bus services back into municipal ownership, too.

That we need an investment-led recovery is often asserted, but not always acted upon. It is correct to bring forward the Scottish National Investment Bank’s bond-issuing rights, to pave the way for investment in housing and infrastructure projects, but the cabinet secretary should be pressing for the Scottish National Investment Bank itself to be up and running, not by the end of the autumn or by early winter, but by the middle of this summer. We need it now; this is a national emergency.

A revamped Co-operative Development Scotland agency would be an important start in the pursuit of the goal of the extension of community wealth building—the idea that we should be building more democracy, co-operative ownership and employee ownership into the economy.

I finish by touching on an area in relation to which I do not think that the report goes far enough. It does not properly recognise the need for economic planning or the importance of a national plan for the Scottish economy. It does not properly recognise the importance of bringing together employers, trade unions, Government and agencies to democratically plan, at industry level, where we want to be—not just next year, but in five years’ time and 10 years’ time. We need a plan that is comprehensive, that works for the whole of Scotland, that is effective and action oriented, that focuses on delivery and that is accountable to the Parliament.

That will take resolve, commitment and conviction, but that must be our duty, because, after what we have been through, after the sacrifices that have been and are still being made—the lives lost—we cannot allow the people to be demoralised. We must lift their spirits and give them hope to rediscover their self-confidence. We must give them a burning flame of hope: hope that we cannot go back to the old inequalities; hope that, instead, we can dare not only to think big, but to act radically; hope for a just and green recovery; and hope so that, together, we can build a better future and a better Scotland.

I move amendment S5M-22119.4, to insert at end:

“, and welcomes the focus on establishing a jobs guarantee scheme, which should be tailored to ensure it provides necessary additional assistance for young workers, women and BAME and disabled workers, who are all likely to be hit hard by this economic crisis.”

15:54

Andy Wightman (Lothian) (Green): Like others, I welcome the report. We have been looking forward to it. I cannot say that I have read every page—it is a long report—but I look forward to getting to grips with it in more detail.

It is important to reflect at the beginning that we are talking about two distinct issues. It is not clear that the report does so successfully. First, we are dealing with a recovery over the coming months and year—maybe 18 months—from the state in which we are now, which is not a good place. There is a second, arguably more important and certainly longer-term restructuring that our economy needs, to ensure greater equality, resilience and security for our population, and it is not clear to me that much attention has been paid to that longer-term focus. The clear danger is that we attempt to do the first thing—and, I hope, are successful—but ignore the second.

Of course, we are having this debate against a backdrop in which real wages still remain below 2008 levels and inequalities that were there before the crisis have been exacerbated, as members have pointed out. Indeed, the pain that has been felt over the past three months has been disproportionately experienced by people on lower incomes, who remain in risky work, by women, by young people and by the black and minority ethnic community.

The impact has fallen disproportionately on those who earn an income by their labour, as opposed to those who are in receipt of unearned income and economic rent from the ownership of capital, whether that be shares, gilts or land and property, from which rent must continue to be derived on pain of eviction and court orders. Those who earn their incomes, therefore, have done worse than those who collect economic rent through asset ownership.

There is nothing in the economic recovery report about that. As the Trades Union Congress reflected in the briefing note, “How the shareholder-first business model contributes to poverty, inequality and climate change”, which it produced with the High Pay Centre a few months ago, over the period 2014 to 2018

“Across the FTSE 100 as a whole, returns to shareholders increased by 56% (despite net incomes falling by 3% over the period)”,

while

“the median wage for UK workers increased by just 8.8%”.

Indeed, if wages had matched shareholder returns, the average worker would be around £10,000 a year better off.

Green economics has always been concerned with reversing those trends and ensuring that economies are built around people, not profit. That is why we welcome the title of the report—“Towards a robust, resilient wellbeing economy for Scotland”. The recovery has to be built around wellbeing, but wellbeing must focus on ensuring an end to inequality and insecurity.

In that context, I was interested to read the Wellbeing Economy Alliance’s initial response to the report. It said:

“unfortunately parts ... fall short in recognising the type of transformation that could truly transform Scotland into a wellbeing economy.”

The alliance also criticised, as I have consistently done in the Parliament, the conflation of the interests of business with the interests of the economy. The two are not the same. It went on to say:

“crucially—to truly initiate a wellbeing economy, the restructure must be designed to enable people and planet to flourish while being agnostic to economic growth, not dependent on it.”

The fairly sober Fraser of Allander Institute said:

“There’s little in the report of substantial policy insight that is new, or different to what has gone before.”

The Scottish Trades Union Congress made similar points.

A month ago, Fiona Hyslop said:

“We will need a revolution in economic thinking”.— [Official Report, 26 May 2020; c 32.]

I cannot help but note a disjunction between that argument and the outcome of the report, which falls far short of being revolutionary.

Although there is a lot in the report that we welcome, what is missing from it is anything about ownership and governance, anything about finance through new mutual and crowd-source models and anything about the need to build and strengthen local economies. There is nothing about fiscal policy; there is nothing about shifting from taxing earned income to taxing unearned income and shifting from taxing incomes to taxing wealth. There is nothing on basic income—indeed, the report dismisses that. There is nothing on a four-day week. There is nothing on land reform. I could go on.

This is not a something-for-everyone report. It is something for few more than the few who have

disproportionately benefited from the pre-Covid economy.

Our amendment does not reflect the ambitions that we have for a green wellbeing economy, but it adds clear imperatives on precarious incomes, insecure housing in the private rented sector and the need to take public stakes in businesses, following clearly defined principles.

I move amendment S5M-22119.3, to insert at end:

“; recognises the disproportionate economic impact of the COVID-19 crisis on young people, and therefore welcomes the valuable role that a jobs guarantee scheme could play in protecting livelihoods, preventing unemployment and accelerating the transition to a net-zero economy; notes that young people are also more likely to suffer from precarious incomes and expensive and insecure housing, and considers that economic recovery must address the root causes of these problems; agrees that there is a need both for a significant increase in capital investment and for the Scottish Government to take public stakes in businesses, but considers that both these interventions must be actively led according to clearly defined principles, rather than according to commercial imperatives.”

15:59

Willie Rennie (North East Fife) (LD): I thank Benny Higgins and his colleagues for their work, and I am grateful for the time that Benny spent with me and others on a conference call yesterday before the report’s official publication; the call was enlightening.

This debate adds to the one that we had on the economy last week, in which I said:

“if the UK Government seeks to impose on itself a needless, masochistic rule to pay off the debt and operates too tight a fiscal arrangement, it will snuff out any economic recovery.”—[*Official Report*, 16 June 2020; c 42.]

Before the virus struck, there was a lot of work to do in Scotland’s economy on issues such as low productivity; the need for that work is now more pressing. In order to get us out of the crisis, we need to build a high-skill, high-wage economy. Dr David Skilling also makes that case in the report. He calls for Scotland to

“Increase investment in research and innovation ... Give new impetus to the upgrading of skills”

and

“Reprioritise support towards strategic growth sectors - digital, life sciences, green”.

That is why we need new, innovative investment in green projects, such as carbon capture and storage in the north-east of Scotland. That new science and innovative engineering would lift our aspirations and achieve great things for this country. Therefore, I was angry when the Conservative Government cancelled that project in 2015; in between then and now, we have lost

many years in which we could have made progress. The crisis means that the Government needs to think again to ensure that such projects get the go-ahead.

Before I comment on other aspects of the report, I will discuss two important and clear warnings that it gives to the Scottish National Party. The first is the devastating impact on low-income families from closed schools and childcare. That is why so many people called on the Scottish Government to change its plans and step up to the challenge. The report says:

“COVID-19 job disruption is likely to have a disproportionate impact on women’s employment, as a result of low-paid women being particularly affected by job disruption; and women are potentially faced with an increase in childcare responsibilities as a result of school and nursery closures in the shorter term.”

I have repeatedly asked ministers to make sure that, if a person is required to work, they should have the childcare that they need in order to do so; I cannot believe that ministers hold out against that principle. Last Friday, a teacher reported that, when she returns to work, she is not going to be allowed childcare from the local hub. It is not good enough. People are required by their employers to return to work, because the Scottish Government has accelerated the economic phases, but it has kept childcare and schools at a slower pace. I am intrigued by the Deputy First Minister’s indications earlier today that, tomorrow, the First Minister might say something more on that. I hope that she does, because we need a joined-up approach to the economy, childcare and education, so that parents can return to work when they are asked to.

The report’s second great challenge to SNP ministers is the call for the regional focus to economic recovery. That flies in the face of every piece of economic centralisation that the SNP has forced through in the past decade. It downgraded regional economic development—if we are to have a sustainable, diverse, regionally based economic recovery in the years ahead, that must be reversed.

I move amendment S5M-22119.1, to insert at end:

“; notes that the Scottish Government has committed to a formal response by the end of July 2020; believes that a more urgent response is needed on provision of childcare for anyone required to return to work given the report’s statement that school and childcare closures represent ‘a disproportionate impact on women’s employment’, and further calls for a formal estimation within its plans of the amounts paid by the UK Government directly to people in Scotland under furlough, unemployment benefits and other COVID-related payments, in order to give a better assessment of the resources both required and available to support people.”

16:03

Bruce Crawford (Stirling) (SNP): I thank Benny Higgins and the advisory group on economic recovery for producing a report that has a clear focus and contains significant substance. Moreover, to have done so in such a compressed period is impressive.

Nobody can doubt that the Covid-19 pandemic has been the biggest crisis outside wars to hit the world in a century; I hope that we never see its likes again. Inevitably, in a crisis, not all decisions are right, but I support the Scottish Government for prioritising public health during the crisis. Decisions have rightly focused on keeping people safe; in Scotland, the majority of people support that approach, but it has come at a cost. In responding to the threat of Covid-19 and in order to protect the most vulnerable, we effectively closed huge chunks of the economy.

Rightly, in the initial weeks of the crisis, swift action was the order of the day: get money out the door and protect as many businesses as achievable. In those early moments, not every decision will have been correct. However, in the main, where there have been issues, they have been rectified.

I turn to the report to address the particular challenges in the tourism and hospitality sector. First, I draw the economy secretary's attention to an area that badly needs action if we are to avoid some good businesses going to the wall: those businesses that use the owner's home as their office or headquarters—businesses ranging from pest control companies to online tourism operators. Because many such companies do not pay rates or rent, they have missed out on much-needed grant support. Will the cabinet secretary identify aid for such businesses as a priority? I know that that is a tough ask and that, given the limits of the Scottish Government budget, it might require help from the UK Treasury to enable us to move on that front.

As the report makes clear, getting people back to work is now the top priority. I represent a constituency with a highly important tourism and hospitality sector. I have raised the challenges that those businesses—and numerous related businesses—face several times in Parliament in the past few weeks and months. That is why I warmly welcome the report's contribution, recognising as it does the serious financial impact on the interrelated tourism, event and hospitality sectors and the need to develop specific solutions for those sectors.

The initial grants that were provided to affected businesses were a welcome lifeline and support. However, the majority of those businesses remain closed, three months after lockdown began. More

support is needed if we are to see such businesses trading sustainably when it is safe to do so. Many pubs, restaurants, cafes, hotels and tourism-related businesses are seasonal and make the majority of their money during the summer months. Losing that trade means that they will find themselves in serious trouble, effectively experiencing three consecutive winters. That will be true no matter what further easing of lockdown restrictions are introduced. As the report recognises, we need targeted support now. The advisory group asks the Scottish Government to consider a reduction in business rates for tourism establishments and asks the UK Government to reduce VAT for the sector. I would be grateful for the Scottish Government's views on those suggestions as soon as it is in a position to offer them.

I only wish that I had time to explore further ground, particularly in relation to the university sector, renewables and the fiscal situation. However, given the limited time, I will conclude my remarks by thanking the advisory group again for its timely, focused and substantial report.

16:07

Dean Lockhart (Mid Scotland and Fife) (Con): I start by adding my thanks to Benny Higgins and his colleagues for their valuable report and constructive recommendations. However, I cannot help but reflect that this is a missed opportunity. Notwithstanding all the positive outcomes highlighted in chapter 5 of the report—which we fully support—there is no route map or detail on the practical policy steps that we need to take to achieve those outcomes. That is not the fault of the advisory group, but is due to the failure of the Scottish Government to set out a proper remit when the advisory group was established three months ago.

The opportunity at that point was to ask the advisory group not only what a post-Covid economy should look like but, more important, what specific policy steps we needed to take to get us to that destination. That was the point made yesterday by the Fraser of Allander institute when it said:

“Without a focus on practical next steps, the risk is that this report is consigned to the shelf”.

We now find ourselves in a position where the Scottish Government will respond to the report only by the end of July, some six months after Covid started to impact workers and their livelihoods.

Tom Arthur (Renfrewshire South) (SNP)
rose—

Fiona Hyslop rose—

Dean Lockhart: I will take an intervention.

The Deputy Presiding Officer (Linda Fabiani): From which member?

Dean Lockhart: I sense Tom Arthur standing up, but I will take the intervention from the cabinet secretary.

Fiona Hyslop: I will say this very gently. Can the member point to the UK Government's recovery plan, any independent advisory group that it has set up for recovery or when such a report will be published?

Dean Lockhart: I am amazed that the cabinet secretary has asked that question because, during the period to which I referred, the UK Government has implemented an unprecedented series of policy interventions that have saved 800,000 jobs in Scotland and delivered more than £10 billion to Scotland. Those are the policies that are saving the economy.

I turn to some of the central recommendations in the report. We agree that wellbeing should be a central part of economic policy and that businesses across Scotland will need some form of public sector recapitalisation, but there are real concerns about the SNP's ability to deliver in those areas. Under the SNP, Scotland has fallen from 16th to 21st place in the most recent international rankings on wellbeing. When it comes to taking stakes in private sector firms, just last year, more than £150 million in investments were written off at the expense of the taxpayer. The Scottish Government will have to work hard to convince stakeholders that it can deliver in those areas and save countless jobs and livelihoods.

One of the report's most striking conclusions is that, after 14 years in power, the SNP has no formal structure in place to engage with economic stakeholders. That observation from the advisory group merely confirms something that we have been saying for years: this is a Government that is out of touch on the economy. That is why, in the weeks ahead, the Scottish Conservatives will announce a series of concrete action plans to get Scotland back to work.

The report suggests reform of the fiscal framework, but that would be a needless distraction in a time of crisis. The fundamental issue when it comes to saving jobs is not about constitutional technicalities but about how much investment is required to rebuild the economy. According to the Fraser of Allander institute, up to £7 billion of capital will be required to rebuild Scotland's economy over the next 12 months. Simply put, the reality is that it would not be possible for the Scottish Government to fund that unprecedented level of investment on a standalone basis. That is why we are calling for the Scottish Government to work with the UK

Government on a policy response to rebuild Scotland's economy and get the very best outcome for Scotland by using the unrivalled pooled resources of the United Kingdom.

I support the amendment in Maurice Golden's name.

16:12

Gillian Martin (Aberdeenshire East) (SNP): Yesterday, the chair of the advisory group on economic recovery, Benny Higgins, said that a key element of our fiscal framework is "arcane" and that the restrictions that are placed on the Scottish Government's ability to reallocate capital funds to where they might be needed are a significant problem for our recovery. The report also points out the Scottish Government's inability to borrow, which is a tool that is enjoyed by other Governments around the world and is invaluable in times of crisis. If this moment is not a crisis, I do not know what is.

An urgent review of the fiscal framework along the lines suggested in the report is the most urgent takeaway for me. In my view, anyone who stands against more flexible fiscal powers for the Scottish Government has absolutely no grounds to complain about limits on spending on any recovery programmes. On a cross-party basis, we all need to get behind those calls for the sake of our citizens.

In my area of the north-east, we face a triple crisis: Covid-19, Brexit and a record-low oil price, all of which are combining to prompt what might be the worst unemployment level that the area will ever have seen if we do not take swift action now.

Of course, a fourth and potentially more savage crisis is the climate change emergency. Recently, I saw a cartoon that I think was by Mary Annaïse Heglar that showed a boxing ring, with planet earth being pummelled by a muscular figure representing the coronavirus in what was labelled the "preliminary round". Standing at the ropes was a much larger, more menacing figure representing climate change, who was waiting to have their go in the next round.

With that in mind, I read the report through the lens of a green recovery. The phrase that hit me as the most important was:

"Responding to climate change needs to be a thread through every policy action."

If we are serious about a green recovery, an increased focus on skills that are fit to serve that recovery should be a priority, and I was glad to see that that featured in the recommendations.

Investment in skills and innovation in the areas of low-carbon energy is particularly essential. The workforce and ideas are there, but we need the

investment, focus and funding. The Scottish Government must have the full powers through the fiscal arrangements to realise that potential. I agree with Willie Rennie's comments about CCS and the project that was cancelled by the UK Government, which was one of the most short-sighted decisions in the history of the past 10 years.

I also agree with the recommendation on the rebalancing of skills provision to include more work-based apprenticeships, and that we should use the fact that the crisis has given greater impetus to online learning.

I would like to see us go further by funding green energy innovation projects that take on apprentices too. Taking on at least one apprentice should be a condition of Scottish National Investment Bank or enterprise agency funding.

I was also very pleased to see fair work mentioned so often in the report. During the pandemic we have seen a shift in how we work and what we value, and a recognition that those we rely on for our most basic needs and the wellbeing of our nation and citizens are often the most undervalued when it comes to fair work practices and salaries. Women make up the majority of those in that previously undervalued but essential work. One recommendation is that the Scottish Government deploys expanding tax powers and business support interventions and makes greater use of conditionality.

I welcome what Richard Leonard said in response to my intervention: that Scottish Labour will support calls for the devolution of employment law to the Scottish Parliament.

There is too much to cover in this short speech, but an urgent revamp of fiscal powers, emphasis on fair work, skills and green recovery are my top takeaways from an excellent report, which I want to see turned into action as soon as possible.

16:16

Jackie Baillie (Dumbarton) (Lab): I join others in thanking Benny Higgins for his report.

There is much that can be welcomed, but the report must be only the first step in tackling the recession to come. We are facing a truly unique set of circumstances: a recession of enormous magnitude that is truly unprecedented.

Our gross domestic product has plunged by almost 25 per cent, unemployment is predicted to rise to 10 per cent and a number of companies—large and small—will cease trading. The Organisation for Economic Co-operation and Development predict that the recession in the UK will be one of the worst in the world and it might be even worse in Scotland because we have been in

lockdown longer, more businesses have ceased operating and we rely on sectors such as tourism and hospitality and oil and gas more than other parts of the UK do.

The scale of the solution must self-evidently be equally significant and bold. This report is a helpful contribution, but it is the opening chapter of a much longer book.

I welcome the Scottish jobs guarantee scheme, for which Labour has been calling for many months now. So, too, do I welcome the emphasis on fair work and sectoral bargaining, the investment in digital, the ability to take a stake in private companies and the focus on capital.

However, none of that is really new. The problem with having been around for a long time is that you remember what went before. Twenty years ago we had FEDS—the framework for economic development in Scotland—which was announced by Donald Dewar and Henry McLeish. That was followed by the refreshed economic strategy, a smart successful Scotland, which was developed by Wendy Alexander. After that came John Swinney's economic strategy. What do they all have in common with today's report? The interventions and the rhetoric are largely the same.

FEDS talked about social capital, physical capital and human capital. This report is similar to the Scottish Government's existing economic policy, which worries me because it is perhaps too timid given the circumstances. Much more can be done on a green recovery, which I had hoped to see more of in the report.

There is also very little on implementation. In fact, that has always challenged the Government, which is great at strategies but poor at making them real on the ground. The truth is that with cuts to budgets, economic development capacity in councils and in Scottish enterprise is hollowed out. So where is the action plan, with targets and timelines, backed by resources? We really need to get a move on.

I am interested to know how the Scottish Government will pay for the big interventions that are required. Will budgets be reprioritised? What are we not going to spend money on anymore? What about our tax policy? Will the tax burden be shared more fairly?

It is interesting that, at a time when poverty is increasing, the SNP's response is to delay the child poverty report and the Scottish child payment. I am disappointed because I think that those things are essential, particularly now when poverty is increasing. I find it very odd that those are the priorities because they resemble actions that the Tory party would take.

I turn to the fiscal framework. I warned the Cabinet Secretary for Finance that tinkering with the Barnett formula, which is very generous to Scotland, is a dangerous path to tread.*[Interruption.]* There is a lot of noise coming from the back benches.

Bringing forward the substantive negotiations about a future fiscal framework is also dangerous when we do not yet know the scale of the economic impact that we face. It would be far better to maximise the money being spent in Scotland. That means the combined spending power of the United Kingdom and Scottish Governments.

It is absolutely right to have a temporary relaxation of restrictions to cope with the current crisis. We support looking for those flexibilities now, but the wider review should be approached with care.

It is not the normal rhetoric of this chamber to talk about co-operation and consensus, but that is exactly what must happen with the UK and Scottish Governments, not just so that we have a recovery plan from both Governments but so that we get those plans implemented and deliver on a far more ambitious prospectus.

16:20

Alex Neil (Airdrie and Shotts) (SNP): I too welcome the report. I agree with Andy Wightman: it does not include the kitchen sink and everything else, but it sets a very clear direction for what is required in future.

Dean Lockhart and Jackie Baillie both raised the question of how we will pay for the recovery. The Fraser of Allander institute is right that we probably need to spend something like £7 billion in Scotland over the next 12 months, in addition to the existing budget, if we are to be able to recover from the post-Covid economic crisis.

The report starts, on page 3, to address the question of where we can get the money. It says

“there needs to be a plan to unlock financial borrowing at the exceptionally low prevailing long-term interest rates.”

I agree with that, but what should that plan be? There is only one possible plan: it is for the Scottish Government and the other devolved Governments in the UK to be able to borrow the money that will be needed for economic recovery directly from the Bank of England, and on exactly the same terms and conditions as the UK Government.

The governor of the bank said yesterday that his job in recent months has been to rescue the UK Government from going bankrupt. The Bank of England is not supposed to be just “of England” and for England; it is supposed also to be for the

rest of the United Kingdom. Now is an opportunity for the UK Government to give the Scottish Government the same borrowing powers. That would mean, like the UK Government, paying no interest; having no timescale for re-payment, like the UK Government; and having the power to write off loans from the Bank of England, as the UK Government already did with money that it borrowed for the recession. That is where the money should come from. A sum of £7 billion is less than 1 per cent of the £745 billion that the UK Government has had from the Bank of England in the past three months.

Throw the fiscal framework out the window. It is no longer fit for purpose. Give us some real short-term powers that we can use to save the Scottish economy.

The question is then how to spend the money, if and when we get it. I agree with the report when it says that the economic recovery has to be “an education-led recovery”. The statement that we heard from the Deputy First Minister shows that the Scottish Government also agrees with that. I have a specific recommendation for the Scottish Government: endorse the idea of a job guarantee for 16 to 25-year-olds.

We must also do something for people who are over 25. I count myself as one of them. There is a need for a training and employment grant scheme that provides incentives and subsidies to employers to take on people who are unemployed or are under threat of redundancy, with an enhanced subsidy for disabled people to encourage employers to recruit them, too.

There is talk among Tory back benchers about trying to persuade the Chancellor of the Exchequer to end the triple lock on pensions, which is especially important for the poorest pensioners. That action would save £8 billion a year. It would be an utter disgrace to punish the poorest pensioners. Each year, £40 billion in pension tax relief already goes to better-off people, so if the UK Government needs to find £8 billion, it should take it out of their pockets—not out of the pockets of the poorest pensioners.

16:25

Murdo Fraser (Mid Scotland and Fife) (Con): Before I get to the substance of my speech, I gently point out to Alex Neil that the fiscal framework that he wants to throw in the bin protects the Scottish budget against the decline in tax revenues. He will need to explain how he would make up the £12 billion annual deficit in Scotland’s finances that is currently filled by the union dividend, which is thanks to the fiscal framework that John Swinney negotiated on behalf of the SNP Government.

One thing that we do not lack in Scotland is reports on the future of the economy. The Fraser of Allander institute has often made the argument that we have a large apparatus of overlapping councils and economic advisory bodies, all producing reports. Whole forests have died to support the report-writing industry; at least one part of the economy is doing well.

Here we have yet another report. This one is on the economic recovery from coronavirus. The danger in having all these reports, as is highlighted in the Fraser of Allander institute's response to the advisory group on economic recovery's report, is that producing more and more reports will not change anything. We need action.

The advisory group's report suggests that it is for the Scottish Government to take greater financial interest in private sector companies. I must say that anyone who looks at the Scottish Government's track record in that area would not be encouraged. We have seen high-profile investments in Prestwick Airport Ltd, Burntisland Fabrications Ltd and Ferguson Marine Ltd, but none of those gives us much confidence in the Scottish Government's ability to invest public money wisely.

If the Government is choosing which businesses to support, it must also choose which businesses will fail. That will be the real challenge, and it is not a position that I would like any minister to be in. *[Interruption.]* I cannot take an intervention—I have only four minutes and am half way through my time already.

The recommendation in the report that there be a jobs guarantee for young people is a good one, but the problem is that Governments cannot deliver that. Only businesses can provide jobs, and only if they succeed will they be able to supply employment for young people or, indeed, for anyone else in the jobs market. The key to the future of our economy is in understanding how businesses in the private sector will be able to thrive in a challenging environment. In that respect, it is disappointing that so few members of the economic advisory group who produced the report are directly involved in private sector business.

What can and should be done at this point? We need to learn the lessons from the past few months, which give us some pointers for the future. First, it is very likely that more people will work from home. Therefore, connectivity and good-quality broadband are essential in all of Scotland, but especially in rural areas. Ensuring that they exist must be given even greater priority than has been the case up to now.

Secondly, one of the consequences of more people changing their working patterns will be that

there will be less demand for office space. Being a commercial property landlord might not be so attractive, which will have serious implications for the likes of pension and life funds, which traditionally invest in that sector.

Transport patterns will also have to be looked at, with potentially fewer people wanting to travel to work and, at least in the short term, people being more reluctant to travel on public transport.

The nature of retail will change even more rapidly. Before coronavirus, we had already seen a significant shift to online retail purchases. That trend will accelerate, as people have become even more comfortable with shopping from home, which makes the decline of the high street an even greater challenge.

In that context, the need for a wholesale review of business rates, for which we have been calling for years, has become acute. We need to consider properly a digital sales tax in order to level the playing field for high-street sellers and online sellers. We need to reimagine the high street of the future, of which retail will play a much less significant part. We must explore whether we can repurpose former retail shops for leisure uses, or convert them to residential accommodation, and we must explore whether we can align the planning system accordingly.

There is, in the course of this short debate, simply no time to consider all those significant issues properly. Although the new report will be of assistance in framing discussions, a lot more action and a lot less conversation will have to take place if we are to make a difference.

16:30

Annabelle Ewing (Cowdenbeath) (SNP): It is quite clear that the backdrop to the economic advisory group's report is very much the considerable economic challenges that the coronavirus poses. However, it is important also to note from the report the group's evident determination to propose suggestions that would rechart Scotland's economic approach, taking into account the new Covid-19 starting point, but with the focus being very much on employment.

In the foreword to the report, Benny Higgins, the advisory group's chair, comments:

"The public health crisis which has tragically taken so many lives prematurely cannot be allowed to lead to an economic one that is socially destructive."

As the member for the Cowdenbeath constituency, which comprises disparate areas including former mining communities and areas with acute deprivation, to my mind such recognition of the need to avoid further scarring of already fragile communities is crucial.

Of course, in the short time that we have available for the debate it will not be possible to discuss all the report's findings. We have already heard about investment, ownership stakes in companies and the priority that should be given to green investment and digital infrastructure. However, importance should also be attached to the roles of culture and of the third sector.

I will focus on three aspects, the first of which is recognition of the pivotal role of the private sector, in which more than 70 per cent of Scots work, and which must therefore be at the heart of our recovery plan. An example of that recognition is the group's recommendation that a business-led Scottish jobs guarantee scheme be established, to work in partnership with local authorities and other agencies, and to be supported by targeted funding from the Scottish Government. According to the report's recommendation,

"The scheme should offer secure employment, for a period of at least 2 years, to 16-25 year olds, paid at the Living Wage, with access to training, apprenticeships and the possibility of progression."

I very much welcome that recommendation, for at its heart is recognition that, absent urgent and comprehensive action, a whole generation might be left behind in terms of their job prospects.

The report also recognises that business must play its role, and that recovery should not be a matter solely for public agencies. I welcome that, because what we are facing is a massive issue for the whole of our economy and our society. We all have role to play in them, so all hands should be on deck.

At the same time, there is recognition that the relationship between business and government should be "refreshed" and that a new collaborative partnership on the strategy for Scotland's economic recovery should be developed. That is a positive suggestion. The report expresses ideas about how that could be achieved, including secondments. I look forward to seeing how those might be developed, when the Government responds to the report.

Acceleration of the planned review of the fiscal framework, which the report highlights, is also crucial. Indeed, the shortcomings are there for all rational people to see: limitations on opportunities for meaningful policy autonomy, a limit on capital borrowing to less than 0.3 per cent of gross domestic product, and restrictions on transfer between capital and revenue. In a global pandemic, those just do not make sense.

I remind members that Benny Higgins indicated yesterday that the fiscal response in Europe is beginning to shift from emergency assistance to fiscal stimulus, in order to kick-start economies there. He cited Germany, which has just

announced a package amounting to about 4 per cent of GDP. In Scotland, that would equate to about £6 billion. If the UK Government does not intend to do that, we in the Scottish Parliament should be equipped with the powers to do it, so that we can get our economy back on track and tackle the widening inequalities that we see in our country.

The Deputy Presiding Officer: I may have to cut a minute or so off a couple of the closing speeches. The last speech in the open debate is from Kenneth Gibson.

16:34

Kenneth Gibson (Cunninghame North) (SNP): I, too, am grateful to the economic advisory group for its work on identifying both issues and solutions. Its guiding principles form

"an action list, and not a shopping list",

as it boldly says. Although terms such as "reimagine our economy" may be a little overblown, I agree that, given the damage that the pandemic continues to inflict on people, businesses and our economy, it signifies a watershed moment.

We need to look with fresh eyes and use this situation, awful as it is, as a catalyst for finding different ways towards recovery from those that followed previous economic crises. The report says:

"The damage done to the generation currently aged 16-25 and their job prospects will be a scar across their working lives if there is no urgent, ambitious and focused intervention to address it."

I agree. However, I believe that action should be extended to those aged under 35. Many people in their late 20s and early 30s have seen hopes of a home of their own, prospects of starting a family and career prospects dashed due to the economic uncertainty, and we cannot abandon them.

Significantly, despite Tory moaning, the business community has welcomed the recommendations. The Federation of Small Businesses Scotland said:

"Given the slump in economic output and the jump in unemployment, there is a pressing need to jumpstart the Scottish economy and its vital small business community. Today's report from Benny Higgins sets out a range of options to do just that.

The focus on sustaining and generating jobs is the right call if we want to prevent a lost generation—but that can only happen in partnership with small businesses. This is especially true in remote communities where small businesses generate over half of private sector employment."

Glasgow Chamber of Commerce said:

“We applaud the focus on investment-led recovery and the need for creation of jobs at an unprecedented rate and endorse the call for innovation in skilling and reskilling and the need to reduce the impact of the crisis on the futures of our young people.

We agree on the prioritisation and delivery of green investments—particularly in the circular economy—and also on the mobilisation of investment in digital infrastructure as a key force for resilience and growth and a direct job creator”.

The report identifies wealthy Edinburgh and Aberdeen as Scotland’s most economically resilient regions, and it puts North Ayrshire, where my own constituency is, last. The potential resilience of areas is based on pre-crisis characteristics, but that does not account for the relative severity of the difficulties that regions will face due to sectoral impact, for example. North Ayrshire will clearly need additional support, not least so that it can play a full part in Scotland’s full economic recovery.

As the report recognises, there is no one-size-fits-all approach and every region needs different solutions, with local partnerships working together. Ensuring the success of growth and city region deals is more important than ever, and they should be accelerated.

It has been 15 months since the Ayrshire growth deal was agreed, on 8 March 2019, after much dithering by the UK Government, and much work has been done behind the scenes, not least by North Ayrshire Council’s officers. However, given the position of Ayrshire’s economy before Covid-19 and the full impact of—let us be real—a hard Brexit due to break over us, time is of the essence. It is paramount that the Ayrshire growth deal is implemented.

Signing off on actual projects has been “imminent” for weeks now, and I am keen to know what steps Scottish ministers are taking to expedite the Ayrshire growth deal. Although that is hugely important for Ayrshire, we need more help from the Scottish Government to make Ayrshire’s economy more resilient. In carrying out advisory group recommendations, Ayrshire must be at the forefront—with, for instance, potential solutions being piloted in Ayrshire. As the cabinet secretary was born in North Ayrshire, in the sunny town of Irvine, I am sure that she agrees.

The fact that the old normal is nowhere on the horizon may be no bad thing for wealthier local economies, which can afford to worry about investment in levels of self-actualisation that most can only dream of. However, for Ayrshire, this should absolutely be seen as an opportunity to kick-start our less resilient economy with basics such as job creation and retention and attracting inward investment. I am glad to see that this report is a major step forward in achieving that.

The Deputy Presiding Officer: We move to the closing speeches. All members who took part in the debate should be back in the chamber for these speeches. I call Willie Rennie—you have a tight four minutes.

16:38

Willie Rennie: I think that the whips must be back in control of Alex Neil. Last week, they were not successful: he would have smashed the consensus on the fiscal framework that had developed across the chamber with his ridiculous comments that the Bank of England was only there for England, apparently ignoring the fact that the job retention scheme, the self-employment schemes and the massive increase in universal credit contributions of £900 million came directly to Scotland. It was a ridiculous point to make about the Bank of England, and I hope that he is away reflecting on those comments somewhere else this afternoon. *[Interruption.]* I see that he is back in the chamber now, perhaps to apologise for such comments.

We need to recognise the contribution of the United Kingdom, because it is through the strength of the United Kingdom that we have got through this immediate crisis. We need to work in partnership, which the Scottish Government has managed to do so far. It has put aside its differences to try to achieve something greater, which is why we have been prepared to co-operate and work in partnership with the Government.

We would support a jobs guarantee scheme, because the report is right when it talks about the need to prevent the “scarring” of young people and the economy. We know that it is our people and, in particular, our young people who will be the future strength of our economy. If we invest in the skills and talents of those people, we will grow the economy and make it sustainable. That is why it is right to have a jobs guarantee scheme.

I am disappointed with the timidity of parts of the report. In fact, in its dismissal of a universal basic income, it lacks ambition and aspiration. That issue should have been included, and I would have expected the cabinet secretary to have commented on the matter, because I know that she is a strong supporter of a universal basic income. Perhaps she will reflect on that in her closing comments. A universal basic income would help to fill the gaps in the various financial schemes that have emerged and ensure that no one is left behind in the current period. It might also be useful in the future, as we move towards automation, to ensure that everyone has a stake in society and an income that they can survive on.

I am interested in the aspect of Government intervention, because it is important that, during this recovery period, we support businesses that are perhaps on the edge but that are vital or pivotal for the future of our economy, whether that relates to sustainability and the environment, innovation or the high-wage and high-skill jobs that we seek. We need an understanding of what the rules are for that intervention. We need to know that it is not just about propping up failing businesses that will not have a future without Government support. It is important that the Government sets out the rules and the understanding. We need to seek the right advice from the right parts of business and the investment sector to ensure that the Government uses its restricted money wisely. If we get those decisions right, we will be able to protect the right businesses instead of just failing businesses.

Ultimately, we need to invest in people's skills and talents so that everyone has a stake in the future of our country. We need partnership working between Scotland and the rest of the United Kingdom, and we need to put aside our differences to deal with one of the most significant challenges that this country has ever faced. I will close by agreeing with Kenny Gibson. The last thing that we need now is a no-deal Brexit or a damaging Brexit. We need to combine with our friends, neighbours and allies; in that way, we will defeat the virus.

16:42

Andy Wightman: In the short time that I had available when I spoke earlier, I was not able to reflect on the striking comment in the foreword to the report where the group says:

"It is illustrative to consider that 90% of the top 50% of earners in the country can work from home, whilst 90% of the bottom 50% cannot do so."

That encapsulates a significant issue that has arisen during the pandemic, but I want to reflect on the fact that the report does not address what we are going to do about the issue. The report does not address how we need to change working patterns or the impact that that will have on workplaces and offices. There is a lot more work to do to flesh out what are some useful observations so that we have a plan of action for the longer term.

In my opening remarks, I reflected on the focus on the local. The report talks about proposing

"an approach to recovery and economic development that is grounded in local and regional approaches and partnerships".

It is hard to see how we can do that, because we do not have the ecosystem for it. Local government has been hollowed out and, as Willie

Rennie pointed out, there has been a vast amount of centralisation. Much of the thrust of the report is focused on businesses and Government working together, which misses out those important local actors.

Recommendation 17 talks about a "place-based" approach, but the landscape here is increasingly not only hollowed out but messy. We have city region deals, local economic development partnerships, enterprise agencies, and so on. A significant transformation, if that is what we are looking for, would include a significant transfer of fiscal, economic and political power to Scotland's 32 local authorities and even more to our local network of municipal authorities.

Members' contributions were interesting and useful. Richard Leonard spoke about democratising the economy, which goes to the heart of how our economy has been increasingly owned and run. We know that mutuals and co-ops provide much greater social and economic returns. Willie Rennie spoke about the need for regional economic development, but there is little in the report about how to achieve that. Dean Lockhart criticised the remit as the reason why the report was perhaps not as ambitious—in many regards, I accept that that was at the root of it.

I very much agree with the Fraser of Allander institute's critique, particularly on the lack of focus on practical next steps. The cabinet secretary intervened on Mr Lockhart to ask about the UK Government's response, which seems to be largely about getting people back shopping with money that people no longer have and, by definition, for non-essential items. That highlights the structural weakness in the UK and the Scottish economies: more than 60 per cent of GDP is based on household consumption, which is not really the basis for a sustainable economy.

I will turn to some individual recommendations that we did not have time to talk about. Recommendation 9, on conditionality and business support, was very useful, but it is important to point out that non-domestic rates relief is an appropriate short-term relief but not a long-term response, because it results in greater returns to landlords if rents are not reduced to the same extent. I am uncomfortable with the language around natural capital, but we can leave that.

The report said some very useful things on tourism, which is probably an area on which we can come forward with a plan in relatively short order, as Bruce Crawford highlighted. At a UK level, we have a £17 billion deficit in tourism—that is the amount of money that leaves the country over and above the money that is spent on domestic tourism—and things like a four-day week would help considerably with that. The report

covers workplace innovations, which are very important, but it has nothing on ownership and governance.

I always welcome Alex Neil's contributions to debates. He is right about the Bank of England, and I highlighted in last week's debate the hundreds of billions of pounds of quantitative easing that is exacerbating inequality. We should have more control over spending our share of that.

Time is so desperately short that I will conclude with another observation from the wellbeing alliance. It says:

"A wellbeing economy is one that is purposed and designed explicitly for human and ecological wellbeing – economic activity in service of these higher order goals."

16:47

Rhoda Grant (Highlands and Islands) (Lab):

The report and debate are welcome. The report is high level, with very little practical guidance on what the Government should do now; although it lists many of the challenges, it does not have the detailed steps that will be required to kick-start our economy that many people sought from it.

Richard Leonard spoke about the job guarantee scheme, and we certainly welcome the report's recommendation for such a scheme. We have been pushing the Government for that for some time, and I hope that it will now move quickly and create the scheme. It needs to focus on young people, women, black and ethnic minority workers and disabled people, whom we know are the hardest hit by recession. The Resolution Foundation has pointed out that the least well-off are bearing the brunt of the pandemic, and that was echoed by the Poverty Alliance today.

The delay in the Scottish child payment also contributes to child poverty and the payment should be speeded up at this time rather than delayed to help families who are in that situation.

Willie Rennie spoke about the requirement to have childcare in place before women can return to work. When people are being asked to come back to work but there is no childcare in place, that appears a bit cart before the horse. People in Kirkwall on Orkney, in particular, are affected, given that the childcare provider Peedie Breeks will close at the end of this month; no nursery care, childcare or afterschool care will be available for people who want to return to work. We need to do something about that to make sure that childcare is available, especially for women who are returning to work and who can suffer from poverty disproportionately.

We cannot build our economy on a case-by-case industrial strategy. We need to build a manufacturing base and a green recovery, as

Jackie Baillie said. We have resources—we have offshore wind—but none of the jobs comes here. We now have the opportunity and, indeed, the powers to do things differently, so let us use them to create a just transition. We should also look at things such as green energy and retrofitting, which would create jobs and tackle climate change.

Gillian Martin said that tackling climate change must be the thread that runs through every policy action. The Scottish Labour Party called for that at this year's budget, and it continues to call for it.

I agree with what other members said about the need for digital connectivity, but we need more than just connectivity. People need to have the ability to access it. The children of many less well-off families have been told to learn online and do their lessons online, but they do not have a laptop to access those lessons or—if they are lucky enough to go to a school that provides equipment—the connectivity that is required for them to do so.

Richard Leonard talked about community wealth building and using procurement to invest in our communities. That is extremely important. We need to look at co-ops and mutuals and other organisations that keep wealth in our local economies and create jobs there. We must consider community empowerment and land reform. As representatives of rural areas, it is important that we empower people in such areas to make decisions for themselves and to build their economy.

The coronavirus has torn down the old order. Indeed, it has devastated many lives, and it has been most devastating to those who have least. We are at a crossroads between rebuilding the old order and creating a new order—a new economy that is fair, that is based on equality and that does not allow people to accumulate vast wealth to the detriment of others. The Scottish Government now needs to decide which it will be, and we urge it to build a new order.

16:51

Donald Cameron (Highlands and Islands)

(Con): As colleagues have intimated, we welcome the report's publication, and we express thanks to Benny Higgins and others for putting it together so quickly. We also welcome several of the recommendations, which include some interesting and innovative ideas—especially the idea of the "four pillars of capital", and the focus on natural and human capital in particular.

Like others, we welcome the overarching focus on job retention, which must be at the forefront of our economic recovery from the virus, and we note the proposal to bring together the private and public sectors to develop a jobs guarantee

scheme. We look forward to receiving further detail on that. We also note the call to increase private sector investment in projects, alongside public sector input, and the suggestion that the Scottish National Investment Bank work closely with the third sector, universities and community projects.

I especially welcome the recommendation that we need to

“scale up and accelerate planned investment in Scotland’s digital infrastructure.”

That will be particularly beneficial to rural communities, such as the Highlands and Islands. The report is correct to urge the Scottish and UK Governments to work together more constructively on that issue and others, as Jackie Baillie said, not least because Scotland needs access to the capital investment and economic firepower of the UK.

I acknowledge the candour with which the report accepts the extent to which relations between the Scottish Government and the business community need to improve—those relations need to be much better. There is a palpable sense of disconnect between ministers and business right now, and that relationship has degenerated to such an extent that it requires to be resuscitated, let alone reset.

Of course, I recognise that the advisory group’s report is an independent report and that the Scottish Government might well choose to do things differently. Where we can, Conservative members will work with the Government to get our economy back on track. However, as Andy Wightman and others have said, it is abundantly clear that Scotland’s workers and businesses need swift measures and practical help now. It would be simply inadequate to wait until the end of July for that to happen, because jobs and livelihoods are at stake now. The situation is urgent now. It is undoubtedly an emergency.

We all welcomed the swiftness with which the UK and Scottish Governments responded to support workers and businesses at the beginning of the crisis, but that same urgency needs to be replicated now, and similarly radical and decisive action needs to be taken; otherwise, the pandemic will wreak economic havoc.

I acknowledge that the report calls for urgency in a number of areas, particularly where jobs are concerned, but as the FSB noted,

“Time cannot be lost in generating paperwork and organising meetings. From day one, the focus must be on delivery and how the proposals practically impact local businesses and the wider community they serve.”

In that regard, I will venture to make some more critical comments about how the ideas in the

report are to be delivered, because there is no clear road map with timescales, there is no definitive strategy and there are no concrete plans. Dean Lockhart made that point. The report is “a civil servant’s dream”, as someone put it to me. Many of the recommendations are general and of no practical use to sectors of the economy that are struggling as we speak.

Many speakers, including Murdo Fraser, have quoted the Fraser of Allander institute, which said:

“There’s little in the report of substantial policy insight that is new, or different to what has gone before.”

If the report and the Government’s response to it are simply about keeping on doing the stuff that we have always been doing, we are lost.

I was struck by a couple of comments that members made in the debate and I would like to mention them briefly. Willie Rennie spoke about the effects on women, and especially low-paid women, acknowledging the importance of their childcare needs being met so that they can work. He was right to do so.

Bruce Crawford spoke about the hospitality industry in his constituency, and the importance of that industry is something that I feel, too, as I represent the Highlands and Islands. Many people in the hospitality industry will experience three winters.

Jackie Baillie was right to warn the Government against bringing forward a review of the fiscal framework when the economic shock is unknown, and I add that we should not do that during the current crisis.

We welcome the general thrust of the report and several of its recommendations and we are prepared to work with the Government where we can. However, well intentioned as the report is, it is not enough. Scotland’s workers and businesses cannot wait another month or more to be told what action the Scottish Government will take. We are at a pivotal moment.

My plea to the cabinet secretary is this: let this not be a moment when the Scottish Government buries itself in new strategies, task forces and working groups. We need courage to make difficult decisions, courage to act swiftly and boldly, and courage to rescue—at once and right away—the jobs and livelihoods of people across Scotland.

16:57

Fiona Hyslop: I thank members for engaging constructively, for the most part, on the content and recommendations of the advisory group’s report and for recognising that the group worked to a very compressed timescale.

As Donald Cameron pointed out, it was an independent advisory group. The report was commissioned by the Government, but it is not our report: it is a report for all of Scotland. The task is now about how we deliver on the points that we agree with, and part of the purpose of this debate is to identify the areas where there is consensus. It is helpful that there is consensus on the green recovery, the job guarantee and the digital route for both jobs and recovery.

Some of those things may have been considered before. A job guarantee has certainly been debated before, although there is now more urgency given the scale of the response that is required. However, I do not think that the fact that we have wanted to work on some of the areas before is a problem. The issue is acceleration and scale, and the report brings to our attention the sheer scale of what is required.

The response that we believe is required will depend on the angle from which we look through the lens. Given the scale of the response that is required, a number of members asked what the cost will be. If we are going to achieve in reality what is recommended in the report, the cost will be considerable.

Liam Kerr (North East Scotland) (Con): Will the cabinet secretary take an intervention?

Fiona Hyslop: I ask the member to let me develop the point.

The Fraser of Allander institute has said that £7 billion is required for Scotland to achieve the recovery that is necessary. As Annabelle Ewing and others pointed out, unlike the UK Government, Germany has already announced its fiscal and economic stimulus response, and 4 per cent of GDP would be equivalent to £6 billion of investment for Scotland. That is the sheer scale of what is going to be required.

The report is important because it helps us to understand what we need to do and the urgency with which we must do it, but I agree with Maurice Golden that it does not tell us how we must do it. That is what all of us must determine—not just those of us in this Parliament, but people in business, who are facing challenges, and the UK Government.

Other countries have developed their recovery plans. New Zealand uses the OECD's four-capital approach, which some members commented on. Depending on how we look at the situation, if we do things differently, there are challenges as to what that will mean.

We heard from Willie Rennie, Andy Wightman and Kenny Gibson about the report's focus on a regional approach. We agree that a place-based

approach is important, but that would pivot and change how we deal with things in certain areas.

On education, we heard from the Deputy First Minister that there will be £100 million to help pupils who have been left behind.

From Jackie Baillie, Maurice Golden and others, we heard about the importance of a green recovery. The prospectus that Scottish Power has published is very strong. There are practical things that can be done, and I hope that they will be done collectively with Government.

Richard Leonard had lots of different ideas in his speech. The foundation of the report is not to exclude other ideas, but to provide a platform and focus for economic recovery. He was absolutely clear that we cannot have another round of austerity, and I agree with him. That would not be acceptable, and a consensus on that would make a big difference in our approach.

In a very interesting speech, Andy Wightman talked about funding models. Creativity will be very important in that area, particularly to support ways that we can do things differently.

I agree with Willie Rennie's well-made point on the economy and childcare. The crisis has shone a light on the importance of care for both children and older people, which is important for a value-based recovery.

Gillian Martin identified for the north-east the four pressure points of Covid, Brexit, oil prices and climate change. Looking at the analysis on that will be important in our response.

Liam Kerr: Will the cabinet secretary give way?

Fiona Hyslop: I will take one brief intervention.

Liam Kerr: Does the cabinet secretary acknowledge that there is another severe problem in the north-east, which is the business rates regime that the Government has brought in?

Fiona Hyslop: Our rapid action on business rates has helped tourism and hospitality, and the other packages of support that we have provided have also been important. I remember speaking to people in the rest of Scotland about their concerns over the swift movement to support businesses in the north-east when there were issues in Aberdeen previously.

I hope that we can take an approach that will not exclude good ideas and which will have the ambition to bring people together to take us forward on the how. That is our point—that is why we want to ensure that we take action. Donald Cameron should not confuse the measures that are required immediately for restart with what is required for recovery. I look forward to hearing about the United Kingdom's recovery stimulus.

[*Interruption.*] I said that I would take only one intervention.

On other ideas, I am looking with interest at an additional sales tax and wonder whether Murdo Fraser thinks that we should have the powers for that kind of activity in this Parliament. VAT reduction is really important, as Bruce Crawford pointed out. Tourism in Scotland is currently charged the second highest VAT rate in the whole EU. That is an important area in relation to immediate stimulus and support. The report also identifies the role of tourism and hospitality across Scotland and I am glad that it does that.

It is an ambitious report. It might reinforce the direction that we have taken in some of the areas that we have looked at previously, but our challenge is to work together to accelerate our actions. For our young people, we must take action with our colleges and universities and the business-led response in terms of a job guarantee. We know that that can work. It happened in Edinburgh 10 years ago and was successful. I hope that we can roll that out now on a wider canvas.

As I explained, this is not a Government report but an independent one, and I value it on that basis. We need to respond to it and I intend to do that, as requested, by the end of July, to ensure that we have an action-based recovery plan for Scotland. Let us be ambitious and work together. We owe it to the people of Scotland to do that. I hope that, together, we can deliver something that will allow us to come through this dreadful situation and put Scotland on the track to recovery.

Civil Partnership (Scotland) Bill: Stage 3

17:05

The Deputy Presiding Officer (Christine Grahame): The next item of business is stage 3 proceedings on the Civil Partnership (Scotland) Bill. In dealing with the amendment, members should have the bill as amended at stage 2—that is, SP Bill 57A—and the marshalled list. The division bell will sound and proceedings will be suspended for five minutes for the first division of the afternoon. Members who wish to speak in the debate should press their request-to-speak buttons as soon as possible.

Members should now refer to the marshalled list. Amendment 1 is in the name of the Cabinet Secretary for Social Security and Older People. I call the cabinet secretary to speak to and move the amendment.

Section 3A—Power to enable civil partnerships to become marriages

The Cabinet Secretary for Social Security and Older People (Shirley-Anne Somerville): This single Government amendment to the bill at stage 3 is a minor, technical amendment that follows on from an amendment to the bill at stage 2. That stage 2 amendment inserted section 3A into the bill, which provides the Scottish ministers with the power to make regulations on changing marriages to civil partnerships. The Scottish Government lodged that amendment to the bill as a consequence of the stage 1 report on the bill, in which the Equalities and Human Rights Committee expressed its support for the principle of married couples being able to change their relationship to a civil partnership if they wish. The Scottish Government concluded that provisions in that area would be entirely consistent with the principles of equality and access to choice and rights that inform the bill; those same principles inform amendment 1.

Amendment 1 will allow the Scottish ministers, in exercising their powers under section 3A, to amend section 11(2)(b) of the Marriage and Civil Partnership (Scotland) Act 2014. It is the 2014 act that a couple relies on if they wish to change their civil partnership to a marriage; the effect of doing so is set out in section 11. Section 11(2)(b) provides that civil partners changing to a marriage

“are to be treated as having been married to each other since the date on which the qualifying civil partnership was registered”.

That is generally known as backdating. Section 11(2)(b) limits the potential for backdating only to the date on which the civil partnership was

registered. That may not be appropriate if the couple have changed their relationship before. For example, if a couple start off in a marriage, change that to a civil partnership, and then change back to a marriage, the logic is to backdate their relationship to when they originally married rather than to when they entered the civil partnership.

Amendment 1 will ensure that that can be done. An inability to amend subsection (2)(b) could mean that couples who make such changes could lose or have more limited access to the usual rights, responsibilities and benefits that flow from a legally recognised relationship. Such an outcome would be entirely at odds with what the bill is about.

I move amendment 1.

The Deputy Presiding Officer: No member has indicated that they wish to speak on the amendment. The cabinet secretary does not want to wind up, which is fine.

Amendment 1 agreed to.

The Deputy Presiding Officer: That ends consideration of the amendment. As members will be aware, at this point in the proceedings, the Presiding Officer is required, under standing orders, to decide whether, in his view, any provision of the bill relates to protected subject matter—that is, whether it modifies the electoral system and franchise for the Scottish Parliament elections. In this case, the Presiding Officer's view is that no provision of the Civil Partnership (Scotland) Bill relates to protected subject matter. Therefore, the bill does not require a supermajority to be passed at stage 3.

Civil Partnership (Scotland) Bill

The Deputy Presiding Officer (Christine Grahame): The next item of business is a debate on motion S5M-22115, in the name of Shirley-Anne Somerville, on the Civil Partnership (Scotland) Bill.

17:09

The Cabinet Secretary for Social Security and Older People (Shirley-Anne Somerville): I am delighted to open the debate at the final stage of the bill, which will make civil partnership available to mixed-sex couples in Scotland.

When the bill was introduced in the Scottish Parliament on 30 September last year, none of us could have foreseen how unimaginably different the world would be at this stage in the bill's parliamentary progress.

The bill is about equality and freedom of choice, and it is testament to those values and principles that the bill has continued to make its way through Parliament despite the many difficulties that we have faced in the past few months. I thank the Equalities and Human Rights Committee for its careful examination of the bill and considered stage 1 report. In particular, I thank the parliamentary staff for their support in the process, and I commend them for rising to the challenges of Covid-19 by putting in place new processes that have enabled scrutiny of the bill to continue during the public health emergency. I also thank the bill team and my private office staff, who have supported me through the process and have faced the challenges that we have all had to face when working in different ways during lockdown. I appreciate all that they have done in that respect.

I am heartened to see that the bill enjoys broad consensus across the chamber, and that it went through its initial stages with full cross-party support. Such consensus is all too rare, which shows that the principles of equality and freedom of choice can, and do, transcend everyday politics, and rightly so. Perhaps love in this new form of mixed-sex civil partnership really does conquer all. That view is borne out by the consensus on the bill beyond the chamber. The Humanist Society Scotland, the Law Society of Scotland, Engender, Children in Scotland, the Scottish Unitarian Association, the Equality Network, Stonewall Scotland and the Equality and Human Rights Commission all support the extension of civil partnerships to mixed-sex couples. It is clear from evidence that was received at stage 1 and during the Scottish Government's 2018 consultation on the future of civil partnerships in Scotland that people across the country welcome the bill, too. In

his written evidence to the committee, one man said:

“We are thrilled. The passing of this Bill will enable my partner and I to register our ... relationship in a way we find acceptable.”

He went on to make it clear that the benefits of mixed-sex civil partnership go further than simply allowing people to have a relationship that reflects their beliefs. He said:

“By allowing our civil partnership, you will help us provide greater stability to our children and greater certainty for our old age.”

The bill will ensure that such couples have the right to access the relationship that best reflects their beliefs and that will provide security and certainty for their families, if they have them. In doing so, the bill will complete the final piece of the formal relationship jigsaw for Scotland. Marriage is an ancient and universal institution. Recent innovations have changed the landscape of adult relationships, with the creation of civil partnerships for same-sex couples in 2004 and the establishment of same-sex marriage in 2014. When the United Kingdom Supreme Court ruled in 2018 that the law of civil partnership in England and Wales was not compatible with the European convention on human rights, and that it prevented mixed-sex couples from entering civil partnerships, it was clear that the time was right to consider a change in the law of civil partnership in Scotland.

In 2018, we consulted on the future of civil partnerships and it became clear that a bill that extended civil partnership to mixed-sex couples was the right approach. Mixed-sex civil partnership means that all couples in Scotland will have the same choices should they decide that they want a legally recognised relationship.

The bill also either puts in place, or allows regulations to put in place, a comprehensive body of law that governs mixed-sex civil partnerships in Scotland, including eligibility, registration, authorisation of celebrants, recognition of civil partnerships from elsewhere, and family law matters.

At stage 2, 11 amendments were made to the bill. Most of them addressed minor technical matters, but some related to points that were raised in the stage 1 report. First, in the report, the committee expressed its support for the principle of giving married couples the ability to change their relationship to a civil partnership if they wish to do so. The Government lodged an amendment that will provide Scottish ministers with the power to make regulations on changing marriages to civil partnerships, which is consistent with the principles of equality and freedom of choice that underpin the bill.

Secondly, I was pleased to support amendments that were lodged by Alex Cole-Hamilton on the interim scheme of recognition of mixed-sex civil partnerships. The scheme will allow mixed-sex civil partnerships from elsewhere to be temporarily recognised as marriages in Scotland until mixed-sex civil partnerships are available here. Concerns were raised at stage 1, given that marriage is not the relationship that is chosen by couples who will be recognised under the interim scheme. The amendments that were lodged by Mr Cole-Hamilton strike the right balance between addressing the concerns and taking into account the conclusion in the stage 1 report on the bill that

“there is no immediate alternative to the current approach”.

The concerns expressed about the interim scheme of recognition were, in a sense, simply concerns about when mixed-sex civil partnerships will be available in Scotland. I assure the chamber that I am committed to implementing the bill as soon as possible so that no one will have to wait too long to enter into a mixed-sex civil partnership, should they wish to do so. It might even be that some couples in Scotland will emerge from lockdown with a deepened sense of commitment to each other and a wish to realise that commitment in the form of a mixed-sex civil partnership. If they do, I wish them the very best.

I move,

That the Parliament agrees that the Civil Partnership (Scotland) Bill be passed.

17:15

Graham Simpson (Central Scotland) (Con):

We might be in the midst of a public health crisis, but it is good that we are still able to deal with other matters. To some, the bill might not, on the face of it, seem to be the most important matter in the world, but it will be very important indeed to those it potentially affects. I am therefore glad that we have found parliamentary time for it. I record my thanks to the bill team and parliamentary staff who have worked on the bill, the committee clerks and committee members. They have produced a bill that can be commended to the chamber and which will make a real difference to people.

I do not think that the bill is contentious, but some issues had to be dealt with along the way. The bill, as we have heard, allows mixed-sex couples access to civil partnerships, ensuring compatibility with the European convention on human rights. The bill, which we support, brings Scots law into line with that in the rest of the United Kingdom. The bill is about equality and fairness, which are principles that we should all subscribe to. It is also about choice—people having the ability to choose the status of a

relationship that they are in and having the same choice as everyone else.

By way of background, the Civil Partnership Act 2004 allowed same-sex couples to enter into a civil partnership. That was the first legal means for a same-sex couple to be recognised with similar legal rights to married different-sex couples. Ten years later, the Marriage and Civil Partnership (Scotland) Act 2014 made it legal for same-sex couples to be married in Scotland and also allowed a same-sex couple in a civil partnership to convert their legal status to married. However, different-sex couples could not form a civil partnership.

Civil partnerships for different sex-couples have recently been introduced in England, Wales and Northern Ireland. That followed a ruling by the Supreme Court, already mentioned, that the situation was discriminatory and incompatible with the ECHR. That ruling did not apply to Scotland, but it was still entirely right that we addressed the matter here. The committee's stage 1 report said:

"Scotland ... is the only country in the world where same sex couples can choose between marriage or civil partnership, while different sex couples only have the option of marriage."

We supported the general principles of the bill unanimously at stage 1. The committee then addressed some issues that had been picked up at stage 2. There were important amendments, and I will touch on some of them. First, Alex Cole-Hamilton is to be thanked for addressing an issue that was raised at stage 1: namely, that for an interim period, mixed-sex civil partnerships registered outside Scotland would have been temporarily treated in Scots law as if they were marriages. That caused some concern and risked confusion for anyone in that position who moved to Scotland regarding what their status would be. Mr Cole-Hamilton introduced amendment 1, which allows couples who have registered civil partnerships outwith Scotland to present as being in a civil partnership during the interim period, when they will have the legal status of married before Scots law is altered. They will receive the same legal protections as married couples, while not having to identify as married.

That amendment and, consequentially, amendment 2 were supported unanimously. That would have made Martin Loat of the Equal Civil Partnerships campaign a bit happier than he was at first. He said that he had a "huge problem in principle" that his own civil partnership would be treated as a marriage in the interim period and he urged the committee either to reconsider the provision involved or to have the bill enacted quickly so that the interim period was minimal or a non-existent theoretical issue.

Shirley-Anne Somerville introduced amendment 10, which allows marriages to be changed to civil partnerships and which was supported across all parties. Her amendment 11 extended recognition of marriages that have been converted to civil partnerships in England, Wales and Northern Ireland, which was unanimously supported. She also introduced several minor technical amendments that were passed with cross-party support too. Amendments 4 to 6 extended provisions for civil partnerships to be maintained regardless of one member of the couple changing genders, as both same-sex and mixed-sex couples can now be in civil partnerships. Those amendments were supported by everyone.

One issue that was raised earlier and has not been tackled is worth mentioning again. The bill does not allow for adultery to be used as grounds for ending a civil partnership, unlike in marriage. The Faculty of Advocates and the Law Society of Scotland suggested that that matter would be worthy of further consideration, but I saw no amendment on that—most probably because the committee felt, understandably, that it was a matter of divorce law.

The bill works, is fair and is about equality. Conservative members will support it at decision time.

The Deputy Presiding Officer: I call Pauline McNeill, who is speaking remotely, to open on behalf of Labour members.

17:20

Pauline McNeill (Glasgow) (Lab): I am delighted to support the bill at stage 3.

Same-sex marriage became law in Scotland in 2014. That allowed same-sex couples to enter into either type of relationship, while heterosexual couples were able only to marry. At the time, it was a milestone in our equality law. Through having inclusive marriage laws, we exposed a gap in the law. We now have equality. Some people do not wish to marry, for symbolic, cultural or emotional reasons, and it is therefore important to allow the extension of civil partnership.

In 2018, the UK Supreme Court found that the law on civil partnerships infringed on human rights by not allowing those in mixed-sex relationships to enter into one. Alongside that, a head of steam was building in Scotland and the rest of the UK to demand that equality. Fundamentally, same-sex couples have a right to choose between civil partnership and marriage, and the same choice should be available to other couples.

It is important to increase people's choice in how they live their lives in the structure that they choose. The bill aligns Scotland with the rest of

the UK, as civil partnerships for mixed-sex couples have recently been introduced in England, Wales and Northern Ireland.

I was impressed that, even at stage 2, the committee found good amendments that have strengthened the bill. Graham Simpson has welcomed amendments that were lodged by Alex Cole-Hamilton, which substantially strengthened the bill. Those allow for an interim period for mixed-sex civil partnerships that have been registered outwith Scotland to be temporarily treated in Scots law as if they were marriages. That is quite an important amendment. It will give couples legal protection before mixed-sex civil partnerships are commenced in Scotland. It also means that mixed-sex civil partners will be able to present themselves as civil partners and their relationship as a civil partnership.

I also welcome the Scottish Government amendment that allows marriages to be changed to civil partnerships—another vitally important way of strengthening the bill. The committee asked the Scottish Government to consider that, and I am pleased that the suggestion was taken on board. The Scottish Government amendments give ministers the power to make regulations, as we have heard, that will make it possible for married couples to change their marriage to a civil partnership, if they so wish.

The bill will mean that couples will have an alternative option to marriage in a legally recognised relationship that brings with it financial benefits and security, but it is about more than that. Many people simply feel strongly that marriage is not the right institution for them. I am pleased that, with the bill, we are ensuring that those people can be legally recognised as being in a relationship that has more or less the same benefits as marriage, and that may fit more with their personal beliefs and how they want to live their lives.

I am also pleased that, despite the national pandemic that has presided over our lives for the past three months, the Government will be able to allow wedding plans to go ahead in the foreseeable future.

Formalising partnerships can have many important benefits for people's lives. It can promote stability for those who reject marriage and allow them to enter into something different. Honouring a commitment to another person is perhaps the main reason for a civil partnership, but it also gives important status in issues such as inheritance tax, pensions and next-of-kin arrangements. The change to the law also provides an option for people who previously thought that marriage might be a negative experience.

I commend the work of the Equalities and Human Rights Committee and the Government. I think that, finally, we have achieved equality in marriage law. On behalf of Scottish Labour, I am pleased to support the bill at stage 3.

17:25

Patrick Harvie (Glasgow) (Green): As this is likely to be my last speech before the recess, I want to record my appreciation of the Parliament's officials, who have been working in difficult circumstances to enable members like me to contribute remotely. I will not be able to cast my vote when Parliament makes a decision on the bill, so I am very grateful for the opportunity to speak and to put my support for the bill on the record.

I suppose that, in a way, this speech has been a long time coming, for me. Way back when I joined the Scottish Green Party, one of the first policy motions that I brought to our party conference was on family law. That was at a time when the lesbian, gay, bisexual and transgender community was just beginning to consider the possibility that we might get some form of family-law recognition.

In the first session after devolution, one of the first bits of equality legislation that was passed recognised same-sex relationships. That was in the Adults with Incapacity (Scotland) Act 2000, but the possibility of some kind of legal recognition of family status was gradually coming forward.

The motion that I took to my party conference said that there should be cohabitation, civil partnership and marriage, and that all those legal forms of family relationship should be recognised on a non-discriminatory basis and open to same-sex and mixed-sex couples.

It is remarkable evidence of how far we have come that that is now such an uncontroversial position that it looks as though it is about to be adopted unanimously by the Scottish Parliament.

When I was first elected, we were very aware that the UK Parliament was about to begin debating civil partnership legislation for the UK, and that that was likely to be passed through a Sewel motion in the Scottish Parliament. It was an aspect of family law that was devolved, but many members of the Scottish Parliament, after their bruising encounters with the nasty, vicious and homophobic "Keep the clause" campaign in session 1, were unwilling to have that debate. Therefore, I lodged a proposal for a member's bill on civil partnership, not because I expected that to become the legislative vehicle, but because I wanted to open up an opportunity for debate and scrutiny of the issue in the Scottish Parliament.

That member's bill proposal would have ensured that we were human-rights compliant from the word go. It was wrong to be able to criticise marriage for being discriminatory against same-sex couples and then to introduce a new mechanism—civil partnership—that was also discriminatory from the word go. We should not have made that mistake. However, we are where we are.

I really need to stress to members who might have forgotten it just how vociferous the reaction against my bill proposal was. The morning after I made the proposal, the front page of the *Daily Mail* said, in big black letters, "Greens threat to the family". The simple idea that every couple and every family should be able to decide for themselves on what basis in law they want to be recognised—without a hint of hierarchy, or of the sense that one mechanism is better or worse, or superior or inferior, and with discrimination being wrong regardless of whether they choose to cohabit, enter a civil partnership or marry—was such an extraordinary proposition to some people at the time that a friend of mine gave me a badge that I still wear. I am wearing it today. The camera is not close enough for you to see it, Presiding Officer, but it says, "Hated by the Daily Mail". I still have that badge because I remember when the issues that we are about to pass with consensus today were such inflammatory and provocative positions that they elicited that hateful response.

I am very pleased that our politics and our political parties have moved on, so that we can now endorse equality together. I hope that the principle that was mentioned earlier—that the people who will be affected by the legislation are the ones about whom we should be thinking—will apply when we debate other equality issues, such as the status of trans people, who today suffer the kind of hateful hostility in the media and in politics that my community was suffering back in 2003, when I first debated civil partnership.

I support the bill.

17:30

Alex Cole-Hamilton (Edinburgh Western) (LD): As Liberal Democrat equalities spokesperson and deputy convener of the Equalities and Human Rights Committee, it gives me great pleasure to support the bill. I thank the clerks to the committee, the witnesses who gave evidence and the people who, through the virtual world in which we had to conduct them, made our stage 2 proceedings possible. As ever, I thank Tim Hopkins from the Equality Network, who guided me through the foothills of the bill, and without whose expertise I would have struggled. I am very grateful to him.

Marriage is not everybody's cup of tea. For some, it represents religious or patriarchal baggage that many rail against. The legislation will correct an aberration in the legal landscape by which the law recognises a union. The bill will offer legal and financial protection for both parties in the event of a relationship ending, in the same way that it does in marriage and in same-sex civil partnership.

The changes that we made at stage 2 were important and have gone some way towards addressing the problems that were identified by witnesses at stage 1, and which have been mentioned in members' remarks today. I am grateful to colleagues for their kind words on my efforts in that regard, and to the cabinet secretary for her co-operation on that score.

Section 3 of the bill provides that, for the interim period, people in mixed-sex civil partnerships that have been registered outside Scotland will temporarily be treated in Scots law as if they were married. That is to provide them with legal protections between commencement of section 3 and commencement of the rest of the bill. Once the whole bill has been commenced, those civil partnerships will be treated in law as civil partnerships and will continue to have those protections.

However, Martin Loat, of the Equal Civil Partnerships campaign, explained to us in compelling terms that that is problematic, because people in his situation have chosen to register a civil partnership instead of marrying. It is horrifying to them to be considered as married in any jurisdiction. He urged that the provision be reconsidered or, at least, that the interim period for which section 3 operates be kept to a minimum.

Because we want to provide such civil partnerships with legal protection as soon as possible, after lots of debate the committee recognised that there is no immediate alternative to section 3's approach. However, at stage 2, through amendment 1, which was in my name, we amended the bill unanimously to make it clear that, although the legal protections of marriage are provided during the interim period, treating the civil partnership as though it were a marriage does not prevent the partners from

"presenting themselves as civil partners"

and not being married. That is key. For example, if the partners were to complete an application form for insurance and were asked for their relationship status, as a result of amendment 1 they can legally answer "civil partnership".

Irrespective of sex, gender identity or sexual orientation, equality before the law is a vital baseline against which further progress towards all human equality and rights can be made. The

Equality Network claims that, based on the experience of other countries, roughly one in 10 mixed-sex couples would prefer a civil partnership to a marriage, with demand coming from couples who would otherwise choose not to get married and would become unmarried cohabitants. That was a notable problem with the original drafting of the legislation; some mixed-sex couples who have married would, had it been available to them, have preferred a civil partnership. The same goes for couples who were married under a faith from which they have become estranged.

At stage 2, I was pleased to support the Government's amendment 10, which changed the tenor of the bill such that same-sex couples who had registered as civil partners before marriage was available to them can change their civil partnership to a marriage, and vice versa. That is an important move for equality.

The bill reflects legitimate concerns and reasons why some people reject the institution of marriage. It offers all the legal protections to couples of all genders, all faiths and none. It irons out a kink in the fabric of our more equal society, and I am proud to have been part of its consideration.

17:34

Ruth Maguire (Cunninghame South) (SNP): Although my remarks are not made on behalf of the Equalities and Human Rights Committee, I do not think that the committee's members will mind my placing on the record our thanks to the citizens and organisations who contributed their experiences and evidence.

We are also very grateful to our clerks and the Parliament staff who have supported our scrutiny of this important legislation in these difficult times. We completed stage 2 proceedings remotely. Convening from home was a first for me, and has not been without its challenges. These are challenging times and now, more than ever, we must make every effort to promote equality and human rights. Our doing just that is at the heart of the bill.

Since the introduction of same-sex marriage, marriage and civil partnership have both been available to same-sex couples. However, mixed-sex couples have only the choice of marriage. When Parliament passes the bill this afternoon, Scotland will no longer be the only country in the world where that situation exists. That inequality will be eliminated.

The most powerful evidence that we heard in committee came from personal testimonies on how the bill, in providing more extensive rights and choices, would positively affect people's lives. Extending civil partnerships to mixed-sex couples will mean that children have greater protections

through legal recognition of their parent's relationship.

Young LGBT people will no longer have to fear being outed as being lesbian, gay or bisexual if they reveal that they are in a civil partnership. Furthermore, transgender civil partners seeking a gender recognition certificate will no longer need to end their relationship.

I would like to remind members of some of the personal testimony that I shared at stage 1. One cohabiting woman wished that the bill had come sooner. She wrote to us:

"My partner died suddenly after 28 years together with two young children. Yet my children and I are not recognised as 'family' because we weren't married. I have had to apply for widowed parent allowance ... and two years down the line ... it's still in the courts and I'm awaiting the next hearing."

Another woman shared this:

"I've been with my partner for 9 years and neither of us have a desire to get married ... However, I've recently been diagnosed with cancer and naturally I want my partner to be financially secure when I'm gone."

The legislation will help to formalise that.

Mixed-sex civil partnerships are necessary to ensure that all couples have access to important legal rights that are currently available only through marriage. For many mixed-sex couples, the choice between marriage and cohabitation is not a real choice but a choice between acting against their deeply held convictions or accepting a lesser legal position.

The bill is about individuals and the choices that they must make. It provides real choices and will enable couples to have their relationship legally recognised in a way that is right for them, with the important legal rights and protections that flow from that.

As introduced, the bill would have created inequality of opportunity, so I am very grateful to the Scottish Government for lodging amendments at stage 2 to remedy that by allowing conversion of a marriage to a civil partnership.

The bill that we are debating today advances equality and upholds human rights. I will be very proud to vote for it.

The Deputy Presiding Officer: We move to the closing speeches.

17:38

Pauline McNeill: As other members have said, the bill is an excellent piece of work and a positive piece of legislation. It allows different-sex couples an alternative option and, importantly, equality for those changing their gender. Overall, it makes the

law a lot less complicated as well as making it equal.

When Patrick Harvie was speaking earlier, I recalled that he was the champion of the Civil Partnership (Scotland) Act 2004. He has played a significant role in persuading the Government to go down this road. It is a tragedy that it took us so long to give some—albeit limited—equality to same-sex relationships. I scrutinised the Civil Partnership (Scotland) Act 2004 when the legislation went through Parliament and it was a significant milestone at that point.

At the time, we trawled through Scots law to equalise the law wherever we found that marriage was mentioned to ensure that civil partnerships had equal weight in the law. We have come much further than that today because now we truly have equality in our marriage laws. The law does not care whether people are a same-sex couple or a different-sex couple—all that the law is interested in is how the couple chooses to formalise that relationship. That is all that matters and all that really should matter. Everyone who wants the protection of family law should have it, regardless of the relationship that they have chosen.

I will keep my remarks short. There is nothing more to be said, other than that Scottish Labour is delighted to support the work of the Parliament and this excellent bill at stage 3.

17:39

Maurice Golden (West Scotland) (Con): I thank the clerks, the convener and the members of the Equalities and Human Rights Committee, as well as the cabinet secretary, for their approach in producing the bill. There has been a simple motivation behind the bill: fairness and ensuring that every couple has equal access to the same options for legal recognition.

The bill has widespread support. The Equality and Human Rights Commission has campaigned for it since 2011. The Equality Network supports the fact that the bill extends rights and choices. Engender believes that

“rolling back the rights of one group”

is not the way to equalise treatment for all. The Young Women’s Alliance supports having options of recognition outside marriage. Stonewall Scotland was concerned that ending the registration of civil partnerships would undermine the relationships of same-sex couples while limiting rights for different-sex couples.

The cabinet secretary stated in her opening remarks that the bill is about equality and freedom of choice. I agree. We do not often have consensus in the Parliament—it is perhaps rare—but we enjoy consensus on this bill. That is

perhaps because, as she outlined, love conquers all.

Graham Simpson said that the bill is about choice, which is something that we can all get behind. From the comfort of his sofa, Patrick Harvie spoke of his pride at the likelihood that the bill will pass. Ruth Maguire highlighted the personal testimonies and described the deeply concerning situations that couples faced as a result of the gap in the legal provision of partnerships that are open to couples in Scotland.

A key part of the bill was ensuring that the extension of civil partnerships to different-sex couples was on the same basis as the current same-sex provision. Pauline McNeill outlined why she welcomed that addition. That can be seen in the ability to convert partnerships to marriages and the ability to dissolve partnerships due to an irretrievable breakdown, just as same-sex couples are able to.

I welcome the fact that the bill recognises different-sex civil partnerships from outwith Scotland. Alex Cole-Hamilton’s amendment at stage 2 gave those partnerships legal rights akin to those for marriage until those partnerships become available in Scotland. That overcame the worrying predicament that is faced by many couples and made it clear that civil partnerships could, in essence, continue during the interim phase. Alex Cole-Hamilton called it “equality before the law”.

In the same vein of creating parity, the bill was amended at stage 2 to allow the conversion of marriages to civil partnerships. It is important to recognise and welcome the bill’s provisions that have strengthened civil partnerships for all couples, such as the prohibition of forced partnerships.

The bill has made progress, but it reinforces the need for wider and more informed debate on some of these issues. In particular, we must remember that the bill is correcting a mistake that the Parliament made in the original Civil Partnership Act 2004. That legislation, like this bill, was borne out of a desire for fairness, but it inadvertently created an unfair situation for different-sex couples who wished to enter into a civil partnership.

I hope that all members recognise not only the progress that has been made today, but that there is still work to do.

17:43

Shirley-Anne Somerville: I thank members who have contributed to the debate. Again, I want to express how pleased I am that there has been cross-party consensus and agreement on the bill’s intention from its introduction to the final vote

today. That consensus stands as clear evidence of the value that the chamber places on rights, fairness and equality in our country.

Many members, including Graham Simpson and Pauline McNeill, talked about changing marriages to civil partnerships. When discussing the bill, I have mentioned equality many times, but it is worth mentioning it again in that context. Equality is why the committee's stage 1 report supported the principle of married couples being able to change to a civil partnership if they wish to do so, and it is why the Scottish Government was pleased to lodge amendments to follow up on the committee's recommendations.

We have found that changes from same-sex civil partnerships to marriages have worked well, and there is no reason to think that changes from marriages to civil partnerships should be any different.

There was some discussion around the interim scheme of recognition, and I pay tribute to Alex Cole-Hamilton for his work on that at stage 2, which improved that section of the bill. In essence, that will give couples the freedom to use the language of the relationship they chose while the rights, benefits and responsibilities that flow from their relationship can be fully upheld in Scots law through temporary recognition as marriage.

Patrick Harvie pointed to a front page from the *Daily Mail* that criticised his stance on equalities issues. I have a funny feeling that that has not been the only front page of the *Daily Mail* that has criticised Patrick Harvie, and I am sure that it does not bother him one iota. He is right to say that equalities have moved on in many ways since that page was written, and I commend his work and continued efforts to ensure that that progress continues.

Ruth Maguire talked about the changes that will happen that will ensure that same-sex couples are not, in effect, outed by saying that they are in a civil partnership. That is a very important point, which was brought in during the bill's development. She also brought the debate to the most important matter: the difference that the bill will make to couples in Scotland who wish to have their relationship recognised but do not feel that marriage is right for them. It is very important that we listen to the voices that this will make a difference to.

I want to provide some reassurance to the chamber about implementation of the bill, should it be passed. Although I am committed to implementing the bill as soon as possible, that must be tempered by the period that we are still in with Covid-19, and the fact that our focus rightly remains on our response to the pandemic.

There are a number of implementation tasks for the bill: an order at Westminster under section 104 of the Scotland Act 1998 and a package of secondary legislation to go through this Parliament. That might sound like a lot to couples who are keenly awaiting the introduction of mixed-sex civil partnerships in Scotland. However, I hope that they will be reassured to know that we have already taken steps to progress those tasks.

I pay tribute to the Scottish Government officials and Parliament staff who have ensured that, despite all the challenges that we have all faced under the pandemic, we have had the opportunity to debate, vote and—I hope—pass the bill. I also thank the members who have made this such a smooth process—if only all bills went through so smoothly.

I hope that we can all be proud that we are introducing legislation that will ensure equality to all in choosing the form of legal recognition that they would want for their relationship; maybe there will even be some civil partnership proposals tonight, following this debate. If there are, we can all jointly express our congratulations to any couples who have decided to progress their plans for marrying or entering a civil partnership. We wish them the happiest of lives together.

I thank members across the chamber for their contributions to the debate, and I commend the bill and the motion to Parliament.

Committee Announcement

The Presiding Officer (Ken Macintosh): I am pleased to call Gillian Martin, Convener of the Environment, Climate Change and Land Reform Committee, to make an announcement on a report on the legislative consent memorandum on the United Kingdom Environment Bill.

17:49

Gillian Martin (Aberdeenshire East) (SNP): Thank you for the opportunity to make a statement in relation to the UK Environment Bill legislative consent memorandum. I have written to you ahead of this statement, and that letter, along with the Environment, Climate Change and Land Reform Committee's report and related correspondence, is available on the committee's web pages.

Members may be aware of the UK Environment Bill. It proposes a number of shared powers: powers in devolved environmental policy areas in which both Scottish and United Kingdom ministers, with the consent of the Scottish ministers, would have the power to make regulations.

Members may have heard of such shared powers before. A growing number are being introduced via the current tranche of UK Brexit bills, and a significant number of the statutory instruments that committees considered as part of the UK's no-deal exit preparations gave UK ministers legislative powers in devolved competence. Some, but not all of those were given with the consent of the Scottish ministers.

When the committee explored the issue, both by seeking views from key stakeholders and by taking evidence from the cabinet secretary last week, we grew increasingly concerned about the number of legislative powers potentially available to UK ministers in devolved competence. Fellow parliamentarians were so concerned that we concluded that those shared powers represent a change to the devolution settlement and a significant challenge to parliamentary scrutiny, including impacting our ability to hold the Scottish Government to account on the decisions it makes on regulations put to it by the UK Government.

With no guarantee that the Parliament will have sufficient opportunity to scrutinise the content of statutory instruments, we felt unable to make a recommendation in relation to the LCM, and we agreed that I should raise the issue with all members, here in the chamber.

We believe that the bill challenges the key principle of devolution in Scotland. We believe that it should be the Scottish Parliament that makes

primary and secondary legislation in devolved policy areas, and therefore that any legislation in devolved policy areas that is necessary as a consequence of Brexit should be made by us.

We feel that the LCM does not explain why UK, rather than Scottish, legislation is required or why UK ministers, with the Scottish ministers' consent, should exercise the proposed powers. Furthermore, our ability as a Parliament to scrutinise the regulations and to hold the Scottish ministers to account would be limited.

The committee is aware that officials are revising the existing protocol, which would give the Scottish Parliament an opportunity to scrutinise the Scottish Government's proposal to consent to the UK Government exercising significant powers. We conclude that if the revised protocol is to be meaningful, it must urgently address the issues of limited information on the SIs themselves and of limited time for parliamentary scrutiny of SI notifications.

In our report, we also propose the use of the joint parliamentary procedure for UK regulations in devolved competence. The cabinet secretary has told us that the Scottish Government has been exploring that. We believe that that is critical, as it would give the Scottish Parliament a formal role when our legislative powers are exercised by UK ministers.

The committee does not believe that the exit from the European Union should be at the expense of the devolution settlement, but that it should respect the Scottish Parliament's role to make legislation in devolved competence and to continue to perform its full role in holding the Scottish ministers to account for how its legislative powers are exercised.

Parliamentary Bureau Motion

17:53

The Presiding Officer (Ken Macintosh): Our next item of business is consideration of Parliamentary Bureau motion S5M-22126, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, on referral of an Scottish statutory instrument.

Motion moved,

That the Parliament agrees that the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 2) Regulations 2020 (SSI 2020/184) be considered by the Parliament.—[*Graeme Dey*]

The Presiding Officer: Given that decision time today is at 6 o'clock, I am minded to accept a motion without notice to bring decision time forward to now.

Motion moved,

That, under Rule 11.2.4, Decision Time be brought forward to 5.54 pm.—[*Graeme Dey*]

Motion agreed to.

Decision Time

17:54

The Presiding Officer (Ken Macintosh): Before we come to decisions, I return to the observation that Andy Wightman made in his opening remarks on the local government finance order about the title of that order as set out in the motion. Mr Wightman was correct that the words were in the wrong order. The motion has now been updated with a minor amendment to reflect the proper title.

The first question is, that motion S5M-22114, in the name of Ben Macpherson, on the Local Government Finance (Coronavirus) (Scotland) Amendment Order 2020, be agreed to.

Motion agreed to,

That the Parliament agrees that the Local Government Finance (Coronavirus) (Scotland) Amendment Order 2020 [draft] be approved.

The Presiding Officer: The second question is, that amendment S5M-22119.2, in the name of Maurice Golden, which seeks to amend motion S5M-22119, in the name of Fiona Hyslop, on the advisory group on economic recovery recommendations, be agreed to.

Amendment agreed to.

The Presiding Officer: The next question is, that amendment S5M-22119.4, in the name of Richard Leonard, which seeks to amend motion S5M-22119, in the name of Fiona Hyslop, as amended, be agreed to.

Amendment agreed to.

The Presiding Officer: The next question is, that amendment S5M-22119.3, in the name of Andy Wightman, which seeks to amend motion S5M-22119 in the name of Fiona Hyslop, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)

Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Findlay, Neil (Lothian) (Lab)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Johnstone, Alison (Lothian) (Green)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 Macdonald, Lewis (North East Scotland) (Lab)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Rumbles, Mike (North East Scotland) (LD)
 Sarwar, Anas (Glasgow) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wightman, Andy (Lothian) (Green)

Against

Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Corry, Maurice (West Scotland) (Con)
 Golden, Maurice (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Whittle, Brian (South Scotland) (Con)

The Presiding Officer: The result of the division is: For 52, Against 12, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The next question is, that amendment S5M-22119.1, in the name of Willie Rennie, which seeks to amend motion S5M-22119, in the name of Fiona Hyslop, as amended, be agreed to.

Amendment agreed to.

The Presiding Officer: The next question is, that motion S5M-22119, in the name of Fiona Hyslop, on the advisory group on economic recovery's recommendations, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Findlay, Neil (Lothian) (Lab)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Johnstone, Alison (Lothian) (Green)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 Macdonald, Lewis (North East Scotland) (Lab)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Rumbles, Mike (North East Scotland) (LD)
 Sarwar, Anas (Glasgow) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wightman, Andy (Lothian) (Green)

Against

Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Corry, Maurice (West Scotland) (Con)
 Golden, Maurice (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)

Stewart, Alexander (Mid Scotland and Fife) (Con)
Whittle, Brian (South Scotland) (Con)

The Presiding Officer: The result of the division is: For 52, Against 12, Abstentions 0.

Motion, as amended, agreed to,

That the Parliament notes the findings and recommendations of the independent Advisory Group on Economic Recovery in its report, *Towards a robust, resilient wellbeing economy for Scotland*, and thanks the membership of the group for their deliberations; further notes the considerable impact that COVID-19 has had on the different sectors and regions of the Scottish economy; recognises the considerable and collective action that will be required from government, private and third sectors, trade unions and the people of Scotland to support a green and sustainable economic recovery that enhances the wellbeing of all; welcomes the contribution of the UK Government in protecting livelihoods, jobs and businesses in Scotland during the COVID-19 pandemic; welcomes the focus on establishing a jobs guarantee scheme, which should be tailored to ensure it provides necessary additional assistance for young workers, women and BAME and disabled workers, who are all likely to be hit hard by this economic crisis; recognises the disproportionate economic impact of the COVID-19 crisis on young people, and therefore welcomes the valuable role that a jobs guarantee scheme could play in protecting livelihoods, preventing unemployment and accelerating the transition to a net-zero economy; notes that young people are also more likely to suffer from precarious incomes and expensive and insecure housing, and considers that economic recovery must address the root causes of these problems; agrees that there is a need both for a significant increase in capital investment and for the Scottish Government to take public stakes in businesses, but considers that both these interventions must be actively led according to clearly defined principles, rather than according to commercial imperatives; notes that the Scottish Government has committed to a formal response by the end of July 2020; believes that a more urgent response is needed on provision of childcare for anyone required to return to work given the report's statement that school and childcare closures represent "a disproportionate impact on women's employment", and further calls for a formal estimation within its plans of the amounts paid by the UK Government directly to people in Scotland under furlough, unemployment benefits and other COVID-related payments, in order to give a better assessment of the resources both required and available to support people.

The Presiding Officer: The next question is, that motion S5M-22115, in the name of Shirley-Anne Somerville, on the Civil Partnership (Scotland) Bill at stage 3, be agreed to. Members should cast their votes now.

For

Adam, George (Paisley) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bowman, Bill (North East Scotland) (Con)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)

Constance, Angela (Almond Valley) (SNP)
Corry, Maurice (West Scotland) (Con)
Crawford, Bruce (Stirling) (SNP)
Denham, Ash (Edinburgh Eastern) (SNP)
Dey, Graeme (Angus South) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Ewing, Annabelle (Cowdenbeath) (SNP)
Fabiani, Linda (East Kilbride) (SNP)
Findlay, Neil (Lothian) (Lab)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (West Scotland) (Con)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Iain (East Lothian) (Lab)
Greene, Jamie (West Scotland) (Con)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Johnstone, Alison (Lothian) (Green)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lockhart, Dean (Mid Scotland and Fife) (Con)
Lyle, Richard (Uddingston and Bellshill) (SNP)
Macdonald, Lewis (North East Scotland) (Lab)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (SNP)
McKee, Ivan (Glasgow Provan) (SNP)
McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
Neil, Alex (Airdrie and Shotts) (SNP)
Rennie, Willie (North East Fife) (LD)
Rumbles, Mike (North East Scotland) (LD)
Sarwar, Anas (Glasgow) (Lab)
Simpson, Graham (Central Scotland) (Con)
Smith, Liz (Mid Scotland and Fife) (Con)
Smyth, Colin (South Scotland) (Lab)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kevin (Aberdeen Central) (SNP)
Todd, Maree (Highlands and Islands) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Wheelhouse, Paul (South Scotland) (SNP)
White, Sandra (Glasgow Kelvin) (SNP)
Whittle, Brian (South Scotland) (Con)
Wightman, Andy (Lothian) (Green)

The Presiding Officer: The result of the division is: For 64, Against 0, Abstentions 0.

Motion agreed to,

That the Parliament agrees that the Civil Partnership (Scotland) Bill be passed.

The Presiding Officer: The motion has been agreed to and therefore the Civil Partnership (Scotland) Bill is passed. *[Applause.]*

The Presiding Officer: The final question is, that motion S5M-22126, in the name of Graeme Dey, on the referral of a Scottish statutory instrument, be agreed to.

Motion agreed to,

That the Parliament agrees that the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No 2) Regulations 2020 (SSI 2020/184) be considered by the Parliament.

Meeting closed at 17:59.

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

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